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LEAGUE OF NATIONS

CONFERENCE ON THE SUPPRESSION OF OPIUM-SMOKING CONVENED UNDER ARTICLE XII OF THE GENEVA OPIUM AGREEMENT, 1925

Bangkok, November 9th to 27th, 1931

MINUTES OF THE MEETINGS AND DOCUMENTS SUBMITTED TO THE CONFERENCE

Series of League of Nations Publications
XI. OPIUM AND OTHER DANGEROUS DRUGS
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FIRST MEETING (Public).

Held at Bangkok on Monday, November 9th, 1931, at 9 a.m.

1. Opening of the Conference.

His Highness Prince DEVAWONGSE, Siamese Minister for Foreign Affairs, spoke as follows :

I consider it a great privilege to have the honour of opening the Conference to-day. On this auspicious occasion, His Majesty the King has commanded me to convey to you a message, which I will read :

" I take pleasure in bidding you all a very cordial welcome.

" You are gathered here from various parts of the world to discuss a question of great importance to the human race. Your work is such that you can justly be proud of it. For the better welfare of the world at large and in the sole interest of humanity, you are directing your efforts to find means of bringing about eventually the complete suppression of the opium habit.

" I wish you every success in the great task that lies before you. The experience which you already possess and the lofty aim which inspires you all are a guarantee that your deliberations will meet with universal approval."

It may not be out of place for me to give a brief account of the international action taken in the question of opium. Although the abuse of opium was known to exist from quite an early date, no international action was taken until the beginning of the twentieth century. In 1909, on the initiative of the United States of America, an International Commission met at Shanghai. Although this meeting did not result in the signature of an international agreement, the free and frank discussion which ensued on all aspects of the question did, in fact, clear the way for the subsequent conclusion of an international Convention.

On December 1st, 1911, an International Conference was convened at The Hague, and on January 23rd, 1912, the Hague International Convention was signed. Chapter II of this Convention deals with prepared opium, and Article VI provides that " the contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium, with due regard to the varying circumstances of each country concerned, unless regulations on the subject are already in existence ". The provision just quoted has a very far-reaching consequence. It was the first international enunciation of the principle that the use of prepared opium should be gradually suppressed.

There was not sufficient time for the Hague Convention to come into operation before the great war intervened. After the war the League of Nations was established, and, under Article 23 *(c)* of its Covenant, the League was made responsible for the general supervision over the execution of agreements with regard to the traffic in opium and other dangerous drugs. In 1921, the League of Nations set up an Advisory Committee on Traffic in Opium and Other Dangerous Drugs. The Committee met at regular intervals and in 1923 recommended that " the Governments concerned in prepared opium be invited to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far-Eastern territories to Chapter II of the Hague Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China ".

The Conference was convened and met in Geneva on November 3rd, 1924, and on February 11th, 1925, an Agreement, together with a Protocol, was signed by the following countries : United Kingdom, India, France, Japan, the Netherlands, Portugal and Siam. Instead of leaving each Government free to work out the details for the control of opium-smoking, as was done in the past, the Agreement attempted to lay down uniform measures of control which might be adopted by the Governments concerned. It dealt, in particular, with the establishment of a Government monopoly in regard to the importation, sale and distribution of opium, the prohibition of the sale of opium to minors and the prohibition of the purchase and sale of dross, except when the dross was sold to the Monopoly. The Protocol, however, went a great deal further. Article II provided : " As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will strengthen the measures already taken in accordance with Article VI of the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in Article III ". Article III provided : " A Commission to be appointed at the proper time by the Council of the League of Nations shall decide when the effective execution of the measures, mentioned in the preceding article, to be taken by the poppy-growing countries

has reached the stage referred to in that article ". To enable the contracting parties to review periodically the position in regard to the application of Chapter II of the Hague Convention and of the Agreement mentioned above, it was provided in Article XII of the Agreement that a Conference might be called for this purpose, and also that the first Conference should take place at the latest in 1929.

In 1928, the Government of the United Kingdom drew the attention of the Council of the League of Nations to the fact that the efforts to suppress the smuggling of opium had failed in those territories of the Far East in which opium-smoking was still permitted and that the prospects of undertaking the gradual and complete suppression of the use of prepared opium had receded indefinitely. They therefore proposed the appointment of a Commission of Enquiry, to be sent to the Far East to investigate on the spot and report fully on the situation. The Council referred this proposal to the Assembly, which recommended the appointment of three persons to conduct the enquiry proposed by the British Government. In March 1929, the Opium Commission of Enquiry was appointed with His Excellency M. Ekstrand, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Sweden to Buenos Aires, as Chairman of the Commission. This Commission travelled extensively in the Far East and made a comprehensive report on the whole situation.

The present Conference has been called under Article XII of the Opium Agreement of 1925. Its object is to review the situation as regards the application of Chapter II of the Hague Convention and also of the Agreement of 1925. The Council of the League of Nations decided to hold this Conference in Bangkok. This is, indeed, the first time that a Conference held under the auspices of the League of Nations meets in this country, and His Majesty's Government are deeply gratified that this particular Conference should be discussing the question of opium. Siam has always been a firm supporter of the League of Nations, and I feel certain that the present Conference will make the League better known to the people of this country and will inspire them with even greater confidence in its strength and in its future.

It now remains for me to welcome you all on behalf of His Majesty's Government and to wish you success in your noble work. Your task is one which is complicated and difficult and will lay a heavy tax on your courage and patience. You will, however, be compensated by the thought that in every step you take you will be contributing individually to the greater happiness and to the welfare of mankind.

I now declare the Conference open.

M. EKSTRAND, Director of the Opium Traffic and Social Questions Sections, conveyed to the delegates at the Conference the sincere wishes of the Secretary-General of the League of Nations for complete success in their delicate and important task. The campaign against the smoking of opium and the abuse of narcotic drugs occupied a prominent place in the activities of the League. It was to be hoped that the result of the Conference's work would mark a decisive step towards the suppression of the opium-smoking habit, thus giving fresh proof to the world of the possibilities of frank and whole-hearted collaboration amongst the nations concerned.

M. Ekstrand paid a warm tribute to the memory of His Royal Highness the late Prince of Chandaburi, who, as first President of the Royal Siamese Opium Commission, had directed the Commission's activities with so open and broad a mind.

In conclusion, M. Ekstrand sincerely thanked His Majesty the King and all the Siamese authorities for the cordial hospitality extended to the Conference.

2. Election of President.

Prince DEVAWONGSE invited the Conference to elect a President.

Sir Malcolm DELEVINGNE (United Kingdom) said that he would first wish to express the deep gratitude of the Conference for the gracious message of His Majesty the King. The friendly words spoken by His Highness the Minister for Foreign Affairs would also meet with a warm response from all delegates. The record of Siam in the matter of opium control had been an honourable one; the Advisory Opium Committee of the League had always recognised the sincerity of the attitude of Siam.

Sir Malcolm Delevingne proposed that the first delegate of Siam, Phya Srivisar Vacha, should be elected President of the Conference. Phya Srivisar Vacha, who was known to those members who had served on the Advisory Opium Committee, would undoubtedly prove a wise, impartial and tactful President and would use all his endeavours to make the Conference a success. In conclusion, Sir Malcolm Delevingne paid a warm tribute to the admirable work done by the late Prince Charoon as Siamese representative on the Advisory Opium Committee.

The proposal of Sir Malcolm Delevingne was adopted unanimously.

Prince DEVAWONGSE invited Phya Srivisar Vacha to take the Chair and withdrew.

The PRESIDENT spoke as follows :

In electing me President of this Conference, you have conferred on my country and on myself a very great distinction. On behalf of His Majesty's Government and on my own behalf, I take this opportunity of registering our very grateful thanks.

I am well aware that the duties of the Chair in this distinguished assembly entail a very heavy responsibility, and I am equally aware of my own limitations. I shall, however, endeavour to fulfil the functions of my office to the best of my abilities and thereby strive to merit the great

confidence you have reposed in me. In this regard, I would look forward to your kind indulgence and to your hearty co-operation; for, without your help and support, it will not be possible for me to carry out my duties with any measure of success.

His Highness the Minister for Foreign Affairs has already given us a short historical summary of the concerted action taken by the countries interested in the question of opium. It is by virtue of Article XII of the Geneva Agreement of 1925 that we meet to-day. Our duties are to review jointly the position in regard to the application of Chapter II of the Hague Convention and of the Geneva Agreement. The Commission of Enquiry set up by the Council of the League of Nations has made a very clear and comprehensive report on the whole situation, and this will greatly facilitate our task. We are also fortunate in having with us here the Chairman of the Commission of Enquiry, who is acting as Secretary-General of our Conference. He will be able to supply us with any supplementary information that may be required.

A perusal of the very able and instructive report of the Commission of Enquiry will show that the situation in regard to the question of smuggling has not improved. This is, indeed, unfortunate. It should not, however, deter us from the objective we all have in view. We should rather set to work with a determination to succeed and, granted mutual good will and cordial co-operation on the part of all concerned, there is reason to hope that this Conference will come to a satisfactory conclusion.

3. Election of Vice-President.

M. MAUGRAS (France) proposed the election of M. van Wettum, first delegate of the Netherlands, as Vice-President. M. van Wettum's authority and experience were known to all representatives. He was one of the most active members of the Advisory Opium Committee; he had attended the Opium Conferences held at Shanghai in 1909 and at The Hague in 1912 and had acted as Vice-President of the First Opium Conference held at Geneva in 1924-25.

The proposal of M. Maugras was adopted unanimously.

M. VAN WETTUM (Netherlands) expressed his deep thanks to M. Maugras for his very flattering proposal, by which the Netherlands Government would feel greatly honoured.

4. Representation of China at the Conference.

The PRESIDENT announced that the Chinese Government had been invited by the League Council to take part in the Conference. The Secretary-General of the League had received a letter from M. Sao-Ke Alfred Sze, of the Permanent Office of the Chinese Delegation to the League of Nations, informing the Secretary-General that the National Government much regretted its inability to accept the invitation to send a representative to the Conference. In this communication, M. Sze had added that the Government and people of China continued to take a deep interest in the early solution of the problem of the abuse of opium-smoking.

5. Secretariat of the Conference.

The PRESIDENT informed the Conference that, by arrangement with the Secretary-General of the League of Nations, the Secretariat of the Conference would consist of the following :

Secretary-General : M. Eric Einar EKSTRAND, Director of the Opium Traffic and Social Questions Sections, Secretariat of the League of Nations.

Deputy Secretary-General : Phra Sri BANJA, Acting Chief of Protocol, Siamese Ministry for Foreign Affairs.

Secretary : M. Bertil A. RENBORG, Member of the Opium Traffic Section, Secretariat of the League of Nations.

6. Verification of Credentials.

The PRESIDENT read the following statement :

The President has the honour to inform the Conference that he has examined the credentials which have been handed by delegates to the Secretariat.

The following delegates have submitted full powers to participate in the Conference and to sign any agreement which may be concluded by the Conference :

Sir Malcolm DELEVINGNE, K.C.B., Permanent Deputy Under-Secretary of State to His Majesty's Principal Secretary of State for the Home Department; Delegate of the United Kingdom of Great Britain and Northern Ireland.

" Full powers issued by His Majesty's Principal Secretary of State for Foreign Affairs.

His Excellency Yasukichi YATABE, Envoy Extraordinary and Minister Plenipotentiary residing in Siam, delegate of Japan; and

M. Shunichi MUNESUYE, Secretary to the Department of Overseas Affairs; delegate of Japan.

" Full powers granted by His Imperial Majesty the Emperor of Japan.

M. W. G. VAN WETTUM, Adviser to the Netherlands Government for International Opium Affairs, first delegate of the Netherlands;

M. C. Ph.C.E. STEINMETZ, Chief Inspector, Head of the Opium Régie Department of the Netherlands Indies, delegate of the Netherlands;

M. H. HOLTKAMP, Administrator of the Department of Finance of the Netherlands Indies, delegate of the Netherlands.

" Full powers granted by Her Majesty the Queen of the Netherlands.

M. Joao Pereira DE MAGALHÃES, Director of the Civil Administrative Service of Macao, delegate of Portugal;

M. Pedro José LOBO, Inspector of the Economic Service of Macao, delegate of Portugal.

" Full powers *ad referendum* granted by the President of the Portuguese Republic.

His Excellency PHYA SRIVISAR VACHA, Under-Secretary of State for Foreign Affairs, delegate of Siam;

His Serene Highness Prince VIVADHANAJAYA JAYANTA (Prince Viwat), Director-General of the Revenue Department, delegate of Siam.

" Full powers granted by His Majesty the King of Siam.

The Government of France has communicated to the Siamese Government that the French delegation is composed of :

His Excellency M. Roger MAUGRAS, Minister Plenipotentiary of France, Chief of the delegation;

M. BOURGOIS, French Consul, substitute delegate;

M. TOUZET, Deputy Director of the Department of Finance of the Union of Indo-China, member of the delegation.

The Government of India has informed the Secretary-General of the League of Nations that Mr. J. B. MARSHALL, Excise Commissioner of Burma, is delegate of India.

The Government of the United States of America is represented at the Conference by Mr. John Kenneth CALDWELL, Consul-General of the United States of America, in the capacity of observer, assisted by Colonel Lucien R. SWEET, of the Philippine Constabulary.

The President has the honour to suggest that this statement be accepted by the Conference in lieu of special examination by a Committee on Credentials.

The President added that the Conference would no doubt agree that all delegates possessed sufficient powers to take part in the discussions. The delegates of France and India were not yet provided with the necessary full powers for signing an agreement, but it was to be hoped that they would obtain them in the event of the Conference's succeeding in drawing up an agreement.

The conclusions of the President's report were adopted.

7. Adoption of Draft Rules of Procedure.

The draft Rules of Procedure (Annex 1) were adopted.

8. Programme of Work.

The PRESIDENT proposed that the Conference should proceed at once to a general discussion of the position in regard to the application of Chapter II of the Hague Opium Convention of January 23rd, 1912, and of the Geneva Opium Agreement of February 11th, 1925, and the report of the Commission of Enquiry into the Control of Opium-smoking in the Far East. He suggested that the general discussion would be facilitated if each delegation made a short statement setting out its country's position.

The proposals of the President were adopted.

SECOND MEETING (Public).

Held at Bangkok on Tuesday, November 10th, 1931, at 8.45 a.m.

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9. General Discussion.

The PRESIDENT reminded the Conference that, under Article XII of the Geneva Agreement, the signatories to the Agreement had undertaken jointly to review from time to time the position in regard to the application of Chapter II of the Hague Convention and of the Geneva Agreement. Such a review was helpful in many ways. In the first place, it was important that public opinion should be based on accurate knowledge of what was happening in each country and of the difficulties with which each country was faced. Secondly, although each country must depend on its own experience, knowledge of that experience might be helpful to other countries. Lastly, although the report by the Commission of Enquiry contained much useful and interesting information concerning conditions in the different territories, it was possible that the position might have changed in the two years that had elapsed since the Commission had collected the material for the report. For these reasons, the various delegations might perhaps wish to make a short statement emphasising certain aspects of the situation in their respective territories.

GENERAL STATEMENT BY THE SIAMESE DELEGATION.

Prince VIWAT (Siam) made the following statement :

The situation in Siam is stated in detail in the report of the Commission of Enquiry. I shall therefore summarise only the more important aspects of the problem and I shall confine myself to the period of time since 1925.

The Siamese delegates signed the Agreement of 1925 with a reservation to paragraph 3, subdivision *(a)*, of Article I, which provides that " the system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities ". His Majesty's Government made a reservation to Article V also, which prohibited the sale of dross except when sold to the Monopoly. The reasons for these reservations were set forth fully during the Conference. They may be briefly summarised as follows : At that time, the importation of crude opium and the manufacture of prepared opium were a Government monopoly. The Government, however, operated no retail shops itself. Prepared opium was sold to the consumers by licensed shops. These shops were also smoking-divans, and all smoking except in licensed shops was prohibited. The licensee was compelled to sell chandu at the same price as that which the Government charged him. The dross collected belonged to the licensee, and from the proceeds thereof he secured his profit, the expenses of operation, and the fees and premium for the licence. His Majesty's Government at that time had in contemplation the introduction of a system of registration, licensing and rationing. As no new smokers were to be registered after a given date, the system would eventually produce the complete abolition of opium-smoking, provided, of course, that the Government had effective control over the supplies. Also, under this system, the dross habit would die out with the opium-smoking habit. All the provisions of such a law had been drafted, and at the Conference the Siamese delegates stated that it was the intention of His Majesty's Government to put into force this proposed system within a period of three years—that is, by 1928. Accordingly, it did not deem it necessary or desirable to accept provisions in the Agreement which would bring about a very drastic change in its method of distribution. By 1927, it became apparent that the situation with regard to poppy cultivation had not improved; on the contrary, large quantities of opium were available for smuggling into Siam, and the nature of its land and sea frontiers rendered an effective control of smuggling impossible. Under these conditions, the putting into force of the registration and rationing system would certainly have meant that the decrease in the consumption of Government opium would be accompanied by an increase in illicit consumption. Accordingly, His Majesty's Government was compelled to postpone indefinitely the putting into force of its registration law, and it so notified the League of Nations. At the same time, it withdrew the reservations which had been made to Articles I and V. With regard, however, to Article V, concerning the sale of dross, the Government reserved the right to sell dross to persons medically certified as confirmed dross-addicts.

I will now state the steps taken by His Majesty's Government to carry out the obligations in these two articles and the results to date of these experiments.

The practice in Siam of permitting smoking only in shops or divans naturally greatly increased the difficulties of substituting Government shops for licensed shops. The licensee not only sold opium, but had to provide both rooms and all the appliances necessary for smoking, such as pipes, lamps, etc. Furthermore, he had to collect all the dross. The shops, moreover, had to be open at practically all hours of the day. This required that each shop should have a considerable number of employees, varying, of course, with the size of the shop. In the Government shops so far established, the average number of employees has been between seven and eight. The work is not attractive, and it is exceedingly difficult to get reliable men to take the positions. In 1927-28 there were established forty Government shops. These have been increased year by year until now there are seventy-one. The difficulties of securing employees also led to an experiment in what may be called semi-governmental shops. In this type of shop, of which there are now thirty-five, Government officials sell the chandu and the licensee furnishes the rooms and the equipment and collects the dross.

The collection of dross, on the other hand, has been greatly facilitated by the fact that no smoking is permitted in Siam outside Government or licensed shops. Under the present system, chandu must be sold by the shops at the same price as that charged by the Government. All dross must be collected and returned to the Government, and for this dross the Government pays 5 ticals per tamlung, which is one-third of the price of chandu. As the percentage of dross which ought to be secured from a given amount of chandu is known approximately, it is not difficult to keep a proper check upon dross collection. No licensee is permitted to secure his supply of new chandu until he has returned the proper amount of dross. Furthermore, the collection of the dross in considerable amounts from known licensees makes the adulteration of dross easy to detect. In the first year of operation, 1927-28, the Government recovered 658,830 tamlungs of dross. The amount of chandu sold in the same year was 1,630,436 tamlungs. The percentage of dross recovered, therefore, was 40.41 of the chandu sold.

In 1928-29, there were recovered 800,504 tamlungs of dross, or 49.22 per cent of the chandu sold; in 1929-30, 723,013 tamlungs of dross, or 48.03 per cent of chandu sold; in 1930-31, 595,818 tamlungs of dross, or 48.42 per cent.

As 50 per cent represents on an average the maximum amount of dross which may be recovered, it will be seen that His Majesty's Government is, in fact, making practically a complete recovery. As already stated, this result is due primarily to the system of prohibiting all smoking except in Government or licensed shops.

His Majesty's Government made the reservation with regard to the right to sell dross to dross-addicts on the theory that it would be unwise to deprive those persons of the dross which they have become accustomed to use. In exercising this right, it put into effect for these particular persons a system of registration, licensing and rationing. After the preliminary period, the registration books were closed. All licences granted were for one year only and were renewable at the request of the licensee.

In the first year of the operation of this plan, 1927-28, 2,581 persons were registered, and the amount of dross sold during the year to these addicts was 42,437 tamlungs. In the year 1928-29, the same number of licences were renewed, and the dross sold was 24,424 tamlungs. In 1929-30, only 1,631 licences were renewed, and the dross sold was 17,063 tamlungs. In 1930-31, the number of dross-addicts was 966 and the amount sold 9,504 tamlungs. In the current year the number is only 549.

Dross is sold at two-thirds of the price of chandu, or 10 ticals per tamlung. Obviously, the number of dross-addicts who applied for registration was a very small fraction of those who had, in fact, been consuming dross, and, furthermore, their consumption was far less than had been expected. The number of those who applied for renewal also decreased year by year by an unexpected percentage. Within a year or two, apparently, there will be no registered dross-addicts and no sale by the Government of dross. The result of this limited experiment in registration and rationing of dross-addicts clearly proves the futility of such a plan as long as the Government does not possess control over the supply of chandu and dross. Those who formerly consumed the dross resulting from Government chandu have satisfied their needs from illicit sources either of chandu or dross.

In fact, since this registration and rationing plan came into force, there has been an increase of nearly 300 per cent in the seizures of illicit dross.

I now come to the situation with regard to contraband opium. It is, I think, a matter of general knowledge to the members of the Conference that the situation has not improved since the Agreement of 1925. On the contrary, conditions to-day are more serious than ever before. With the exception of India, there is no effective control in the poppy-producing countries over either the production or the exportation or distribution of raw opium, and the amounts thereof which are available for illicit trade are apparently unlimited. The extent and nature of Siam's land and water frontiers are such as to make it impossible for His Majesty's Government to exercise an effective control over smuggling. Obviously, the question of illicit traffic is a controlling factor with regard to any system of opium control either by complete prohibition or through a system of gradual suppression.

General Statement by the Netherlands Delegation.

M. van Wettum (Netherlands) made the following statement :

I desire in the first place to express my sincere thanks to the Commission of Enquiry, the Chairman and Secretary of which we have the pleasure to see among us to-day. In fulfilment of the mandate entrusted to it, the Commission has produced a valuable basis for the discussions in this, our first, periodical meeting since the Agreement of February 11th, 1925, came into force.

It may be useful if I explain my Government's position in regard to the monopoly of prepared opium in the Netherlands Indies, and, at the same time, without entering into details, mention certain considerations to which the report by the Commission of Enquiry has given rise.

Some forty years ago, the Government of the Netherlands Indies instituted a *régie* in part of its territory. That system was gradually introduced in other parts and, on April 1st, 1913, was put into operation throughout the whole of the Netherlands Indies. All members will have observed that, with a view to the fulfilment of the treaty obligations, the Commission of Enquiry advocates the enforcement of a similar system.

When introducing the opium *régie* system, the Government maintained, as far as possible, the so-called prohibition areas, instituted in the course of the nineteenth century, where the use of opium was completely forbidden.

Ever since the *régie* was set up, the fundamental bases of the Monopoly have remained unaltered; the direct methods of restricting the use of prepared opium, in particular by the licensing and rationing systems, have, however, been given greater prominence since 1909.

The Government has at no time overlooked the fact that it is the clandestine trade which prevents the authorities from taking the measures they are anxious to take, and which, without any doubt, they would take were there no contraband trade to be feared. As I have said elsewhere, during the 1924-25 Conference, all measures which cannot success fully pass the practical test of the illicit traffic are detrimental to the cause we have at heart.

The lines on which the Netherlands Indies opium *régie* is working, with the aim of suppressing the use of prepared opium in the manner prescribed by Article VI of the Hague Convention, may be briefly summarised as follows : The measures adopted in order to combat the use of prepared opium aim at total prohibition as their ultimate objective. So long as total prohibition is not a matter of practical politics, the measures, including those with regard to the retail selling prices of prepared opium, are intended to bring about the restriction of the licit use of prepared opium, in so far as such restriction is consistent with the effective checking of illicit consumption.

You will observe that, in the fulfilment of this task, financial considerations are never allowed to affect the adoption of such measures as are necessary.

While adhering to the principle that the Monopoly should be managed in such a way that no person concerned should have an interest in the amount sold, the Government has, in addition, taken up the task of instructing national opinion with the object of developing an anti-opium movement. Its efforts to this end are based on the view that without the co-operation of the people the suppression of the use of prepared opium could never be made a reality. In this work, the Government is hampered by the difficulty in making an uneducated mind to understand why the Government should sell opium and at the same time be prepared to give subsidies to private societies for purposes of anti-opium propaganda. In view of these and similar misconceptions, we have always been opposed to the idea of allowing opium-smoking establishments to be managed by Government officials. It was, we considered, evident that, in the eyes of the people, any such method of management would prove detrimental, not only to the standing of the *régie*, but also to the promotion of more advanced moral views among the population. To this end, the *régie* has, since the outset, drawn a clear distinction between matters relating to the distribution of prepared opium, for which the *régie* officials are held responsible, and those appertaining to the province of the police; for this reason, officials in sales establishments have never had any connection with the institution of legal proceedings for breaches of the opium regulations, or with searches for contraband and other police work.

The system employed in the Netherlands Indies has resulted in a reduction in the number of sales and smoking-establishments to the lowest figure compatible with administrative requirements and the reasonable convenience of consumers, the purpose being to avoid encouraging either the purchase or the smoking of opium. In the year in which the opium *régie* was introduced, the total number of such establishments authorised in the various parts of the Netherlands Indies was 1,721 and 927 respectively. The numbers have now fallen to 1,051 and 49. These figures speak for themselves. Permits for smoking-establishments are only given provided they afford an adequate source of income to the manager; the object of this restriction is to prevent his being compelled to have recourse to malpractices in order to make a livelihood. A policy whereby consumers were obliged to smoke in authorised establishments only would make it necessary for us to set up hundreds of such establishments. That would be not only the reverse of the system we follow at present, but repugnant to public opinion as well; it would, moreover, exclude the beneficial influence exercised by the family. The income earned by the manager of the smoking-establishment consists of the small fee he charges the customer for the use of pipe, berth and lamp, and the money he derives from the sale to the Government of the dross collected from the pipes smoked in his establishment.

With regard to dross, the opium *régie* considers it a matter of primary importance that consumers should be encouraged to sell their dross to the Monopoly and that every precaution should be taken to prevent this harmful residue remaining in the hands of smokers. In addition to paying, as heretofore, a relatively high price for dross, the Netherlands Indies Government endeavoured to encourage the handing-in of dross to the Monopoly by requiring the official in charge of the sales establishment to pay in cash. This system of paying in cash had to be abandoned as early as 1912, because it was found to give rise to fraud by both officials and sellers who adulterated the dross. Since that year, no dross is paid for until the factory analysts have certified it as genuine.

The percentage of dross bought by the *régie*, as compared with sales of opium, has always been very low. Happily, the percentage has increased in recent years, although the prevalent economic depression might give reason to expect the opposite. I may add that the Netherlands Indies Government is considering the means of encouraging still further the sale of dross to the Government. We cannot, however, go so far as to require the opium-buyer to hand in his dross before he receives his opium : first, because the commission of frauds could not be prevented and, second, because not every smoker smokes his own pipe and the dross derived from the opium smoked varies in value. Part of the population is accustomed to mix the opium, before consuming it, with chopped leaves of a special kind, and the residue of this mixture cannot be used either for consumption or for any other purpose.

In order to restrict the use of opium as far as possible, the *régie* has followed the policy of making the retail prices of opium as high as is consistent with the situation in regard to smuggling. So far, the *régie* has never been forced by circumstances to reduce prices. It is an undeniable fact that excessive prices are an incentive to smuggling, but it would be incorrect to suppose that the contraband trade can, in all circumstances, be driven from the field by reducing prices to a low level. Next to the increase of prices, the enforcement of restrictive measures must be regarded as a great stimulus to smuggling. For instance, in some parts of the world there is continual smuggling, even though local retail prices are very low. The retail price to be fixed is a matter of expediency, and must be considered solely in the light of local conditions. Provided smuggling can be kept within reasonable bounds, the reduction of retail prices is regarded by the

Netherlands Indies authorities as likely to promote an increase in licit sales and possibly, at the same time, an increase in the total sales, licit plus illicit.

Finally, I should like to say something about the licensing and rationing system. The names of persons purchasing opium are registered in all parts of the Netherlands Indies—that is to say, their names and the quantities they buy are booked by the official in charge of the sales establishment. We have put systems of rationing into effect wherever it appeared possible to maintain them. The methods of operation vary according to circumstances, so that we have instituted a very elastic way of dealing with this matter. In certain circumstances, we have even attempted to enforce a rationing system in large and populous centres, while leaving new-comers an opportunity to obtain a licence. After trying this system for some years, we were obliged to repeal it, because it was followed by an enormous increase in smuggling.

For this and other reasons, the Netherlands Government firmly adheres to the principle underlying the Final Act of the 1925 Agreement—that is, the principle that the possibility of adopting measures aiming at the introduction of a system of licensing and rationing, or of maintaining that system, depends principally upon the extent of the contraband trade; that in some cases those measures are even dangerous, and that it must be left to the Government concerned to choose the moment when circumstances allow of their adoption. In the light of the practical experience acquired, my Government will not feel able at present to enforce a rationing system throughout the Netherlands Indies.

In conclusion, I should like to stress that, for many years past, the Netherlands Indies Government has done its utmost to check the use of opium by all suitable means and, in so doing, has based its efforts on the experience that has been gradually accumulated.

The average quantity of prepared opium smoked annually per head of population is at present not more than 0.81 gramme, or 12¼ grains.

General Statement by the Japanese Delegation.

M. Yatabe (Japan) made the following statement:

May I take this opportunity to express, on behalf of my delegation, our warm gratitude to His Majesty's Government for the generous hospitality extended to us who are attending this international gathering convened under the auspices of the League of Nations? It is with feelings of satisfaction that we have come to the capital of Siam to discuss this question, which is of special concern in the Far East. In accepting the invitation of the League Council to attend this Conference, my Government has shown its willingness to co-operate with other Powers for the success of the present Conference, and my delegation will endeavour, in concert with the representatives of the other nations, to find the best solution for this complicated problem.

I should like to take this opportunity to pay as well a tribute to the Commission of Enquiry into the Control of Opium-smoking in the Far East. Under the able leadership of M. Ekstrand, now Director of the Opium and Social Questions Sections at the League Secretariat, the Commission has admirably accomplished the very difficult task of giving an impartial review of the situation in each territory. The result of the Commission's efforts is that we are in possession of its valuable report for consideration at the present Conference.

In surveying the situation as it has existed in Formosa and the Kwantung Leased Territory since the publication of the Commission's report, I shall not repeat in detail the historical aspects of the system of control in force there; I shall merely point out certain of its more salient features.

1. *System of Control in Formosa.*

When the Government of Formosa completed the system of registration in 1900, the number of smokers was nearly 170,000. Towards the end of 1928, this number was reduced to slightly over 27,000. Such was the result of the policy persistently pursued by the Government of Formosa over a period of thirty years.

2. *Revision of the Measures of Control since the Ratification of the Geneva Agreement.*

Upon ratifying the Geneva Agreement, the Japanese Government decided to adopt more stringent measures of control, not only over individual smokers, but also over the distribution of opium in Formosa. Under the revised regulations, only those opium-smokers who had become addicts and were found incurable before the coming into force of the revised regulations were finally permitted to register and obtain a licence. Next, persons infringing the regulations governing secret smoking must be sentenced to a term of imprisonment without, as was previously the case, the alternative of a fine. Further, treatment was made compulsory for all smokers found to be curable.

In 1929, when the new regulations came into force, more than 25,000 persons applied for licences. These applicants were carefully examined by both the administrative and the medical authorities and were classified in three groups according to the degree of addiction. The first group included confirmed opium-smokers of the incurable type; the second, those who could be cured and should be required to undergo compulsory treatment; and the third, those who were not found to be confirmed smokers and from whom opium should therefore be withheld. After repeated medical examinations, the authorities issued opium-smoking licences to 5,518 persons, on the ground that their addiction was incurable. In the second group,

13,584 persons were found curable and were required to submit themselves to compulsory treatment; while, in the third group, 6,209 persons were given a warning against smoking and placed under special police supervision.

The authorities also took steps to re-examine all smokers who had formerly held licences. The result was that 1,253 persons were found to be no longer habitual smokers and their licences were withdrawn, while 3,884 licensed smokers were found curable and were therefore classified in the second group for compulsory treatment. In consequence of these measures, 5,137 licences have been withdrawn and 5,518 new licences issued, so that we now have an assurance that all secret smokers who previously obtained their supplies from illicit sources have been rounded up, and, at the same time, that certain of the causes of the illicit demand have been removed. It is expected that, with the progress of compulsory treatment, there will be a steady decrease in the number of smokers in the island.

3. *Compulsory Treatment of Opium-smokers.*

To carry out the measures for the compulsory treatment of smokers not considered to be inveterate smokers, the Government took steps to treat them in hospitals over a certain number of years. For this purpose, the Government has established at Taihoku a special hospital with accommodation for 150 patients, and a special ward in each of the twelve governmental hospitals in the different parts of the island with a total accommodation for 425 patients. The period required for curing a smoker in hospital is estimated to average about four weeks. Hence, between five and six thousand persons can be treated and cured in the space of one year. About 3,000 smokers had been treated by the end of 1930—that is to say, during the first experimental year.

4. *Methods used for the Detection of Unlicensed Opium-smokers.*

To complete the system employed for the gradual suppression of opium-smoking in Formosa, the authorities have taken energetic measures both for the control of the illicit supply of opium and for the discovery of secret opium-smokers. The task was found a very difficult one. To facilitate its accomplishment, the Japanese authorities have introduced, for the detection of opium-smokers, a chemical test which has proved effective in the examination of unlicensed secret smokers. While the scientific and theoretical problem involved still remains to be investigated, the authorities have found the test to be of practical value in discovering secret smokers. By this method, combined with control of the illicit traffic, the authorities hope to attain the goal of the gradual suppression of opium-smoking in Formosa.

5. *Improved Administrative Measures for the Control of Opium-smoking.*

With the revision of the regulations, numerous administrative measures, in particular those relating to the system for distributing prepared opium, have been revised. For example, no smoker is allowed to obtain opium except from the designated retailer in his district; any smoker obliged to buy opium for his daily ration outside the district in which he resides must present his licence together with a police certificate specially authorising him to do so; a smoker may obtain a supply equal to the ration for three days, but he is not allowed in any one day to smoke more than the amount authorised as his daily ration. These various changes in the administrative measures will prove important in securing the effective control of opium-smoking.

To check the illicit traffic, the Government has increased both the police forces employed in the Customs and those on service in the districts where smuggling was thought to be particularly intense. The foregoing are some of the salient features of the system at present applied for the control of opium-smoking in Formosa in execution of the stipulations of the Geneva Agreement.

6. *System of Control in Kwantung Leased Territory.*

The Government of the Kwantung Leased Territory has made every effort to enforce measures for the gradual suppression of opium-smoking in the territory. Kwantung, however, unlike Formosa, which is an isolated island, is faced with special difficulties in solving this complicated problem. It is one of the gateways into Manchuria, and in the space of twelve months is traversed by thousands of coolies numbering more than the permanent population of the territory. In these circumstances, the authorities are confronted with an arduous task in controlling both individual smokers and the illicit traffic.

In recent years, the Government of the Leased Territory has completed the system of registration and rationing by measures aiming at increased opportunities for the treatment of addicts. The authorities have, too, taken steps to check the opium-smoking habit by arousing public opinion through social education and instruction in schools. A programme has been drawn up with the object of encouraging the various social organisations to carry out anti-opium-smoking propaganda and to revise the text-books used in the schools so that they will include lessons against the vicious habit of opium-smoking. Business firms are encouraged to send their employees who are habitual smokers in the curable class to the Government hospital. By these methods, the authorities hope to bring about the gradual and effective control of opium-smoking in this territory, where the problem exists in its most complicated forms.

GENERAL STATEMENT BY THE DELEGATION OF THE UNITED KINGDOM

Sir Malcolm DELEVINGNE (United Kingdom) desired to state the general attitude of the Government of the United Kingdom towards the question under discussion, to explain briefly the present position as far as the British possessions were concerned, and to offer some general observations.

The main lines of British policy remained the same. He thought he might claim that the United Kingdom had given effective application to the Geneva Agreement and that, in spite of the unfavourable conditions under which that policy had had to be applied, it had, except in one case where adverse circumstances had proved altogether too strong, brought about a considerable improvement in control. At the same time, the Government of the United Kingdom was prepared to give the most careful and sympathetic consideration to any proposals for securing more effective control that might be made at the Conference. It welcomed and appreciated the investigation carried out by the League Commission and agreed very largely with its conclusions as to facts, though it might have to differ, in part, at least, in regard to some of the Commission's recommendations. A great mass of information, which should be of the greatest value, not only to the Governments, but also to all students of the problem, had been collected and brought together in a convenient form. He was sure that a tribute of appreciation would be paid by the Conference to the Commission for its work.

To supplement the information given in the volumes published by the Commission, he would say a word or two concerning the position in the two most important British territories affected — Malaya and Hong-Kong. As the two volumes afforded a complete survey of the system of control in force in the territories mentioned, he would not deal with the question in detail.

Malaya.

Registration was adopted after the 1924-25 Conference as a first step on the road towards a complete control by licensing and rationing. The introduction of a novel system had necessarily taken time, but it had been brought into operation with much less difficulty than had been anticipated by some, and, though, owing to the illicit traffic, it was a long way from being complete, sufficient had been done to make further advance possible. The tabulation and analysis of sales had already provided valuable information, and the experience of the working of the system had shown how further improvements could be effected. The authorities in Malaya had under consideration such questions as identification of the registered person, cancellation of " dead " cards or cards which, owing to non-use, might be presumed to be " dead ", limitation of registered persons to purchase from a specified shop. They were also considering whether, where, and to what extent, in so far as local conditions permitted, it might be possible to take a further step on the road towards licensing and rationing. Sir Malcolm Delevingne would venture to remark that, as the illicit traffic was the obstacle, the sole obstacle, in the way of introducing that system, it might at least be recognised that it might be possible to introduce measures in some areas which would not be practicable in others. The position in regard to the illicit traffic differed considerably in different areas. That was a matter which was well worth exploration by the Conference.

Another point of interest was the remarkable falling off in sales in the last two and a half years. Total sales had amounted to 2,950,000 taels in 1929, to 2,264,000 in 1930 and to 814,000 in the first half of 1931. Converted into kilogrammes, these figures would be 111,000 kilogrammes in 1929, 85,000 in 1930 and 30,000 in the first half of 1931. The cause of this decline was, of course, the depression in trade. It was in part due to the return of numbers of Chinese immigrants to China. In this connection, it should be mentioned that the Government of the Straits Settlements was restricting the immigration of Chinese. In the main, however, the reduction was probably to be accounted for by the fact that the smokers who remained had less money with which to buy. It was, of course, impossible to say what this might mean for the future, but, if economic circumstances could bring about so rapid a reduction in a short space of time, it might be thought to suggest that a rate of consumption much in excess of the present figure was not a necessity of the situation and that every effort was demanded of Governments to keep consumption down to a lower level. He hoped that this point would be considered by the Conference in detail.

Hong-Kong.

Sir Malcolm Delevingne regretted that he was unable to report satisfactory progress in this territory. Geographically part of China, it was more exposed, or at any rate no less exposed, than any other possession to the flood of Chinese opium. The position remained the same as described in the report by the Commission of Enquiry.

Illicit Traffic.

He wished to say something in general on this point, and he might have a good deal more to say later in detail. As everyone was aware, it lay at the root of the whole problem and called for the most thorough examination by the Conference. The problem was made more difficult

because it had so many aspects. The nature of the illicit traffic differed in different districts. In some, opium could be smuggled over a land frontier or by a short sea transit in small boats. That was the case of Hong-Kong. In others, it could only be introduced by long sea voyages. That was the case of Malaya. It must not be forgotten that it was not only the Far-Eastern territories that suffered; the United States of America, Canada and Australia all received smuggled opium in considerable quantities. He might mention that the Canadian authorities had had considerable success in checking smuggling on their western coast and breaking up the smuggling organisations. What had been possible in Canada should not, he thought, be beyond the powers of any other country.

He had already referred to the position in Hong-Kong, and he did not think that he would be contradicted by his technical expert if he described the situation there, in so far as regarded smuggling, as desperate. As a matter of fact, the Colony was flooded with illicit opium. That had greatly diminished the value of the opium-control system in Hong-Kong. The authorities of the territory estimated the quantities of smuggled opium at ten times, and perhaps more, the quantities of Government opium sold.

With regard to sales, the figures received recently from the Governor of the Colony showed that they were very low this year owing to the influx of contraband opium. He would deal with this question in detail later, but might say at once that, whereas illicit opium was sold in Hong-Kong at 4.50 dollars the tael, Government chandu, the price of which had been 14.50 dollars per tael, had risen, since the fall in the exchange, to 17 dollars. The margin for profit on illicit transactions was therefore clear. The Governor of the Colony reported further that Chinese raw opium was available in large quantities from 2.50 to 4 dollars a tael. Such opium was generally kept in small boats in the port and brought ashore by women, who concealed it on their persons, in amounts of about 60 taels at a time.

The position was more encouraging in Malaya. In recent years there had been a steady improvement, due in part to greater efficiency in the departments, and in part to the very special efforts made by the Straits Settlements authorities to break up the smugglers' organisations. Sir Malcolm Delevingne had been told that the authorities had been so far successful that contraband opium no longer arrived in large quantities, but in small quantities only.

The Conference might perhaps be interested by a glance at a comparative table of seizures effected in the Straits Settlements since 1924. Seizures of raw opium had amounted, in taels, to 12,600 in 1924, 36,600 in 1925, 18,600 in 1926, 6,200 in 1927, 14,900 in 1928, 16,400 in 1929, 29,900 in 1930. Seizures of raw opium showed no reduction. The position with regard to chandu was quite different. Seizures had amounted to 90,500 taels in 1924, 275,000 in 1925, 1,700,000 in 1926, 182,300 in 1927, 83,200 in 1928, 43,800 in 1929, 57,100 in 1930.

These figures supported what Sir Malcolm Delevingne had said concerning the success obtained as a result of the efforts made by the authorities to repress the traffic in Malaya. The authorities felt satisfied and considered that they had a closer control than ever over the illicit traffic.

One point of interest should be mentioned. Till about two years ago, the great bulk of raw opium seized in Hong-Kong and Malaya had consisted of Chinese opium. In the last year or two, much of the opium seized had come from Persia. Such opium was first exported to China, whence it was later introduced into Hong-Kong, which was not surprising, and into Malaya, which was surprising.

Dealing still with the question of the illicit traffic, Sir Malcolm Delevingne pointed out that, following on the recommendations of the Advisory Opium Committee and the Geneva Agreement, much had already been done by co-operation between Governments in the interchange of information as to the traffickers and their methods, sources of supply, and so on, to enable more effective action to be taken. The Government of the United Kingdom was convinced of the value of these methods, and was anxious to see them improved and carried further. It believed that to be possible and hoped some definite steps to that end might be agreed upon by the Conference. He thought, moreover, that the Commission of Enquiry had come to the same conclusions as those reached by his Government.

In passing, he might refer to the importance, repeatedly insisted on by the Advisory Opium Committee, of severe penalties for traffickers on the large scale. Effort should be concentrated on detecting the persons behind the illicit traffic and punishing them severely. The value of such a policy was proved by the experience of the Straits Settlements. The authorities there had made special endeavours to discover the ringleaders and, when discovered, the latter had been sentenced not only to imprisonment but to expulsion from the Colony as well. The Conference might perhaps be willing to take these remarks into consideration. It would also be desirable to examine the possibility of tightening up the legal provisions covering the matter. Experience showed how difficult it was in these cases to obtain definite proof of a nature to convince a court that an offence had been committed by such and such an individual. It might perhaps be recommended that, in cases where illicit opium was found in his possession or under his control, the onus of proof should be placed on the party in the dock.

It must, however, be recognised that, as long as the production of opium continued on the present enormous scale, smuggling would also continue, and the problem of addiction must be attacked at the same time from the other end, by seeking to remove the causes which produced it. Too little attention had perhaps been paid to this question. Valuable information on the subject might be found in the report of the Investigating Committee in Malaya which had met before the

1924-25 Conference. Sir Malcolm Delevingne hoped that the delegates at the present Conference would be able to exchange information on this matter, and that the Conference would examine a problem of such importance.

Stress had often been laid on propaganda and on provision for the treatment of addicts. The experience of the British authorities unfortunately gave ground for doubting whether these produced much effect. The classes from which smokers were recruited, at least in British possessions, were largely the Chinese immigrants, who were not likely to be open to propaganda. The provision made for the treatment and cure of smokers in British territories had not given very encouraging results. There was no great difficulty in removing the craving in the case of a smoker who was anxious to be freed from it; the difficulty lay in preventing its return. The percentage of smokers who did not relapse after treatment was very low. All those familiar with the problem of drug-addiction knew that the real difficulty lay here.

The Commission of Enquiry had laid great stress on the importance of attacking the causes of addiction. Social services of certain kinds might do much, and an exchange of experiences between delegates might be valuable. He did not propose, for the moment, to deal in detail with what was being done in the British territories. He would revert to the matter in due course.

Mention had been made of education. That might be useful in the case of children, but the difficulty was that it was the adults who needed educating. He had been impressed by the statement in the report by the Malayan Committee that, in many cases, the opium-smoking habit had been contracted under the belief that opium cured diseases. He had himself come across cases of this kind the other day, during the visits to the divans in Bangkok which had been organised for the delegates. It was worth considering whether anything could be done to educate public opinion on this subject.

Progress on these lines must necessarily be very slow; one knew that from experience of social services at home. Nevertheless, that was not a reason for doing nothing. On the contrary, it was a reason for putting into effect any practicable measures if there were any as soon as possible. He hoped that proposals on the subject would be made to the Conference.

Another question to which Sir Malcolm Delevingne wished to direct attention was that of the Government arrangements for purchases of raw opium. As was known, the supplies of Indian opium were being diminished and would cease in three years' time. Other sources had to be drawn upon, and the arrangements made for this purpose by the purchasing Governments might have a very important bearing on the question of opium production and the illicit traffic. He would not go into the matter in detail at the moment—he would do that later— but he wished to say that, in the opinion of the Government of the United Kingdom, it was important to secure that purchases should be so made as not to cause excessive fluctuations on the opium market. The aim should be so to arrange them as to stabilise production. Further, so far as possible, the trade should pass through the hands of responsible firms not connected with the illicit traffic. All those familiar with the matter would understand his meaning.

There had been certain differences as to the interpretation of some of the provisions in the Geneva Agreement. These points should be cleared up.

Reverting to what had been done in Malaya, he might mention that the Government of the Straits Settlements had, since April 1st, 1930, reduced the sizes of the containers in which prepared opium was sold. There used to be three sizes; one containing one tael had been abolished. The three chees container had been reduced to two chees, and the three hoons container to two hoons. This change had been followed immediately by a marked falling off in consumption, and the authorities could only attribute this decline to the measure in question. He would give later exact figures for the reduction in consumption.

In conclusion, he hoped that the outcome of the Conference would be concrete proposals. It was not certain yet whether the Conference would result in the signature of a new agreement — that would depend on the decisions taken — but he would ask that, in any case, it should avoid vague generalities, which left the way open for divergencies of opinion as to the interpretation of the text and the scope of the commitments entered into by the Governments. He would urge the Conference to concentrate on specific and practical measures.

General Statement by the French Delegation.

M. Maugras (France) made the following statement :

The French delegation desires first to express its warmest thanks to the Royal Siamese Government for so graciously receiving in the capital of Siam a conference convened to discuss certain matters to which the League of Nations attaches special importance and which are fundamental for the future of the human race.

The very valuable information contained in the report by the Commission of Enquiry makes it unnecessary for me to detain you long. I wish merely to survey in broad outline the position of French Indo-China with regard to the opium problem.

There are, I think, three main features in the situation in that colony :

First, Indo-China is not an opium-producing country. The cultivation of the poppy is confined to a few mountain districts in the Laos country and in Upper Tonkin, where the output is negligible. I may add that, not only is Indo-China not a producer, but she has no intention of becoming one. She is not therefore a centre for the propagation of the evil.

Secondly, Indo-China is not addicted to opium-smoking. The average sales by the *régie* in recent years have not exceeded 64 tons, which, for a population of over twenty millions, represents an annual consumption of roughly three grammes per head. The native population accounts for only 30 per cent of the total number of smokers. There would, therefore, be practically no consumption in our territory were it not for certain foreign immigrants.

The position in Indo-China is marked by a third feature. We have, on our northern frontier, areas where the poppy is grown and large quantities of opium are produced. It is this latter fact that explains the failure to put a stop to the use of opium, notwithstanding the methodical and persevering efforts made by the Government of Indo-China.

Long before the 1909 Shanghai Conference, France took up the anti-opium campaign, a campaign of which the main features are the measures known to all present—a monopoly of purchases, manufacture and sales in the hands of the administration, prohibition of the sale of dross, progressive closing of smoking establishments, reduction of sales in retail establishments, increase of prices, moral propaganda by posters, lectures and instruction in schools.

Taken as a whole, these financial, administrative and legislative measures have had very important results which I should like to emphasise by citing a few figures. The evil has already ceased to spread among the home-born population; sales have fallen by half since 1907; 969 retail establishments—*i.e.*, about one-third—have been closed; 900 smoking establishments have been abolished; the *régie* prices have been tripled in the areas where conditions are normal.

Unfortunately, the very detailed regulations and strict measures introduced have not proved fully effective owing to Indo-China's geographical situation, which makes it impossible to prevent the introduction of smuggled opium. Large quantities of contraband opium enter the country over mountainous frontiers many thousands of kilometres in length, near to which there is a flourishing and expanding poppy-growing industry. Thousands of kilogrammes are seized every year, but thousands likewise evade our supervision, which is carried on in specially difficult circumstances. We are flooded with contraband. Supposing, with the object of reducing the number of opium-consumers, the administration gives out only small supplies of the drug, consumers will obtain their needs from the smugglers. If the *régie* raises its prices, smuggling becomes more active; it increases as its profits increase.

The primary and fundamental question is therefore that of prohibiting, or at least restricting, the growth of the poppy. Any policy of restricting consumption is bound to fail so long as there is no limit to poppy cultivation. The evil must be destroyed at the root. The most drastic prohibitions, the most Draconian laws will be of no avail. Their only result will be to put a premium on smuggled opium, which will take the place of the lawful article.

For countries which are the neighbours of a big producing country and which are firmly resolved to reduce consumption in their territories, the only solution is to secure the limitation of poppy production.

Such, indeed, are the findings of the report by the Commission of Enquiry, and they are in accord with the resolution recently passed by the Fifth Committee of the Assembly at Geneva, to the effect that information should be collected in preparation for a conference on the limitation of poppy cultivation.

The *régie*, which is powerless to stamp out smuggling by force, has been compelled to use the only weapon remaining to it, the reduction of the sale price of Government opium wherever it has to face competition with opium from abroad, the object being to reduce the smuggler's profits to so low a level that he cannot carry on his business without the prospect of certain bankruptcy, coupled with all the dangers entailed for him by the measures of repression.

With these considerations in mind, the Government-General has passed a number of decrees and instituted several sales zones where the prices of Government opium are fixed, so as to enable it to compete with smuggled opium.

The Government-General has pushed on energetically towards the accomplishment of its policy of prohibition in the provinces not yet affected by smuggling. The price of opium, which has been reduced to 80 piastres in certain frontier districts, has been raised for certain brands to as high as 280 piastres in Cambodia and Cochin-China, where the danger is far less serious than in the north.

The position in Tonkin and Upper Annam has continued to grow worse, and a point has been reached at which the efforts patiently persevered in for the last twenty years with the object of effectively abolishing smoking are now in jeopardy. The prices charged by the *régie* for opium in these zones is still too high compared with those charged by smugglers.

Notwithstanding the determination and zeal displayed by the preventive services and the new equipment they have brought into use, the north of Indo-China is still inundated by contraband opium. A mobile brigade was set up in 1927 with the sole task of repressing the illicit traffic by land. In November 1930, an armed coastguard vessel was purchased from the Netherlands Indies Government with the object of strengthening the prevention of smuggling by sea. The increase in the activity of the authorities is shown by the figure for seizures, which in 1928 amounted to fifteen tons, whereas in earlier years the average amount seized had been only six tons per annum.

I can therefore only associate myself entirely with what has been said by my colleagues, in particular by the Siamese delegate, concerning smuggling, the effect of which is to paralyse the efforts of the different Governments to repress smoking and to prevent them from undertaking the total abolition of opium-smoking.

I should like, in conclusion, to give a few figures which will bring out the result of the policy followed in Indo-China with regard to opium.

(1) *Sales of Prepared Opium :*

Average sales, 1907 to 1909	112 tons
Average sales, 1926 to 1928	63 tons

i.e., a fall of approximately one-half.

(2) *Number of Retail Establishments :*

In 1927	3,258 licences
In 1928	2,289 licences

i.e., a reduction of 969 establishments, or about one-third.

(3) *Number of Smoking Establishments closed since* 1907 : 900

(4) *Legal Proceedings taken for Smuggling of Opium :*

Annual average, 1915 to 1917.....	302
Annual average, 1926 to 1928.....	1,002
In 1928	1,082

(5) *Quantities of Smuggled Opium seized :*

Average, 1915 to 1917.....	826 kilogrammes
Average, 1926 to 1928.....	8,077 kilogrammes
In 1928	15,542 kilogrammes

i.e., 20 times more in 1928 than in 1917.

These figures speak for themselves; they make further comment unnecessary. They clearly demonstrate the effort made by Indo-China to fulfil her international undertakings and the very great and special difficulties with which she has to cope owing to the heavy smuggling on certain of her frontiers.

I will conclude by pointing out that the Government of Indo-China is unaffected, in its opium policy, by any financial consideration. As a result of the policy of restriction it has followed for many years, the net opium receipts have fallen to 4.70 per cent of the total revenues in the general budget. The 1932 budget, moreover, estimates for a further reduction in the opium revenue.

General Statement by the Delegate of India.

Mr. Marshall (India) made the following statement :

I have come here on behalf of the Government of Burma, the Government of India and the Government of the Shan States. Burma, with which I am primarily concerned, is one of the provinces of British India. Since the passing of the Government of India Act in 1919, these provinces have enjoyed a certain measure of autonomy. The functions of government in India are divided into central subjects, administered by the Government of India, and provincial subjects, administered by the provincial Governments. Provincial subjects are further subdivided into reserved subjects, administered by the Governor of the province and his executive council of officials, and transferred subjects, administered by the Governor acting with his Ministers. The Ministers are elected members of the local legislature and are not officials. The Governor ordinarily follows the advice of his Ministers in relation to transferred subjects.

Central subjects include control of the cultivation and manufacture of opium, and sale of opium for export. This is therefore the concern of the Government of India, and it is mainly because this aspect of opium policy is under the control of the Government of India that that Government is directly interested in this Conference. Provincial transferred subjects include the control of production, manufacture, possession, transport, purchase and sale of intoxicating drugs and the levying of excise duties and licence fees on, or in relation to, such articles, but excluding, in the case of opium, control of cultivation, manufacture and sale for export. That is to say, all matters connected with ordinary internal opium administration within a province are the concern of the provincial Governments, and, this being a transferred subject, provincial Government means, in this case, the Governor acting on the advice of his Minister. Budget grants relating to the administration of this and other transferred subjects are also subject to the vote of the Provincial Legislative Council and cannot be restored to the budget if the Council refuses its assent to a demand.

Each province of India is thus responsible for its own internal opium policy and can modify that policy as it thinks fit. Burma, however, is the only province which has sent a representative to this Conference. There is no reason why the other provinces, such as Bombay, Madras, Bengal and the Punjab, should send any representative. This is a Conference of Far-Eastern countries to consider the present position with regard to the manufacture of, internal trade in, and use of,

prepared opium — that is, opium prepared for smoking. The other provinces of India are not in the Far East, and opium-smoking is not a serious problem in these provinces. The Governments of these provinces are determined to suppress such opium-smoking as exists within their boundaries and they expect to find no difficulty in suppressing it. Opium-consumers in these provinces eat opium and do not smoke it to any great extent. The Government of India and the local Governments have also made it their policy to repress any abuse of opium-eating, and their efforts in this direction have met with very marked success. This is, however, a subject on which it is unnecessary for me to dwell, since it is outside the purview of the present Conference.

Burma is in a somewhat different position from the other provinces in India. There is a considerable amount of opium-smoking, especially among the Chinese. Young Burmans of weak character are frequently recruited to the opium-habit in Chinese opium-smoking dens. The Burman who becomes addicted to opium cannot restrict himself to the small daily doses taken by Indians in India, and consequently opium-addiction in a Burman results in a condition of physical and moral degradation which is not found among the ordinary moderate opium-consumers in India. About forty years ago, the Government came to the conclusion that opium was definitely bad for the Burmese, and it was decided to adopt a policy of prohibition of opium for Burmese by registering all Burmese consumers in a closed register and prohibiting the consumption of opium by any Burmese not in the register, so that, when all those who had been registered had died off, total prohibition of opium among the Burmese would be in force. This registration was effected in 1893, and the register was then closed. It was reopened at various dates between 1900 and 1903, as it was found that a very large number of Burmese addicts had failed to get themselves registered owing to a misunderstanding of the instructions regarding registration. There now remain on the registers only a little over 1,000 of the Burmese addicts registered in 1893 and between 1900 and 1903, and these are all very old men.

This policy has not met with the success anticipated. Owing to various causes, such as the prevalence of smuggled opium, the profits obtainable by the illicit traffickers from the sale of illicit opium to every Burman whom they can recruit to the habit, the backward state, outside the larger towns, of the practice of medicine and the consequent widespread belief in the efficacy of opium both as a cure for, and as a prophylactic against, malaria, large numbers of Burmese have been recruited to the habit, and, as the register was closed and the new recruits could not be supplied with opium from Government shops, each new recruit produced an increase in the demand for illicit opium and an increase in the profits of the illicit dealers. This state of things continued until 1924, when it was decided to combat this abuse by opening a new register for Burmese, as an experiment, in one very unhealthy district — the Myaungmya district — where there was a very large number of Burmese consumers who had become addicted to opium owing to a desire to cure, or guard against, malaria. This experiment, which is known as the Myaungmya experiment, has since been extended to five other districts in which there were large numbers of unregistered consumers. These new registers have not been closed. There are now about 10,000 consumers on these registers. These consumers, who formerly could get opium only from illicit sources, now get their supplies from Government shops. Another important result is an improvement in our statistics regarding the number of consumers and the rate at which newcomers are being recruited to the habit. Formerly, we were more or less in the dark as to the real number of Burmese addicts and as to the rate at which new recruits were being added. In these six districts, we now have more accurate statistics on these points, and the results are encouraging and indicate that the number of Burmese consumers is now decreasing fairly rapidly.

The policy of ultimate prohibition for Burmese, by means of a closed register, is the foundation and origin of the whole of the present Burma system. After the register of Burmese consumers was closed, it was soon found to be necessary to register consumers of all other nationalities, and to ration all consumers strictly. It was obviously impolitic to sell opium to any Chinese or Indian who asked for it, as it was impossible to prevent some of them from retailing to Burmese the opium so purchased. For the same reason, it was found necessary to ascertain the actual requirements of all consumers and to restrict sales to these requirements by a system of rationing. This also involved close supervision over all consumers by the excise staff, and still closer supervision over the licensees of the Government opium-shops. This ultimately resulted in licensees becoming very much the same as salaried Government servants. Such difference as existed is now being entirely eliminated, as most of the licensees were abolished last week, on November 1st, and sales at these opium-shops are now being conducted by salaried excise officers.

One other feature of the Burma opium system must be mentioned. When the Hague Convention came into force, the Government of Burma made a careful examination of the position resulting from their commitment under that Convention to bring about the gradual and effective suppression of opium-smoking. They resolved to follow this commitment to its logical conclusion by applying to opium-smokers in Burma the policy they had already applied to Burmese opium-consumers—that is to say, they decided to register all smokers in a closed register and to prohibit the possession of prepared opium by anyone but a registered smoker, so that, after those who were registered had died off, the possession of prepared opium would be entirely prohibited throughout Burma. In order to avoid any misconception which might arise from a perusal of

some of the remarks and figures in Volume II of the Commission of Enquiry's report, I may also state here that no Burmese consumers could be registered as smokers unless they were already on the register of Burmese consumers, and all the statistics given regarding the total number of consumers in Burma include both those in the register of smokers and those others who are registered as consumers but are not in the register of smokers.

That, in brief, is the history and present position of the Burma opium system. The system is a compound of two policies, one a policy of gradual suppression of opium-consumption among Burmese, based on a belief that opium is particularly bad for the Burmese race, and the other a policy of gradual suppression of opium-smoking based on the agreement to effect this in the provisions of the Hague Convention. Although non-Burmese as well as Burmese are registered, licensed and rationed, this has not been based hitherto on any policy of suppression of opium-consumption among non-Burmese, but is part of, and a consequence of, the Governments' policy of suppression of opium-consumption among Burmese. The Government of Burma are now willing to go a step farther. They propose to make complete suppression of opium-consumption among all races, except for medical and scientific purposes, the goal of their policy, and to take steps to achieve this end, so far as it can be achieved in the face of extensive smuggling of illicit opium, especially from Yunnan.

In the Shan States, conditions are more difficult. The Shan States are part of British India and fall within the Province of Burma, but they have been declared to be a " backward tract " under the Government of India Act. This involves that they are governed by the Governor of Burma, and that neither the Indian Legislative Assembly nor the Burma Legislative Council can make laws for these States or vote on proposals for expenditure within them or interfere in any way with the administration. Each State is directly administered by its *sawbwa*, or chief, subject to such restrictions as are specified in his *sanad*, or order of appointment. Since 1922, the chiefs of the main block of the Shan States have been united into a Federation of Shan chiefs. The chiefs express their views on federal and general matters through a Council of chiefs, which includes all chiefs of high rank and four elected chiefs from those of lesser rank.

The Indian Opium Act is in force in the Shan States only in railway land, three notified towns, and the seven States in the Southern Shan States known as the Myelat. In other States, west of the Salween, the Shan States Opium Order is in force. This provides for the licensing of opium-cultivation, and, as a result of its enforcement and in pursuance of a policy of prohibition of cultivation, no more such licences are now issued, and cultivation is therefore prohibited west of the Salween. In the States east of the Salween, no law relating to opium is in force, but in Kokang and Kengtung States poppy-growing is controlled by licensing of the cultivators. In East Manglun State, which is very loosely administered, and in the Wa States, which are not administered at all, there is no control over opium-cultivation. The difficulties in the way of suppression or control of opium-cultivation east of the Salween have been clearly stated by the Commission of Enquiry on page 42 of Volume II of their report. The Wa States, where most of the opium is grown, are inhabited by head-hunting savages, and there is no form of administration. The boundary between the Wa States and China has never been definitely fixed. The soil is unsuitable for any other crop, and opium is the only agricultural product which has enough value in itself to stand the high costs of transport to the markets. Cultivation could only be suppressed by a military expedition to establish administration. Suppression of cultivation would result in the inhabitants being forced to choose between starvation and emigration, and would leave behind a feeling of injustice owing to the inhabitants being deprived of their means of livelihood, because western nations with strong military resources disapproved of those means.

I hope I have now made it clear that I am concerned at this Conference with, first, the policy of the Government of India as regards control of cultivation and manufacture of opium and control of sale for export; secondly, the policy of the Government of Burma (*i.e.*, the Governor acting on the advice of his Minister) with regard to the use of prepared opium for smoking within the Province of Burma Proper; and, thirdly, the policy of the Governor of Burma as the authority in whom the Government of the Shan States is vested with regard to the cultivation of opium and the internal control over prepared opium in the Shan States. This represents the present position, but I should mention that a Round Table Conference is now sitting in London to discuss a future constitution for Burma, and to consider whether Burma should be separated from British India. Should Burma be separated from India, the control of cultivation and manufacture of opium and the control of sale for export will pass from the Government of India to the Government of Burma. I am unable to give any forecast as to what is likely to be the position of the Shan States in the new constitution for Burma.

The report of the Commission of Enquiry is a very important document. The standing and impartiality of the members of the Commission and the pains which they took to make their enquiries complete in all countries of the Far East (with the unfortunate exception of China, which they were not allowed to visit) make their recommendations entitled to the fullest consideration. The most important of these recommendations deal with the control of opium-consumption. The Commission have recommended a complete registration, licensing and rationing of consumers, the registers to be kept open; a reduction in retail prices to compete with

the smuggler; a Government monopoly for retail distribution; including even Government-owned smoking establishments, and measures for the recovery of dross. In Burma, we have already had for many years a complete system of registration, rationing and licensing of consumers, but the register of Burmese consumers and the register of smokers were closed, and it was not intended to allow any new names to be entered.

The Government of Burma considered the recommendations of the Commission to be so important that, in September of this year, they appointed a Committee, consisting of the Minister in charge of the Opium Department as chairman, with six non-official members of the Legislative Council and two officials, to examine the report and make recommendations regarding the reopening of the closed registers, the desirability of reducing retail prices, and the question of smoking establishments. This Committee, by a majority, has recommended that the registers should be reopened, that the price of opium in Government opium shops should be reduced tentatively, and that smoking establishments should be licensed. The Government of Burma are considering these proposals. They apply only to Burma proper. The Committee had no power to advise with regard to the Shan States.

In Burma proper, if the recommendations of the Committee are accepted, the registers will be reopened, but there are not at present a sufficient number of qualified physicians in Burma to justify a medical certificate being normally required for registration and rationing. Regarding the question of reducing retail prices, it must be pointed out that, according to the table on page 42 of the Commission's report, Volume I, retail prices in Burma are already considerably below those in force in most of the other important countries in the Far East. Hitherto, also, in Burma, Government opium and smuggled opium have generally supplied different markets. Without closed registers and strict rationing, the smuggler has been able to find a market for his opium among those who cannot be registered under our rules and among those who want more opium than they are allowed to purchase at Government opium-shops. The result has been that, in Burma, except in districts adjoining the frontier where smuggled opium is very plentiful and cheap, the price of smuggled opium has tended to be above the price of Government opium. The price policy hitherto followed has therefore undoubtedly had the effect of reducing the consumption of opium by making excessive consumption a very expensive luxury, and the Government of Burma cannot altogether subscribe to the dictum of the Commission that " the policy of attempting to limit the demand for opium and suppress the illicit traffic by high prices for Government opium has had the effect of making smuggling very profitable and has proved a failure ". On the contrary, taking British India as a whole, this very policy, combined with strict control over cultivation and distribution and an efficient and honest Customs administration, has produced very remarkable results in the direction of diminishing consumption. The statement of the Commission therefore may hold good so far as other countries in the Far East are concerned, but in Burma, and in India generally, the policy of gradually raising the price of opium has been followed with a large measure of success. If the registers are opened, conditions in Burma will be altered. Government opium will come into direct competition with smuggled opium in all districts, and the smugglers will reduce their prices. The Government of Burma, which has already reduced its prices in the frontier districts in order to compete with smuggled opium, will then consider a reduction in prices as a temporary and experimental measure, in order to see whether in this way the profits of the smuggling trade can be annihilated, and smuggling reduced to a minimum. There is no smuggling from Burma proper to other countries of the Far East, and consumers are so strictly rationed that there is no surplus of Government opium available for smuggling out of Burma. The reduction in prices in Burma will therefore not affect other countries, except in so for as the opium which is now smuggled from Yunnan into Burma may be diverted into other channels by the reduction in smugglers' profits in Burma.

As regards smoking establishments, the recommendation that Government retail shops should be merged into Government-owned smoking establishments is considered to be impracticable in Burma, as the smokers are scattered all over the province and in most cases live at a great distance from the shops. The sale of prepared opium in Government shops has also been discontinued since 1921, and the shop kitchens where prepared opium was cooked have mostly been demolished. For the same reasons, a system of compulsory smoking in public smoking establishments would also be difficult to introduce. The Committee which I have mentioned recommended that a beginning should be made with a system of licensing smoking establishments, and the question as to whether effect should be given to this recommendation is now under examination.

The Commission attaches great importance to the recovery of dross. The Government of Burma is considering the question, but it recognises, as the Commission of Enquiry also recognises, that the recovery and destruction of all dross will be a matter of great difficulty. As the Commission points out on page 35 of its report, Volume I, the dross question has so far not received very much consideration, and scientific research is required into the question of the morphine content of dross and the harmfulness of its use. This scientific research should precede any attempt to make opium policy, as, for example, regarding Government-owned smoking establishments, dependent on any assumption regarding the harmful effects of dross.

I do not wish to take up any more time at present by discussing the other recommendations of the Commission of Enquiry, but I would associate myself with the remarks of the delegate of the United Kingdom regarding the cure of addicts and educational propaganda. Addicts who happen to be sentenced to imprisonment are frequently cured but almost invariably relapse,

and there is scarcely any hope of preventing a relapse, so long as illicit opium is available. The Government of Burma are inclined to doubt whether much useful work can be done in this direction and to think that hospital treatment will meet with disappointing results. They will not, however, overlook the need for hospital treatment when opportunity offers. The experience and results of hospital treatment should be collated and published by the League of Nations. In general, however, the cure is so difficult that it is preferable to concentrate on preventing new addicts being recruited to the habit.

This prevention, however, will not be brought about by educational propaganda in schools. The Government of Burma are strongly opposed to the cancellation of the exception to Article VII of the Geneva Agreement. Most of the Chinese and Indian consumers in Burma are immigrants who would not be touched by propaganda in schools in Burma. Most of the other consumers belong to classes which receive only very elementary education in Buddhist monasteries. Abstinence from intoxicants and narcotics is already taught along with the Buddhist precepts in the monasteries. Propaganda against opium-smoking in organised schools under the Education Department would merely advertise the vice of opium-smoking among boys who are not likely to be exposed to the temptation to smoke.

The discussion was adjourned to the next meeting.

THIRD MEETING (Public, then Private)

Held at Bangkok on Wednesday, November 11th, 1931, at 8.45 a.m.

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10. General Discussion (continued).

GENERAL STATEMENT BY THE PORTUGUESE DELEGATION.

M. DE MAGALHÃES (Portugal) read the following statement :

The Portuguese delegates, on their own behalf and on behalf of the Government they represent, tender to the Government of His Majesty the King of Siam their very sincere thanks for the cordial hospitality extended to them at Bangkok.

Position in Macao.

Macao is the only Portuguese colony concerned in the problem of opium-smoking. In our other colonies, the question of the traffic in opium for smoking is of a very small importance, hence the suppression of the traffic offers no difficulty in them, since conditions are unfavourable to its development.

In the first place, it must be pointed out that the Chinese are the principal opium-smokers and that Chinese emigrants carry their habit with them. This is the reason why, in some Portuguese colonies where there is at times a small Chinese population, attempts have been made to introduce opium-smoking. The problem of opium-smoking is therefore restricted to the colony of Macao, which, owing to its geographical situation and the nature of its population, is placed in a special and important position as regards the opium-traffic.

In presenting this statement of the existing position in Macao, it may be convenient shortly to review the position in the past, so as to enable delegates to gain an idea of the efforts made by the Portuguese authorities to suppress the opium-traffic in that colony. We do not propose to go into details, as the comprehensive report by the Commission of Enquiry contains all the necessary particulars and covers the past and present systems of control.

The Hague Convention was put into force in Macao in February 1914, during the period of the farming-out system. Under that system, the farmers could, by the terms of their contracts, import the number of chests of raw opium required for their business, while the exportation of raw and prepared opium was also allowed. After the Convention came into force, the contracts made with the farmers contained certain clauses, by which the importation of raw opium was restricted to a fixed number of chests, which comprised the quantity for re-exportation and that for local consumption. Under this system of control, imports of raw opium decreased substantially.

In 1925, the Portuguese representatives signed at Geneva the Opium Agreement, which, however, could not be put into operation immediately, owing to the contract with the opium-farmer which was still valid at that time. This contract was the last, and it expired on June 30th, 1927.

In accordance with the declarations made by the Portuguese representatives in the Final Act of the First Opium Conference 1924-25, the Government Monopoly was established in Macao on July 1st, 1927.

In fulfilment of the stipulations contained in the 1925 Agreement, no raw opium has since been imported except for local consumption. All imports are covered by import certificates.

Raw and prepared opium may no longer be exported. A system of licences was introduced for retail shops and smoking-dens, but, owing to the difficulties encountered in the rationing and registration of opium-consumers, the only feasible method of control is to limit the quantities which the retail shops and smoking-dens are allowed to keep. The maximum quantity now allowed is 200 taels for retail shops and 5 taels for smoking-dens.

The illicit traffic is still an obstacle to the suppression of opium-smoking in Macao. In addition to the clandestine importation of raw and prepared opium, the falsification and adulteration of Government opium have greatly hampered the competent authorities in their work. The smoking of dross by the lower-class Chinese is one of the features of the opium-traffic, and the authorities in charge of the Government Opium Department have also encountered difficulty in collecting the dross. The price of clandestine opium varies from 2 to 3 dollars; it is sometimes as much as 3.50 dollars per tael. There is thus a sufficient margin to allow it to compete with Government opium. The following figures give a clear picture of the position of the illicit traffic :

	Opium seized Taels
1927	130,021
1928	186,528
1929	76,527
1930	13,842

In addition to the quantities seized, there must be very large quantities of contraband opium which escape seizure.

Efforts have been made by the Macao Government to induce addicts to undergo treatment in hospital, but, with the exception of a few smokers who have submitted to treatment, the majority have failed to follow the advice given them. The Portuguese missionaries also are doing their best to induce addicts to seek to be cured of their habit and are constantly giving special attention to this matter. Propaganda against opium-smoking is conducted in the schools, this being regarded as one of the means of preventing additions to the number of addicts.

The foregoing observations lead us to the conclusion that the opium-smoking problem is difficult to solve, notwithstanding all the efforts that have been made and the measures adopted.

Al hough it has been a Portuguese colony for over three centuries, Macao is, by geographical situation and population, a Chinese city, in permanent contact with the Chinese people. According to the last census, the fixed population of Macao is about 160,000 and the floating population 1,400,000. Of this number, only about 4,000 are not Chinese. The number of smokers in this very large population is estimated at 90,000 and this is one of the main factors which makes the suppression of opium-smoking specially difficult in Macao.

The above is a frank statement of the position in Macao. Before concluding, we should like to say that the situation as it exists at present obliges us to state that, the opium-smokers in the colony being Chinese, much depends on China in the suppression of this social evil. The countries interested in this problem have, with the aid of the League of Nations, given their best attention to this important matter in which the welfare of humanity is at stake. It is to be hoped that the concerted action of the countries which attach interest and importance to the question will meet with co-operation on the part of the poppy-growing countries. In this way China could afford us great help; but it may be that, owing to her present state of internal disorder, she is unable to devote her attention to the matter. We are also of opinion that the education of the new generation, planned in accordance with a new social moral code for China, will be of great assistance in encouraging abstention from opium-smoking. This would do far more than any other measures that may be adopted. We are glad to say that in the Chinese schools in Macao, where there are over 7,000 pupils, the education question is dealt with in this way.

If, however, the cultivation of poppy is allowed to continue without restriction, and if there is always a source of illicit supply available, smuggling will go on, and the suppression of opium-smoking will be a difficult matter for all Governments.

We should like to add that not only has the Portuguese Government given every support to the measures and provisions of the 1925 Geneva Agreement, but it has also made great efforts to suppress the illicit traffic in the territories under its jurisdiction.

The PRESIDENT observed that the delegations of all the countries which had signed the 1925 Geneva Agreement had submitted general statements on the situation. He was sure that all his colleagues would wish him to ask Mr. Caldwell and Colonel Sweet to submit any observations they might think desirable. The United States of America had acquired great experience with regard to the services for the prevention of the illicit traffic. It would be particularly helpful to the Conference to know what was being done in the Philippines in this connection.

GENERAL STATEMENT BY THE OBSERVER OF THE UNITED STATES GOVERNMENT.

Mr. CALDWELL (United States of America) said that there had been no change in the situation in the Philippines since the visit of the Commission of Enquiry. He had therefore nothing to add to the information then given the Commission. The same remark applied to a very great extent to the information which Colonel Sweet could supply with regard to the preventive services in the Philippines, but he was prepared to discuss in detail any aspect of the problem that might be of interest to the Conference and to reply as far as possible to any questions put to him. A

general statement on the enforcement of the preventive measures in the Philippines would be redundant, in view of the information recorded by the Commission of Enquiry in its report.

Although Mr. Caldwell was not a delegate to the Conference, but simply an observer, he would be glad of an opportunity to expound the United States Government's views on the problem.

Mr. Caldwell then read the following statement:

This Conference has been called, under the Opium Agreement signed at Geneva on February 11th, 1925, to discuss the situation in regard to the application of Chapter II of the Hague Convention of 1912 and the application of the Geneva Agreement. The basis of its discussions is to be the report of the Commission of Enquiry into the Control of Opium-Smoking in the Far East.

The position of my Government in this assembly rests on the fact that the Conference, although it is convened under a treaty to which the United States is not a party, is in fact a conference of certain nations which, together with the United States, are parties to the Hague Convention of 1912.

The American Government has accepted the invitation to be represented here to-day in view of the fact that the subject of the discussion is to be the manner in which nations which undertook joint obligations with this Government in the Hague Convention now propose to meet the obligations thus undertaken.

My Government assumes, from the terms of the invitation which it received, that its views on the recommendations of the Commission of Enquiry into the Control of Opium-Smoking in the Far East are desired. For this reason, although in attendance at the Conference as an observer only, I take the opportunity of briefly stating those views.

The Commission of Enquiry reports, as its major conclusion, that the gradual and effective suppression of opium-smoking requires concerted action on similar and concurrent lines by all Governments concerned.

For many years past, the system of monopoly in one form or another has been in effect in most countries in the Far East. Under the terms of the Geneva Agreement entered into between the Powers having possessions in the Far East, the Government monopoly system was formally adopted by those Powers as a temporary expedient to meet the obligations of the Hague Convention of 1912 to " take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium with due regard to the varying circumstances of each country concerned ".

With regard to the Commission's major conclusion and the Commission's Recommendation No. 1, my Government concurs in the view that the suppression of opium-smoking calls for concerted action on the part of all the Governments in the Far East. It also believes that similar and concurrent action on the part of the Governments concerned is desirable, but it further believes that the time has come when such action should lead more immediately toward absolute proscription. While prepared to lend all practicable aid to measures directed toward suppression of the destructive vice, the Government of the United States is not prepared to follow a line similar to, and concurrent with, that followed by other Governments so long as those other Governments elect to retain the monopoly system and are not willing to attempt prohibition.

There can be no question of my Government's adopting a monopoly system or joining in measures to strengthen or continue the system of legalising the traffic in smoking opium.

The policy adopted by the Government of the United States under the obligations imposed by the Hague Convention of 1912 has been that of complete statutory prohibition of the importation, manufacture, sale, possession and use of prepared opium, coupled with thorough enforcement of the law.

That is the policy followed by the United States Government, which will continue to devote all its efforts to its application. I cannot say whether that policy has been entirely successful. The statements that have been made here tend to show that, owing to the illicit traffic existing at present, no system can claim to be completely successful. No system will bring the desired result, so long as the classes of the people affected have not been sufficiently educated or the supplies of smuggled opium remain at their present level.

As early as 1904, it was proposed that there be established in the Philippine Islands a three-year opium monopoly to be followed by prohibition, but this proposal, in so far as it related to Government monopoly, was rejected, and the principle of absolute interdiction of the traffic was adopted by the Congress of the United States.

It will, I think, be admitted that the habit of opium-smoking is injurious, and that this holds true no matter where the addict resides. For that reason, my Government has felt that there is no moral justification for a double standard in this matter, and that it would be entirely inconsistent to permit the use of smoking opium by a rationing system or otherwise in the Philippine Islands, while recognising the fundamental evil of the habit by absolutely proscribing the drug in the home country.

The result of enforcement of complete prohibition of the use of opium for purposes other than medicinal is considered to have proved satisfactory in the Philippine Islands.

The difficulties to be faced in enforcing this prohibition are fully recognised. In our own case, the long coast-line of the Philippine Islands and their comparative proximity to territories where contraband opium may be obtained are factors which unquestionably complicate the task

of detecting and preventing smuggling. The drastic nature of the prohibitory measures in effect, however, have made it possible to deal effectively with actual opium-smoking when found within the islands.

Furthermore, my Government feels that, if proscription of all phases of the traffic were conscientiously enforced in all other Far-Eastern territories, the natural factors that now aid the smuggler would be of minor importance among the practical problems which confront the enforcement officers in the Far East.

With regard to the Commission's Recommendation No. 2, the American Government concurs in the view that scientific research is desirable and that it should be undertaken co-operatively; but it feels that the harmful effects of opium-smoking have been so well established that the effort should be devoted, in the first place, to the study of cures for addiction. In such measures the United States is prepared to co-operate and to exchange information.

With regard to Recommendation No. 3, the American Government concurs in the view that limitation and control of poppy cultivation are eminently desirable.

With regard to Recommendation No. 4, the American Government concurs in the view that the demand for opium for purposes other than medical and scientific should be regarded as illegitimate and that, in combating such illegitimate demand, organised public opinion and education are weapons that can well be employed.

With regard to Recommendation No. 5, suggesting measures to prevent illicit traffic, it is recognised that, no matter whether the prohibitory or the monopoly system be adopted, smuggling is bound to be met with and will have to be combated. It is the feeling of my Government, however, that the suppression of opium-smoking is more nearly to be accomplished by combating the evasion of an absolute proscription than by any other method.

In conclusion, I may say that the Government of the United States most strongly urges frank recognition of the fact that there is but one real method by which to suppress the evil of opium-smoking in the Far East or anywhere else, and that this method is complete statutory prohibition of the importation, manufacture, sale, possession or use of prepared opium, coupled with active enforcement of such prohibition. Co-operation among the interested Governments in the suppression of smuggling is a necessary corollary. In measures of this kind, the United States is prepared wholeheartedly and cordially to co-operate.

The PRESIDENT said that the statements submitted by the delegations had demonstrated the great differences in the situation of the different countries. That was doubtless the reason why each country had had to work out measures that were appropriate to its special circumstances. The Conference's task would be to search for a common basis of work, with a view to concerted action.

The various statements made had all brought out one very important point, the illicit traffic. The Conference would have to explore every avenue with a view to concerted action against that traffic. It would be very instructive to study the nature and extent of the traffic and the measures that might be taken to combat it. For this reason, the President suggested that the questions to be considered by the Conference should be arranged under three headings:

A. Illicit traffic;

B. Consideration of any further steps that might be taken for eventual suppression, due regard being had to existing conditions;

C. Consideration of measures that might be taken to discourage the opium habit.

The Conference would discuss the recommendations of the Commission of Enquiry under these three headings. The delegations would, of course, be entitled to add any other subjects they might wish the Conference to consider.

The President proposed that the delegates should meet in private session to discuss methods of work and settle the programme.

(The Conference went into private session.)

11. Programme of Work.

The PRESIDENT submitted a draft programme of work, in which he had classified the questions before the Conference under three main headings. He had provisionally arranged the recommendations of the Commission of Enquiry under the same three headings. The French delegation had made a proposal for an additional heading " D. Other questions ".

The draft programme submitted by the President was adopted (see Annex 2), *with the amendment proposed by the French delegation.*

The PRESIDENT suggested that it would be desirable to begin at once with the discussion, under heading A, of Recommendations Nos. 1, 3, 5, 6, 7 and 8 of the Commission of Enquiry, concerning the illicit traffic, which was the dominating factor in the problem before the Conference. He proposed that each delegate should submit a statement on the nature and extent of the illicit traffic in his country and of the difficulties in the way of the measures to be taken against the traffic.

These statements might be followed by a perfectly free and frank discussion which would enable the Conference to consider the most appropriate measures.

Sir Malcolm DELEVINGNE (United Kingdom) asked permission to make a preliminary observation. The Conference would have to consider what results one expected from this discussion and what was the aim in view. It would be extremely important to have a thorough examination of the sources, nature and extent of the illicit traffic. It was essential that the Governments, the League of Nations and world public opinion should know exactly of what this dominating factor, as the President had termed it, consisted, and should realise the difficulties with which the Governments were faced in suppressing the illicit traffic completely, as the Hague Convention required them to do.

It must be hoped that one of the results of the discussion would be to improve the methods and means used for suppressing the illicit traffic. The Conference must, however, go even farther. It must attempt to draw up a joint declaration which could be submitted to the League of Nations and to the Governments, and published as representing the Conference's mature opinion on the nature of the problem of illicit traffic. To this end, he proposed that the delegates should communicate to one another all information in their possession and all facts within their knowledge as to the sources of the illicit traffic and the methods by which illicit supplies were distributed in the territories with which the Conference was concerned, and also as to the extent of the traffic. Were the Conference to refrain from acquainting the world in this way with the facts of the illicit traffic, it was to be feared that it would be accused of trying to evade the obligations entered into under the Hague Convention. That charge had been put forward explicitly in 1924-25, and the Conference must justify to the world the attitude it was recommending the Governments to adopt in the matter.

The PRESIDENT agreed that it was very important that public opinion should be based on an accurate knowledge of what was happening in each territory and of the difficulties confronting each Government.

The proposal of Sir Malcolm Delevingne was adopted.

Sir Malcolm DELEVINGNE (United Kingdom) wished to raise immediately three points on which it would be useful to have a discussion. His Government's present position was that it was not in favour of the Commission's Recommendation No. 8, concerning the " reduction of retail prices of Government opium ", for three main reasons.

1. The United Kingdom Government seriously doubted the possibility of competing with the smugglers on their own ground. The prices of Government opium would have to be reduced, if not to the exact figure, at least to one very near it, of the prices normally charged by smugglers. Without some hard-and-fast measure of that kind, he did not see how the Governments could compete with the smugglers or prevent them from selling their opium to smokers who were not well enough off to buy Government opium, especially in the present period of economic depression. As far as could be ascertained, the prices of raw opium available for the illicit traffic were very low, whereas the price of illicit opium sold to individuals was still very much higher than the purchasing price. Accordingly, there was still a wide enough margin of profit for the traffickers to enable them to counter a reduction in Government prices by a further reduction in their own prices. Sir Malcolm Delevingne had been assured that, unless the Governments were ready to sell their opium at a loss, the prices of illicit opium were such that it would be impossible to compete with them effectively.

2. Suppose the policy of price reduction led to an increase in the sales of Government opium; what guarantee would there be that the increase in such sales would be accompanied by a fall in illicit sales and that the result would not be, on the contrary, to increase the aggregate sales? A trial had been made a few years ago at Hong-Kong with a reduction in the price of Government opium. The sales of Government opium had risen considerably and rapidly, but it had never been proved—and it did not seem possible to prove—that this increase had been effected at the expense of the traffickers' profits. The Government of the United Kingdom would have much hesitation in adopting any such policy unless it were certain that an increase in the sales of Government opium would be accompanied by a corresponding decrease in the sales of the illicit traffic. Moreover, it was to be feared that, if Government opium were placed on the market in larger quantities, there would be an increase in the number of smokers; according to reports in Sir Malcolm Delevingne's possession, that had happened in certain provinces in China.

3. Could any permanent improvement in the position be expected from the adoption of such a policy? Suppose the reduction in Government prices was a complete success, the illicit traffickers were driven from the market and all consumers used Government-supplied opium; how, in the long run, would the Governments manage to discharge their obligations under the Hague Convention? If they attempted to abolish the use of opium by restricting supplies, raising prices, etc., while at the same time there were large quantities of opium available in the producing countries, the illicit traffic would immediately reappear and everything would have to be begun again. It hardly seemed likely that the problem could be solved on those lines.

Lastly, there was one consideration which, though not paramount, was of some importance. What would be the effect on public opinion and those who were sincerely anxious for the eradication of this evil if the adoption of a policy of that kind were followed by increased consumption in all the territories represented at the Conference? That would be disastrous to the credit of the Governments concerned; their sincerity would be seriously challenged and they would be exposed to the most painful discussions.

The PRESIDENT requested delegates to prepare, for the following day, statements concerning the experience of their respective countries in regard to the illicit traffic and the difficulties confronting them. The measures to be taken to combat the illicit traffic would be considered afterwards.

FOURTH MEETING (Private)

Held at Bangkok on Thursday, November 12th, 1931, at 8.45 a.m.

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12. Illicit Traffic : Statements by the Delegations concerning the Situation in their Respective Territories.

SIAM.

Prince VIWAT (Siam) made the following statement :

Although it is not possible to estimate the extent of the illicit traffic in Siam, whatever evidence there is points to the fact that the traffic is large and fairly well distributed over the country. Geographically, Siam is situated in close proximity to the source of cultivation. To the north are the Shan States and Yunnan. The Shan-Yunnan frontier is several hundred miles in length, and I have been informed on good authority that it would require an army to keep Yunnan opium from entering the Shan States. The Shan-Siamese boundary line is about 300 miles long, with no physical obstacles, while on the north-eastern and eastern side the River Mekong affords no natural protection against the smugglers. As regards the sea, there are ships coming direct from China ports, and I shall leave it to the members of this Conference to imagine what is one of the principal articles carried in those ships.

Figures as regards the seizures effected in Siam have been given in the report of the Commission of Enquiry; I shall therefore confine myself to the period from 1928-29 to 1930-31.

Year	Number of seizures	Raw opium	Prepared opium	Dross
		(Amounts in tamlungs)		
1928-29	5,899	5,788	30,452	5,496
1929-30	6,454	9,042	37,219	5,085
1930-31	7,118	7,128	36,883	4,275

The number of seizures and the amounts seized may be classified as follows :

1. Inland seizures—that is, seizures not effected at the ports :

Year	Raw opium	Prepared opium	Dross
	(Amounts in tamlungs)		
1928-29	4,466	25,301	3,260
1929-30	8,712	36,444	2,382
1930-31	6,955	36,036	2,981

2. Seizures effected by the Customs :

Year	Raw opium	Prepared opium	Dross
	(Amounts in tamlungs)		
1928-29	1,322	5,151	2,236
1929-30	330	775	2,702
1930-31	173	846	1,293

From the figures just mentioned, it will be seen that, during this three-year period, inland seizures accounted for 91.58 per cent of the total amount of raw and prepared opium seized and 58.3 per cent of the total amount of dross; while seizures effected by the Customs amounted to 8.42 per cent of the total in raw and prepared opium and 41.7 per cent in dross. The average amount obtained per inland seizure is about 6 tamlungs, and per Customs seizure about 71 tamlungs.

The fact that 91.58 per cent of the total seizures of opium were effected inland is, I think, an indication that the illicit traffic is principally a land traffic; while the small amount obtained per seizure is one of the indications of the wide distribution of illicit opium; the land frontiers being easy to cross, those engaged on a smuggling expedition are not likely to bring in only 6 tamlungs of opium at a time.

Since most inland seizures were not made on or near the border line, it is not possible to state accurately the source of such illicit opium. But the fact that, of the total amount of seizures of opium, some 60 per cent were effected in Northern Siam indicates that the Shan States are either the chief source of supply or an important depot for Yunnan opium. Such evidence as may be extracted from the culprits supplies confirmation of this conclusion. The north-eastern and eastern part of Siam, touching on French territory and covering an area of about 63,000 square miles, appears to contain many inlets for the illicit traffickers; of the total seizures of opium, about 23 per cent were effected at various points far apart, but mostly close to the frontier. The places where seizures were made and the information given in some cases by the offenders go to show that such illicit opium came from the Shan States down the river or else across the Siam-Indo-China frontier.

As regards the sea, I need only say that, of the 115 arrivals of ships from Swatow last year, the Customs found opium or dross in 35 vessels, with an average amount of 47 tamlungs per seizure. Ships arriving from Hong-Kong also supply a certain amount.

Another and somewhat novel development in the nature of the trade is the smuggling of morphine by land on a fairly large scale. Last January, the authorities arrested a few Chinamen in possession of about 57 tamlungs of a powdered article which was found upon analysis to be morphine. That arrest was made in a district touching on the Shan States and within 30 miles or so of the boundary line. If this seizure may be regarded as an indication that henceforward illicit opium will take on another and more easily portable form, the smuggling problem will be greatly complicated.

Netherlands Indies.

M. van Wettum (Netherlands) would deal first with the sources of the illicit traffic. Generally speaking, opium imported clandestinely into the Netherlands Indies was either Chinese or Persian. Most of the contraband opium, including that of Persian origin, was imported on steamers plying between China and the Netherlands Indies. Seizures were sometimes effected on steamers from Europe which had passed through the Suez Canal. Seizures of smuggled opium were made either by the police or by the Customs. Every passenger from China was searched, irrespective of nationality.

To combat smuggling, the Government of the Netherlands Indies had set up a Central Preventive Service, which had been working in close connection with the Opium *Régie* Department at Batavia since 1927. This Central Service had been of great value in the exchange of information of all kinds, including copies of finger-prints. Further, the local police forces had been strengthened by the addition of special sections of the preventive service in seventeen centres of the smuggling trade. To assist the police in the discharge of their duties, a number of motor-launches had been placed at the disposal of the authorities concerned. A fast opium cruiser had been placed at the disposal of the head of the *Régie* for the purpose of exercising supervision on the high seas and of escorting steamers carrying a suspect cargo into port. Awards were made to all persons taking part in a seizure of opium.

With regard to the extent of the traffic, the figures for the years 1928-1931 were as follows :

Year	Quantities seized		
	Raw opium in terms of prepared opium	Prepared opium	Total
	Tahils	Tahils	Tahils
1928	2,876	17,042	19,918
1929	2,314	7,052	9,366
1930	4,808	8,958	13,766
1931 (9 months)	2,067	1,398	3,465

These figures showed that, while the total quantities were on the decrease, the quantities of raw opium seized were relatively increasing. The greater part of the raw opium came from Persia. In addition to the decline in the quantities seized, there were other indications of a fall in clandestine imports of opium into the Netherlands Indies. It was not possible to say whether in actual fact there had been a reduction in the quantity of contraband opium available in the producing countries, but it might be presumed that, just as the annual licit sales had fallen to a lower level than ever before, in consequence of the general economic depression, so the clandestine traffic could not at present be financed by the smugglers.

In regard to the methods applied, it might be supposed that the decision of the Netherlands Indies Government authorising the arrest and imprisonment of persons charged with breaking the opium laws had done much to assist in checking smuggling.

In conclusion, the Netherlands Government attached great importance to the continuance of the present exchange of information with neighbouring territories.

Macao.

M. de Magalhães (Portugal) said that the geographical situation of Macao gave rise to special difficulties and made it almost impossible to introduce any system that would ensure effective supervision. The chief question to be considered was the source of the smuggled opium. In the first place, the geographical configuration of the peninsula had to be borne in mind, together with the fact that the total area of the colony was 14,147 square kilometres. Secondly, fishing was a very important occupation in Macao and there was a continual coming and going of fishing vessels, on which it was very difficult to conduct searches. It was, moreover, impossible to supervise adequately the people who crossed to and fro between Chinese territory and the colony. There were no Customs and the seafaring population was 53,000. In point of fact, supervision had to be based almost solely on information received or on chance.

The Portuguese Monopoly was set up in 1927. Since then, the quantities of opium seized had been :

	Taels
1927	131,021
1928	186,528
1929	66,527
1930	13,182

The sources of this smuggled opium could not be stated with certainty. It was, however, assumed that the greater part came from China. It was, indeed, certain that large quantities of raw opium left that country. There were, in China, many organisations which worked in with one another and whose sole object was smuggling.

The Portuguese authorities would be greatly assisted by more accurate information as to the methods employed in the illicit traffic.

Formosa and Kwantung Leased Territory.

M. Yatabe (Japan) made the following statement :

1. *Nature and Extent of Illicit Traffic in Formosa.*

The last registration of unlicensed opium-smokers afforded a rough indication of the number of secret smokers in Formosa who rely upon illicit supplies. Notwithstanding the authorities' energetic efforts to check the illicit traffic, there has been a considerable amount of smuggling in Formosa. Although it is difficult to give any accurate estimate of the extent of this smuggling, the following figures relating to seizures of prepared opium effected between 1925 and 1930 are valuable as indications :

	Kg.
1925	269
1926	548
1927	669
1928	1,477
1929	164
1930	163

In addition, 122 kg. of raw opium were seized during the same six-year period.

2. *Causes of the Illicit Traffic in Formosa.*

From 1908, when the Formosa Government decided to issue no further licences until 1929, when non-licensed smokers were allowed to apply for licences, secret opium-smokers had to resort to illicit supplies of prepared opium.

Smuggling is no doubt encouraged if high prices are charged for Government opium, but a comparison of opium prices shows that there was very little difference between the prices of illicit and Monopoly opium, although, we have, of course, no definite information as to the price of smuggled opium.

3. *Difficulties encountered in suppressing Illicit Traffic.*

Formosa, although an isolated island, is not very far from the South Chinese ports. Moreover, the length of the coastline makes smuggling easy. The police officers co-operate with the Customs authorities in exercising special supervision over ships arriving in the various ports and over places that can be reached by junk. Further, suspected persons are kept under special observation. Local authorities are required to report to the central authorities all cases of illicit traffic which come to their knowledge. These reports are immediately circulated to all other local authorities, so that action taken may be co-ordinated throughout the island. It is significant that all the opium imported into Formosa and seized by the authorities comes from China, and the authorities consider that it will be extremely difficult to prevent illicit traffic until means are found to exercise control over opium traffic in China.

4. *Kwantung Leased Territory.*

In the case of the Kwantung Leased Territory, which has very long sea and land frontiers, and particularly along the South Manchuria railway zone, which is adjacent to an area where poppy cultivation is unlimited, it is extremely difficult to estimate the extent of smuggling. Many smokers who have been treated in the Government hospital have, however, admitted that they obtained their opium from illicit sources. Although the origin of this opium cannot be definitely ascertained, it may have come from Northern Manchuria or from Eastern Mongolia. The amount of opium smuggled by sea is comparatively small. The authorities have attempted to check smuggling at the outposts along the railway zones, by employing excise officials in the trains, but it will be impossible to prevent clandestine traffic in this territory, so long as opium-cultivation is unlimited, and no control is exercised by the authorities of neighbouringt erritories.

As to the price charged by the Monopoly, the authorities endeavour to fix the prices of Monopoly opium at about the same level as that obtaining in the markets of Shanghai, Tsingtau and Mukden, so as to minimise the profits derived from smuggling into or out of the territory.

5. *Regulations for the Conveyance of Opium in Japanese Vessels.*

I may take this opportunity to refer to the regulations recently issued by the Japanese Government and prescribing that no opium may be conveyed in a Japanese vessel unless it is accompanied by a certificate issued by the authorities. Any shipowner or master who infringes this regulation is punished by fine or imprisonment.

Burma and Shan States.

Mr. Marshall (India) observed that Recommendation No. 6 of the Commission of Enquiry did not apply to Burma at present, because Burma did not sell prepared opium. Further, it would not be possible in Burma to mix a secret ingredient with raw opium. As to Recommendation No. 7, the laws in force in British India and Burma were strictly in accord with their international obligations. With reference to Recommendation No. 8, the view taken by the Government of India and the Government of Burma was that the increase in prices had reduced the consumption by making opium a luxury. As to the fixing of prices, conditions in Burma differed in certain respects from those in the other British territories. In the first place, the price paid by Burma for opium supplied by the Government of India was below that which other territories had to pay, and, so long as Burma was part of British India, the Government of India would charge Burma cost price for its opium. Prices were determined according to a scale which varied each year. The last price had been about 22 rupees per seer, or roughly 15*s.* per lb.

In the frontier districts near Yunnan, smuggled opium was so cheap that it successfully competed with Government opium. In Lower Burma, on the other hand, the prices of smuggled opium were, on the whole, higher than those charged for Government opium. All consumers were rationed and, in Lower Burma, smokers generally complained that their ration was too low and asked that it might be increased. In the neighbourhood of the Chinese frontier, on the contrary, there was no demand for increased rations. Smokers in these districts registered themselves solely as a precaution, because it was unlawful for an unregistered person to be in possession of opium. In the parts mentioned, only a very small number of consumers went to the Government shops; most smokers consumed smuggled opium. In the districts situated along the border of the Shan States, the price of smuggled opium was far higher than that charged in the districts on the Yunnan frontier, but it was still low enough to compete with Government opium.

It followed that the price policy to be adopted in Burma would depend on whether the Government decided to reopen the registers which had been closed. If it did so, the effect of such a measure on the price of contraband opium would have to be watched very closely. Unfortunately, there was no definite evidence of the real profits earned by the traffickers. The purchasing price of opium on the Yunnan border and the cost price were fairly well known, but there was no information as to the total sums paid by traffickers for the carriage of their opium. The lowest price reported was 15 rupees per viss (about $3^1/_2$ lb.).

The rationing of all consumers represented another difference between Burma and other countries. Suppose Burma were to raise her prices in accordance with the Commission's recommendation, the result would not necessarily be a large increase in the consumption of Government opium, because consumers were strictly rationed, and the mere fact of lowering prices would not justify an increase in rations. The policy as to prices would have to differ in the different countries, and possibly even in different districts in one and the same country. It might be possible to adopt a formula to the effect that the prices fixed for the sale of Government opium must in no case depend on financial considerations. Either prices must be low enough to deprive the traffickers of all hope of gain or they must be high enough to discourage consumers.

With regard to Recommendations Nos. 3 and 5, were the Government of India to receive an invitation from the League to a conference to investigate the possibilities of limitation and control of poppy cultivation, and were the countries concerned to agree to attend, the Government of India would send a representative. If it was thought desirable for the Shan States to be represented separately, the necessary action would be taken.

Smuggled opium entering Burma came from India, China or the Shan States. The consumption of such opium was estimated at about 15 seers. Statistics of seizures had been compiled for recent years only. Those for 1928-1930 showed that two-thirds of the amounts seized came from China and one-third from India. Chinese opium in this connection covered opium from the Shan States as well, since it was impossible to distinguish between them. Out of the 9,000 seers seized in 1931, 8,900 had come from China or the Shan States and only 600 from India. There had therefore been a remarkable falling off in opium smuggled from India. When the steps now being taken by the Government of India to reduce production had been completed, no further opium would enter the illicit traffic either from British India or from the native States. The total output of opium in the Shan States was estimated at 60,000 viss (about 100 tons), more than half of which came from the Wa States, which were not administered. It was calculated that, out of this quantity, 22,000 viss were consumed in the Shan States themselves. The difficulties in the way of controlling cultivation in the more remote parts of the Shan States were very considerable. On the other hand, in the administered portion the control of production had been made so strict that cultivation was now prohibited there. Similar action had been taken

for the countries east of the Salween, but it was impossible at present to say when the non-administered districts would be brought under control. That depended to a certain extent on the future constitution of Burma. If Burma were separated from India, she might have to procure opium for her internal needs from the Shan States. It would be possible to achieve real control of the whole crop in the administered regions. It would also be possible to exercise far stricter control over cultivation east of the Salween, without affecting the economic welfare of producers.

Mr. Marshall had no exact figures for the production of opium in Yunnan or in China, generally. The *Chinese Year-Book* for 1931, however, contained some very interesting reports on the production and consumption of opium in the different provinces of China, reports based on the replies to a questionnaire sent out by the publisher in 1930. According to the news received as to the area of the poppy fields in Yunnan, along the Burmese frontier, it was certain that the output was still enormous. The great bulk of the larger seizures was effected in the districts bordering on this frontier. The traffic was carried on by bands of Chinese who certainly came from Yunnan and undoubtedly did not carry opium cultivated in the Shan States. The staff of the preventive services in Burma had been considerably increased in the last two years; but, although this had resulted in a big increase in seizures, illicit opium continued to cross the frontier and there was certainly no change in the quantities escaping seizure. The Government paid rewards for information as to the smugglers' activities.

The supplying of illicit opium was apparently inevitable and, in Mr. Marshall's opinion, it was the result of the policy of prohibition. There was an intensive demand created by the large number of addicts who could not obtain sufficient supplies of licit opium, while there were at the same time enormous quantities available in the neighbouring country. It was inevitable that opium should go from one country to another, and it could never be prevented from doing so, even by very large forces of armed guards. The ideal solution would be for the Governments of all the producing countries to buy up the entire opium crop and for the crop then to be distributed among the consuming countries on the quota system. The obstacle to adopting a measure of that sort at present was the existing state of affairs in China and, to a lesser degree, the fact that the Wa States were not administered.

Mr. Marshall had listened with interest to the Siamese delegate's statement concerning seizures of opium in Siam on the Shan States frontier. He believed that most of this opium came from China and passed without hindrance through the Shan States, although part of it had most probably been produced in the Shan States. The Government of Burma was entirely prepared to collaborate in every possible way with the Siamese Government in order to put a stop to this traffic. In December 1927, the Government of Burma had sent an expedition to co-operate with the Siamese authorities, owing to reports which had been received concerning gangs of smugglers from China attempting to enter Siam. On the return journey, those bands were to carry with them smuggled rifles. They had been pursued. They possessed forts in the neighbourhood of the frontier, and it had never been clearly established whether these forts were in Siam or the Shan States. The column in question had operated 200 miles from its supply base, in very difficult country where it was unable to live on the local resources, so that numerous obstacles had been encountered. If, however, fresh difficulties arose, the Government of Burma would be very glad to give similar assistance in future and would be prepared to confer with the Siamese Government on the matter at any time. In conclusion, Mr. Marshall did not think that the morphine seized by the Siamese authorities, which he had seen in the opium factory at Bangkok, had been manufactured in the Shan States. He was certain that there was no one in the Shan States competent to extract morphine from opium.

British Possessions in the Far East.

Sir Malcolm Delevingne (United Kingdom) proposed, for the moment, only to establish, so far as he could do so, the facts in regard to the existence of the illicit traffic on a large scale. It might be asked why it was necessary for the Conference to establish the facts after the admirable summary of the situation in regard to the illicit traffic, and its influence on opium control, given in the report of the Commission of Enquiry. The principal reason for which it was important to deal with this aspect of the matter was that the Commission's conclusions and its summary of the situation had, in January, been challenged by the Chinese representative at the League Council in the most peremptory and authoritative manner.[1] It was therefore necessary for the Governments of the territories affected to make out, at the bar of the League and of public opinion, a case justifying the action they were taking, or any action they might propose to the Conference to take, in regard to the control of opium-smoking. There was another important reason for doing so. A clear recognition of the facts of the illicit traffic must be the basis of any effective action in future and of the present Conference's deliberations on the measures to be taken.

There were two main sources of opium in the illicit traffic, China and Persia. There were other minor sources which might become dangerous in future, but which were at present negligible.

First, China. The Conference's task there was to establish the facts both as to the production of opium in a general way and as to the smuggling of opium out of China into the Far-Eastern territories where smoking was still allowed. It should be emphasised that the present Conference

[1] See Minutes of the sixty-second session of the Council, sixth meeting, League of Nations *Official Journal*, 12th Year, No. 2, page 199.

was concerned only with the establishment of the facts. It had, for the moment, no concern with the causes of those facts. Nor was it for the Conference to criticise the action, or rather, perhaps, want of action, on the part of the Chinese Government. Those who had taken part in earlier conferences and commissions at the League were familiar with the Chinese official attitude towards the situation in China. That attitude had always been a very stiff one. It amounted to a refusal to admit that there was anything wrong, or to the assertion that, if there were anything wrong, that was the fault of the Concessions and of the extra-territorial rights possessed by foreign Powers.

With regard to the facts concerning the production of opium in China, there were four sources of evidence : (1) statements issued by Chinese official circles; (2) reports, statements and comments in the Chinese Press; (3) the attitude and programme of the Chinese National Anti-opium Commission; and (4)—this was perhaps the most valuable source— the reports of numerous and credible eyewitnesses as to what was going on in the provinces of China. He would attempt to arrange the evidence under each of these heads.

Printed figures, for instance, were available for the revenue derived by the Kwangtung Provincial Government from opium licences. These receipts had amounted to no less than nine and a-half million dollars in 1930. In the case of Liang Hu (Hunan and Hupeh), an organ called the *Chinese Western News* contained a report of the amounts collected by the Special Tax (Opium) Office during certain months in 1929 and 1930. In the last six months of 1929 and the first two months of 1930, when one regime had been in power, 7,800,000 dollars had been collected, while in the following four months, when another regime had been in power, the receipts had been 6,233,000 dollars, making a total of over 14,000,000 dollars in a year and a-half. These figures gave an idea of the enormous sums collected and of the importance of the opium revenue to the various provincial Governments.

The following passage was taken from a report on the province of Szechwan :

> " Information from Szechwan in 1930 was to the effect that all visitors to the capital agreed that more poppy had been planted throughout the province than in any previous years. The river banks between Ichang and Chungking were a blaze of colour during the poppy season. The more fertile districts of the province appeared to be those most favoured for poppy-cultivation. There was little or no attempt at official discouragement either in cultivating or smoking. In fact, the military were in many cases financially interested in the opium-trade. In many provinces the farmers have to pay a ' Lan Chuan ', or ' Lazy Tax ', for failure to grow opium. There was a great increase throughout the province in the smoking of the drug, and it was estimated that 60 or 70 per cent of the whole male population smoked. "

He would say, in passing, that these reports, which were received through many channels in different parts of China, more or less agreed that conditions differed in different districts. In many districts, the officials were undoubtedly making an honest attempt to carry out the declared policy of the Chinese Government—the suppression of poppy cultivation. One fact which must be stated in all fairness and which was encouraging for the future, was that in these districts a considerable measure of success had been obtained, notwithstanding all the difficulties.

A statement concerning Manchuria read :

> " Since March 1929, the cultivation of opium has been largely suppressed through the Southern Manchurian province of Fengtien, but, in Jehol, opium-cultivation has been permitted for years past. In 1927 the area in cultivation was estimated at nearly 120,000 acres, and this area is being extended annually. The head of the Provincial Government makes no secret of the official encouragement of the cultivation of the poppy, which is declared to be a crop best suited to the local soil. "

In the province of Fukien, there was extensive planting of the poppy in the north and north-eastern portions. One report stated :

> " Information received in 1930 was to the effect that there had been extensive planting in both the western and northern sections of Chuan Chow. No official action had been taken to prevent it. The Fifty-sixth Division from Wuhu had passed through the country recently; both officers and men were heavy smokers, and the passage of the division had encouraged the peasants to increase the cultivation, and the increased production with the subsequent decrease in price had led to an increase in the smoking. Along the motor-road from Hueinan to Foochow, the poppy was to be seen in flower; the dead stalks were still standing in the fields and the poppy heads were being dried out for the seeds. "

Reports regarding the province of Shensi stated .

> " Information received from the province of Shensi in 1930 was to the effect that, throughout the central part of this province, poppies were being grown extensively, without any attempt by the local authorities at prevention. Cultivation was encouraged for the sake of revenue, and farmers were instructed that a certain area must be planted. A tax had first to be paid on the area planted; when the plants were well on, a further tax was levied, and just before the opium is tapped, a third tax was payable. The growing had been done more or less in secret some years ago, but was now carried on openly. "

Other first-hand reports referred to the provinces of Kweichow and Yunnan :

" From the province of Kweichow comes the information that nowhere in the province is the cultivation of opium prohibited or even discouraged. A tax or ' fine ' for growing opium is levied on all farmers whether they grow it or not, and consequently practically every farmer whose land is capable of producing opium grows it, if only to provide the funds wherewith to pay the tax.

" From the province of Yunnan, information comes that, as in Kweichow, a tax or fine is imposed on farmers, whether they grow opium or not. On the south gate of Yunnan Fu City had been painted, in blue and white, the colours of the Kuomintang, a collection of maxims including, ' Break off the opium habit ', while immediately below were stalls selling opium pipes, lamps and all the paraphernalia of the opium-smoker."

The following extract was taken from the Chinese paper *Ta Kang Pao* of July 2nd :

" It is true that people are eager to make money, but the huge extent of the opium evil is not due to the people but to the authorities. The worst crime perpetrated by the military caste was their relaxation of the opium prohibition. They levied taxes on opium and encouraged its cultivation, even going so far as to force people to grow it. Even if the people did not cultivate it, they had to pay the tax just the same, so they had no option but to grow it."

The programme of the Chinese National Anti-Opium Commission was based on recognition by the Chinese themselves of the actual situation in the country. The following report had appeared in the Chinese Press concerning the Commission's official programme for the period August 1930 to February 1931 :

" To ascertain the prevailing opium conditions in the Three Eastern Provinces; to investigate the exact state of poppy-growing in Anhwei and Southern Fukien; to publish pamphlets on, *inter alia*, the special taxes in Hunan and Hupeh on opium-planting and substitution of agricultural products, etc.; to investigate the actual condition of opium-planting by farmers in Szechwan, Shensi, Kansu, Yunnan, etc., and the effect of the planting of poppies on agricultural production; to investigate the opium-tax conditions in Kwang Tung and Kwang Si."

The Commission was also proposing to issue a series of booklets on the production of opium in China. All this showed that, in its own domestic surroundings, the National Anti-Opium Commission appreciated the real facts of the position.

No better illustration could be given of the situation in regard to opium in China than the facts of an incident which had occurred in Hong-Kong in the previous year. On March 4th, 1930, a launch belonging to the Canton Government had run ashore in Hong-Kong waters. It had been visited by the Hong-Kong authorities, who had found 83 cases of raw opium on board. The cases were on their way from Canton to Swatow and were described as containing anti-opium medicine materials. The captain of the launch was in possession of transit papers and of four sealed despatches from the Canton Opium Bureau to the authorities at Swatow. The Kwang Tung Provincial Government applied to the Hong-Kong Government for the return of the opium. The Hong-Kong Government referred the matter to the Home Government, which had asked the National Chinese Government in Nankin whether it had any objection to the return of the opium. The latter Government had replied in the negative and the opium had accordingly been sent back to Canton.

Though a tribute must be paid to the officials in certain areas where a loyal and honest effort was being made to give effect to the policy of the Chinese Government, the general conclusion must be, from Sir Malcolm Delevingne's information, that the cultivation of the poppy in China was widespread and enormous.

Next, the smuggling of opium out of China. All the experience went to show that, where there was an abundant supply of opium or of any other narcotic drug, coupled with a big external demand, opium or that drug would flow out and nothing could prevent it. The facts supplied by the British Far-Eastern possessions as to seizures in their territories amply proved the truth of this assertion in the case of Chinese opium.

Take the figures for Hong-Kong. The following seizures of Chinese raw opium had been made from 1927 to 1931 :

	Taels	
1927	20,000	
1928	17,000	(approximately)
1929	17,000	
1930	25,000 [1]	
1931 (up to October 30th)	18,000	

Seizures of Chinese prepared opium had amounted in round figures to :

	Taels
1927	20,000
1928	21,000
1929	7,000
1930	5,000
1931 (to October 30th)	2,800

[1] This figure does not include the cargo of the Cantonese launch referred to, which amounted to no less than 66,000 taels.

It should, however, be pointed out that these figures must be considered in connection with the seizures made on vessels coming from Macao. The latter figures were :

	Taels
1927	13,000
1928	2,300
1929	4,000
1930	14,800
1931 (to October 30th)	19,900

There were small quantities too from Kwangchow-Wan.

The total seizures in Malaya for the current year were 9,000 taels of raw opium and 43,294 taels of prepared opium. The bulk of the raw opium seized in Malaya had been Persian, but the chandu seized had almost certainly been very largely Chinese in origin. All seizures had been made on vessels from Chinese coast ports.

So much for the facts in regard to Chinese opium. From the evidence he had adduced, there was, in his opinion, no question that importation of Chinese opium into Hong-Kong and Malaya had been carried on over a long series of years on a large scale, and that in the last eighteen months a very considerable proportion of the raw opium illicitly introduced had come from Persia, but had been re-exported from China. That was, he submitted, an aggravation rather than an extenuation of the position.

The situation in regard to Persia was somewhat different. Persia depended largely on the opium export trade. A large proportion of that trade was for legitimate purposes. The facts as to the production of opium were not in doubt, since they were officially reported in the documents of the Persian Government. The present Conference was concerned with the use made of the substantial part of that production intended for illicit exportation.

The members of the Advisory Committee knew that every year a considerable portion of the Persian opium exports were declared for destinations which were entirely mythical. Rather more than a year ago, the Persian Government had placed the whole opium export trade in the hands of a monopoly and granted the concession to an individual. In January 1931, the Persian representative at Geneva had said that one of the conditions of the concession was that no opium should be exported except on the production of an import certificate from the importing Government approving importation. It had been hoped that exports to the illicit market would cease in consequence of this measure. Unfortunately, that hope had not altogether been fulfilled. The monopoly, however, had been working for only one year, and hence no definite judgment could be formed until the final figures were available at the end of the current year or early next year, when the new opium crop was being handled. One point, however, was of importance : there was a great falling off in the legitimate requirements of some of the Powers with Far-Eastern possessions. If the Persian crop remained at the present level, there would be a considerable balance of production in Persia after legitimate needs had been satisfied. What happened to that balance was a matter of concern to the present Conference.

It was interesting to know that Persian opium exported to China was re-exported to the Netherlands Indies and to Malaya, and it would be useful to ascertain whether this practice would continue. Attention should be drawn to one important point, at any rate : that Persian exports to the illicit market in the Far East were not of concern to China only, or lost in the general mass of the illicit traffic in that country, but were coming back west in the manner described.

Sir Malcolm Delevingne would suggest that co-operative purchasing arrangements might provide the Governments concerned with a powerful means of ensuring that these supplies of opium for the illicit market should come to an end.

In conclusion, he would propose that the Conference might adopt a joint declaration concerning the facts in regard to the production of opium in China and its smuggling out of China, and the situation as to supplies of Persian opium.

The discussion was adjourned to the next meeting.

FIFTH MEETING (Private, then Public).

Held at Bangkok on Friday, November 13th, 1931, at 8.45 a.m.

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13. Illicit Traffic : Statements by the Delegations concerning the Situation in their Respective Territories (continued).

French Indo-China and Kwangchow Wan.

M. Touzet (France) made the following statement :

The French delegation desires first to express its keen satisfaction at seeing the problem of opium-smoking placed at last on its real basis. As Sir Malcolm Delevingne has so rightly remarked, we must remember that public opinion is often ill-informed, and sometimes even misled, by tendentious speeches and writings. According to the statements made by the different delegations

at the opening of the Conference, the problem of opium-smoking is no longer, as has been thought hitherto, a question of distribution and consumption. It is now reduced simply and solely to a question of production.

All delegations have, with equal conviction, agreed in asserting that restrictive, preventive and even educational measures directed towards the suppression of the vice of opium-smoking could achieve but meagre results so long as certain countries continue to cultivate the poppy on a large scale.

International provisions of treaties and conventions in force are so much in contradiction with the measures recommended by the Commission of Enquiry that we can realise the confused state of mind of those high-minded philanthropists who are endeavouring, with inadequate weapons, to fight a vice that is a disgrace to humanity.

The earliest international conferences did, indeed, lay down certain categorical imperatives—the abolition of smoking-establishments, limitation of the number of retail shops, increase of the retail prices of opium. The Commission of Enquiry recognises that all the countries concerned loyally accepted these requirements.

It is now proposed that we should adopt measures inspired by the reverse point of view—increase in the number of public smoking-establishments, non-limitation of retail shops, decrease in retail prices.

The Governments concerned would probably accept this new point of view if it were generally approved, but they would run the danger of being compelled later to revert to their original position.

Obviously, these successive changes in international regulations are not likely to contribute much towards solving the problem with which we are faced.

The solution—it seems that all are now agreed—can be found only in measures directed at production.

The Government of Indo-China feels no humiliation at having to recognise that it has not so far been entirely successful in its struggle against smuggling. Though it is not at all discouraged, though it is constantly improving its equipment on land and sea, it is by no means certain of success, owing to the enormous length of its land and sea frontiers, which are of such a character—here with mountains which are difficult to traverse and there with an infinite number of little-frequented bays and creeks—that they seem to have been devised to make smuggling specially easy.

Even though it has devoted to the campaign against smuggling large sums which are out of proportion to its budgetary resources, the Government considers that final victory is out of the question so long as opium production on the other side of the border is subject to no supervision, no control, no restriction.

This situation is, of course, not a new one. As long ago as 1912, the Governor-General, M. Albert Sarraut, sent to the Minister for the Colonies a telegram which was read at the Hague Conference and in which he said :

> " Owing to the smuggling of opium across her frontiers, Indo-China is unable at present to accede completely and officially to the Convention, although in fact all its provisions are being applied. She keenly desires to take, *pari passu* with the Chinese Government and as soon as the situation improves in the southern provinces, all possible steps for the further suppression of the opium habit."

Although, far from improving, the situation has become much worse, Indo-China felt it her duty to give proof of her spirit of international co-operation, and, in 1917, M. Albert Sarraut, who had again been appointed Governor-General of Indo-China, decided to apply the whole of the provisions of the Hague Convention in Indo-China.

But the situation has continued to deteriorate. During the last three or four years especially, Tonkin and Northern Annam have been overwhelmed by the swelling tide of smuggled opium and its waves are reaching ever further southwards. Any attempt to arrest it would be vain unless one went back to the source—that is to say, to the opium produced across the frontier, and more particularly in Yunnan.

Whence comes the smuggled opium? It comes exclusively from producing countries and, amongst such countries, almost entirely from China.

In point of fact Indo-China is bounded on the north-west by the Shan States which seem to have a considerable surplus of raw opium available for export. Indo-China suffers under an infiltration of illicit opium into Laos from the Shan States since Siam set up its monopoly and decided to buy its opium in Calcutta and Persia and is thus no longer an outlet for surplus opium produced in Burma. Though this smuggling into Laos is not entirely negligible it is relatively slight in extent.

The smuggling from which Indo-China suffers is really, one might say solely, a Chinese problem.

In 1906, the amount of opium produced in China was estimated at 35,000 tons. After the entry into force of the Imperial Edict of September 20th, 1906, which provided for the suppression of the use of opium in ten years, a serious effort was made, particularly in the north, to restrict poppy cultivation. In the south, the enforcement of the edict caused rioting among the peasants, more particularly in Yunnan, in the district of Talifu, and in Kwei Chow. In the first years of the Republican Government, there was an honest effort to follow up the action inaugurated by the Manchu Dynasty. Recently again, in 1928 and 1931, the Nankin Government, with the support of public opinion, made an attempt to stem the opium evil. Unfortunately, circumstances outside its power prevented its splendid efforts from being followed by the results it deserved.

Poppy cultivation has been resumed in many provinces, often at the instigation of the local authorities themselves, who regard it as a source of wealth, the distribution, sale and use of opium affording an opportunity for the collection of a number of more or less clandestine taxes.

The Government of Indo-China has no approximate estimate—and it doubts whether any exists—of the present output of raw opium in China. There are, however, very good grounds for affirming (1) that the quantities produced considerably exceed consumption in the producing provinces, and (2) that, nevertheless, there must still be a very keen demand for contraband, since it is a fact that the poppy plantations are being constantly enlarged.

With regard to the cultivation of, trade in and consumption of opium in the southern Chinese provinces bordering on Indo-China, we shall endeavour to state the facts known to us mainly on the basis of Chinese documents, which cannot be refuted, and supported by information from private organisations and individuals.

We shall then state the methods by which smuggling is carried on from China into Tonkin and indicate its magnitude.

In Kwang Tung, the sale of opium is an important source of revenue to the provincial budget. The *South China Morning Post* of August 6th, 1930, stated that, in the fiscal year 1928-29, out of the total revenue amounting to 32,159,899 dollars, the receipts derived from opium accounted for 7,556,736 dollars.

Opium, which is sold freely, is called " antidote for opium ", and the retailing establishment is known as " the prohibition bureau ".

In this province, there has been a complete reversal of Chinese policy in regard to opium.

According to the *Ming Kwo Jih Pao* of August 24th, 1928, the Canton Financial Commissary made over the opium concession to a trader named Hoang Chong Cheng, who immediately formed a company, the " Liang Kwang Opium Co. " (The Two Kwang Opium Co.), whose business was to cover both Kwang Si and Kwang Tung. The concession company is said to have paid the Canton Government 200,000 dollars in advance and to have undertaken to pay a monthly contribution of 700,000 dollars.

We have no material proof of the existence of this concession, but it would appear difficult to deny its existence, since this is testified to by offers of jobs for sub-concession-holders in the Press. For instance, we read in the *Yeet Wa Pao* of September 4th, 1928 :

> " Notice of opening of the Liang Kwang Co.
>
> " Our company is authorised by the Kwang Tung Finance Bureau to sell, abroad and at home, prepared and raw opium. It has also been authorised to organise a bureau for the sale of opium.
>
> " Our company and the bureau for the sale of opium were formed on September 1st, at No. 466 Ya Tak Road, in the establishment of Na-Yu-Shun. Traders wishing to obtain a sub-concession for the sale of prepared or raw opium in the different districts must present themselves at our company's offices to make arrangements. Make haste, if you do not wish to lose this opportunity."

The monopoly, however, was withdrawn from the company on April 1st, 1929, and the Canton Finance Bureau took over the direct sale of opium.

A leader-writer in the *Lintung Ming Kwo Jih Pao*, of Swatow, wrote on this subject on September 6th, 1928 :

> " The Swatow local authorities refrain from indicating their opinion, although the streets are full of anti-opium houses where it is possible to purchase and smoke the drug, which is imported in large quantities and continuously by the Canton Transport Co.
>
> " Yesterday, Mr. Ko Kien Yu, Director of the Bureau for the Control and Suppression of Opium, gave notice, in a public proclamation, that the Director of Finance had sent him licences for the transport and sale of opium. He therefore requests traders to present themselves at his office with a sum of money as a deposit, to receive their licences.
>
> " This ridiculous inconsistency between the work and the actions of the authorities has not escaped our notice, and we regard it as a bad omen for the future of opium suppression in the district of Chao-Hin."

To any who may still doubt our assertions, we will now furnish material proof of their accuracy. We can place the original documents before them. The receiver of one of our Customs and *régie* administration frontier bureaux confiscated a sheet from a transit permit issued between August 1st and 9th, 1931, to a carrier of raw opium in China by the opium prohibition bureau at Ma-Chang. It will be noticed that the term " opium " is not used in the permit.

The document says :

> " PERMIT TO TRANSPORT.
>
> " *Canton, District of Kao Lui, Opium Prohibition Bureau.*
>
> " Permit issued to ....., on ....., who has bought medicines for the cure of the opium habit, for a package weighing 46 taels to be transported to market in the territory of Tong Sang for the preparation of remedies for the treatment of opium addiction. The whole has been carefully verified, the seals and signatures have been affixed, thereby authorising carriage by sea and land. Agents of the police and Customs forces and soldiers in road posts are required, after verification, to grant the holder immediate passage without difficulty."

In Szechwan, poppy-cultivation is strictly prohibited in six districts but tolerated in the others. There is an anti-opium bureau which confines its activity to proceeding against smugglers —that is to say, those who have not paid the traffic dues. The local Government derives a million taels per annum from opium consumption dues. The exportation of opium in the provinces on the Blue River towards Shanghai is of vital importance to the economic situation of these provinces.

In the province of Hupeh, the provincial revenue of 1929 is reported to have been 2,300,000 dollars, of which 1,650,000 dollars came from opium taxes, if we may believe the *Sin Min Pao* of May 7th, 1930.

According to credible information, the Hankow Anti-Opium Bureau, which is called by the somewhat deceptive name " Bureau for the Liquidation and Rehabilitation of the Special Trade ", had, at the beginning of 1930, a monthly income of 4,800,000 dollars.

In Hainan, we find a similar state of affairs. At Hoi-How there is an official bureau known as the " Opium-Prohibition Bureau ". This office, too, appears to have been in negotiation with a farming company. The director of this bureau was to receive a monthly due of 1,700 dollars and the municipality of Hoi-How a monthly duty of 200 dollars on opium-smoking lamps. This farming company was to buy raw opium, prepare it and sell it to twenty-nine opium-smoking establishments with which it is connected. These opium-smoking establishments are called Tang-Hoa-Chu—that is to say, " conversation clubs ".

In Kwang Si, the local Government, towards the end of 1928, made a trial of a Monopoly for selling opium. As, however, caravans are bound to pass through this province, the financial resources of the province are derived chiefly from transit dues. These dues appear to yield from 6 to 10 million dollars per annum.

In Yunnan, the public sale of prepared opium was prohibited as from August 13th, 1928, and public smoking-establishments were closed on that date. In reality, these measures have scarcely been applied anywhere except in Yunnan Fu itself, and our neighbours have never displayed such intense activity in the cultivation of and trade in opium. It may, moreover, be wondered whether, in the serious financial crisis through which Yunnan is passing, that province is in a position to do without its revenue from opium.

In the foregoing review of the Chinese situation, we have given only carefully checked information, and its publication involves no serious indiscretion with regard to the Chinese authorities, since the facts are public.

We must now describe the character and extent of the smuggling of which Indo-China is the victim.

If we go back to the first origins of the illicit traffic, its primary cause will be found in surplus production, and it is the producing areas that must ultimately be held directly responsible for that traffic.

The clandestine traffic from Burma, owing to the abundance and low price of the drug, has had the result of inciting the habitants of the districts of Cambodia and Laos to smoke opium, thus nullifying the effect normally expected from the administrative measures adopted. Nevertheless, the danger on this frontier will probably be lessened, thanks to confident co-operation with the Siamese and Burmese authorities and to the development of communications, which will make it possible to have a denser Customs cordon, though this will entail heavy expenditure.

The most serious and formidable menace to Indo-China is that on the northern border.

According to trustworthy estimates, the annual opium output in Yunnan varies between 900 and 1,600 tons. An area of 800,000 meons is planted with poppy. One need not go far into the country; numerous fields in flower can be seen on both sides of the railway. The local consumption, although high, cannot absorb quantities as vast as these. The surplus production must therefore be marketed outside the province, and it can only take two directions; it must go either into the interior towards Kwang Si and Kwang Tung, both essentially consuming provinces, or towards Tonkin.

The first road, the only one possible for smuggling on a big scale, owing to the undeniably energetic supervision exercised on the Tonkin frontier, is long, arduous, costly, perilous and uncertain. It is infested by hordes of brigands, who make it necessary for the caravans to form themselves into what can only be described as marching columns consisting on the average of a thousand men, half of them porter coolies and the other half armed with rifles. This involves very heavy expenses which, added to the transit dues charged by the Kwang Si authorities, considerably reduce the margin of profit. It must, however, be supposed that the margin of profit is still very high, notwithstanding the risks run (it is alleged to be three times or even four times the capital invested), since not a month goes by in which our frontier police officers fail to report the passage of one or more caravans near their posts.

The magnitude of the traffic will be realised with some degree of accuracy when it is stated that each coolie carries about 19 kilogrammes—*i.e.*, 500 ounces—of opium. Each average caravan transports about 10 tons.

There is, however, even better evidence. I do not intend to give you a complete picture of the illicit opium traffic from Yunnan to Kwang Tung and beyond across Kwang Si. I merely wish to describe, as characteristic examples, a few recent transactions by numerous Chinese merchants, the facts of which are notorious and have come to the knowledge of the Government of Indo-China. The checking by other information of the information supplied by various individuals confers on it a measure of absolute accuracy.

On November 22nd, 1929, a convoy of 400 armed soldiers, escorting 1,500 Cantonese coolies and 133 horses, transporting altogether 50 tons of opium for traders in Canton, left Ta Chu Fang, 56 kilometres from Lao Kai, for Kwang Tung.

On February 23rd, 1930, a convoy of 66½ tons of opium left the same city, intending to cross Kwang Si for the city of Tong-Hing. It consisted of 2,350 coolies, 230 horses and 365 soldiers. Like the preceding convoy, it was a sort of military expedition.

About April 20th, 1931, there arrived at Long Chow from Yunnan what can only be termed an expeditionary force, consisting of 10,000 armed coolies, convoying 10,000 chests, each containing 1,000 ounces, or, in all, 390 tons, of opium bought by a group of trading firms in Canton. Thanks to this expedition, the Yunnan Government Anti-Opium Bureau was able to collect one million silver dollars for stamp duty alone.

When waves of drugs beat upon our frontier, is it to be supposed that we can prevent some of it filtering in?

When small caravans fall in with regular troops or armed bands on the roads, their custom is to bargain if the sum to be paid is not too high. When, however, the demands made are excessive and the parties are unable to come to an understanding, the convoy breaks up into small groups and isolated refugees who seek shelter in our territory and so increase the volume of contraband by casual additions diverted from their true destination.

The itinerary followed by the caravans from Pichecha to Siao-Tong represents a twenty-five days' march. At Siao-Tong, the convoy breaks up into small units which take different directions —Tong Hing, Pak Hai, Lien-Chow, Lin-Chan.

The insecurity and costs of this kind of undertaking necessitate the formation of syndicates of traders and bankers, which are naturally limitative and are not accessible to small traders. The latter therefore prefer the smuggling trade to Tonkin.

Smuggling across the northern frontier of Indo-China is intense, and extremely difficult to repress for two main reasons.

The first is due to the character of the smuggling itself. If we had to do with convoys like those in the southern Chinese provinces, repression would be comparatively easy. When, however, a Customs administration is faced with a crowd of small smugglers, when it has to put a stop to the practically permanent filtering in of smuggled goods, when every man and every object passing the frontier carries some supply of opium, the Customs officers, it must be admitted, are powerless.

The second reason is connected with the geographical situation. The joint frontier between Indo-China and Yunnan consists of a tangle of mountain ranges varying from three thousand to ten thousand feet in height, with only one natural road, the valley of the Red River through which passes the railway between Yunnan-Fu and Hai-Phong. At the present moment this road, which is the trade route, is closed. The smugglers, however, know and use the narrow mountain paths and, notwithstanding all our officers' zeal, the Indo-Chinese Customs confess that they are powerless to prevent the illicit opium traffic.

The guard house at Ma Kwang Pu, which is at the head of the road running along the Tonkin frontier, 28 kilometres from our frontier city, Lao-Kai, is the terminus for the arrival of opium which it is intended to smuggle either into Kwang Si or in the direction of Tonkin. It has been found that one to ten tons, and sometimes more, have been unloaded in one month. The margin between the cost price of the drug on the Yunnan market and the selling price of Government opium in Indo-China is so wide that still more rigorous measures—even if the Government of Indo-China were financially in a position to take them—would unquestionably be ineffective in stopping the present movement, at any rate so long as the trade in opium from the neighbouring province remains at its present level.

It is difficult to estimate the extent of the smuggling trade with absolute certainty. To avoid a charge of having attempted to impress your minds with conjectural data, it will suffice if I state the amount, in figures which cannot be contested, of the quantities of smuggled opium seized by the Indo-Chinese Customs and *régie* administration. Whereas the average from 1915 to 1917 was 862 kilogrammes, the quantities seized more recently amounted to :

In 1927, 8,266 kilogrammes compared with Government sales of 64,087 kilogrammes;
In 1928, 15,542 kilogrammes compared with Government sales of 68,268 kilogrammes;
In 1929, 14,276 kilogrammes compared with Government sales of 70,494 kilogrammes;
In 1930, 14,793 kilogrammes compared with Government sales of 62,447 kilogrammes;
or almost a quarter of the Government sales.

These figures are to the credit of our preventive services, but how disappointing they are when we come to think of the possibility of rendering prevention effective! It may be that with our mobile brigades and our armed coast-guard vessel we shall obtain better results and we shall no longer have the gloomy feeling that we are vainly struggling against an overwhelming flood.

Indo-China is making, and will continue to make, at great expense, an honest endeavour to meet her international engagements, but she is in a critical situation in the matter of opium. To keep her undertakings, she has reduced by about 50 per cent the consumption of Government opium and consequently the revenues derived from it. It is in truth regrettable that smuggling should have made a heavy reduction in the social benefits she was entitled to expect from her persevering efforts.

The PRESIDENT observed that, from the accounts given by the various delegations of the nature and extent of the smuggling trade, it was clear that the principal sources of the illicit traffic were in China and Persia. The statements concerning China made in the report by the Commission of Enquiry had been contested by the Chinese representative at the League Council. It was therefore desirable for the Conference to make a clear and considered declaration concerning the present situation with regard to the illicit traffic. A declaration of that kind would justify the Commission's findings and enable world public opinion to appreciate the truth of the position.

It was decided to appoint a drafting committee consisting of the President, as Chairman, and the delegates of the United Kingdom, France and the Netherlands to prepare a joint declaration on the lines suggested by the President.

(The Conference went into public session.)

14. Illicit Traffic : Consideration of Recommendations Nos. 1, 3, 5, 6, 7 and 8 of the Commission of Enquiry into the Control of Opium-smoking in the Far East.[1]

RECOMMENDATION No. 1.

On the proposal of the PRESIDENT, *it was decided that consideration of this recommendation should be postponed, as it related solely to a question of principle and contained no concrete suggestion requiring examination by the Governments at the present stage.*

RECOMMENDATION No. 3.

The PRESIDENT observed, with reference to the first and second paragraphs, that the greatest difficulty in each country at the moment was the existence of smuggling. The radical solution would be to limit poppy-cultivation. In the absence, however, of all the producing countries, except India, and in view of the resolution passed by the last League Assembly instructing the Advisory Opium Committee and the Secretariat to collect preparatory information with a view to the eventual convocation of a conference on the limitation of cultivation, it seemed that the matter needed no further attention from the present Conference, which might, however, associate itself with the opinion that it would be desirable to hold such a conference.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that the principle of Recommendation No. 3 had long been recognised and accepted by the Advisory Opium Committee and, he thought, by all the Governments interested in the question. The reason why so little had been accomplished was that it had been virtually impossible to induce the Governments principally concerned in production to take action. At the same time, the difficulties of those Governments in the matter were very real and very important. In the case of Persia, as the Conference knew, the Persian Government had accepted in principle the recommendations of the League Commission of Enquiry which had investigated on the spot the problems of substitution of crops, development of the country's resources, etc., but, as the Commission itself had recognised, the fulfilment of those recommendations must necessarily be slow and financial considerations of great importance to the Persian Government were involved. The League had received no recent report from the Persian Government indicating how far Persia had been able to move in the direction contemplated.

As for Turkey, her co-operation in the opium question had been confined to participation in the 1925 Conference and that recently held on the limitation of the manufacture of dangerous drugs. In her case, the problem of reducing poppy-cultivation was, in a very large measure, bound up with the limitation of the drugs derived or extracted from raw opium. Sir Malcolm Delevingne thought that Turkey would be prepared to enter into negotiations on these subjects, which were wider than the scope of the present Conference.

His own Government viewed the proposal of the Commission with sympathy and would be prepared to take part in any negotiations for the desired result. He agreed, however, with the President that little could be done by the present Conference.

He attached great importance to the proposal in the third paragraph of the Commission's recommendation—that for co-operative arrangements among the Governments for purchases of raw opium.

He was not quite clear as to the meaning of the last sentence in the last paragraph. He did not see how steps could be based on the limitation and control of poppy-cultivation, which were non-existent.

M. EKSTRAND, speaking as Chairman of the Commission of Enquiry, explained that the idea which had guided the Commission in formulating the sentence referred to was that, pending the possibility of introducing the limitation and control of opium production, the Governments should, in any measures they might adopt for the progressive control of opium-smoking, always bear in mind that the final goal was the suppression of opium-smoking and that that goal could not be attained without the control of cultivation recommended by the Commission. The measures for the gradual reduction of smoking should be temporary and provisional. They should not be framed or enforced in such a way that they would constitute an obstacle which would have to be removed before the prohibition of opium-smoking could be introduced.

The PRESIDENT understood that the Conference agreed to associate itself with the recommendations in the first two paragraphs. He was inclined to concur in Sir Malcolm Delevingne's suggestion that the third paragraph might be usefully discussed among the countries interested at a later stage.

M. VAN WETTUM (Netherlands) agreed in general with Sir Malcolm Delevingne's remarks. The question of poppy-cultivation had been referred to the Advisory Opium Committee and the results of its deliberations must be awaited. M. van Wettum felt some doubt whether the Conference was competent to come to a decision with regard to joint purchasing arrangements. That was a matter for the various Governments concerned.

M. BOURGOIS (France) said that the French delegation to the last League Assembly had approved the recommendation for the collection of preliminary information with a view to a conference on the limitation of poppy-cultivation. The French Government warmly supported the proposal for such limitation.

[1] The text of the recommendations will be found in Annex 7.

Sir Malcolm DELEVINGNE (United Kingdom) suggested that the Conference might take two definite steps. First, it might adopt a resolution in general terms supporting the Commission's recommendation that all possible steps be taken to bring about the limitation and control of the production of raw opium and that there should be international action for that purpose. Second, with regard to purchasing arrangements, the representatives of the Governments and the heads of the different services in the territories affected should take the opportunity of the present Conference to see whether the principle was acceptable and, if so, on what general lines co-operative action as suggested by the Commission could be taken.

The PRESIDENT suggested that Sir Malcolm Delevingne be requested to prepare a draft resolution embodying his first proposal.

Agreed.

Sir Malcolm Delevingne's second proposal that the heads of the delegation and of the services concerned should meet informally to discuss the question of co-operative purchasing arrangements was also approved.

The PRESIDENT observed that the fourth paragraph in the recommendation, as explained by the Chairman of the Commission of Enquiry, involved a question of principle. He understood that the Conference approved that principle.

RECOMMENDATION No. 5.

First Paragraph.

Sir Malcolm DELEVINGNE (United Kingdom) was not quite certain that this recommendation took full account of the difficulties of the problem. The first paragraph apparently referred in the main to smuggling by sea. There was only an indirect reference to the problem facing Siam, Indo-China and Hong-Kong, where smuggling was carried on over frontiers which were land frontiers or equivalent to land frontiers. Smuggling by long-distance voyages chiefly concerned Malaya, Siam, the Netherlands Indies and, possibly, Indo-China. The difficulty encountered in this latter case was the cleverness of the smugglers in concealing their goods on board ship. In Malaya, for instance, the entire smuggling trade went through Singapore and Penang, and the difficulties of the Customs authorities were difficulties of technique—namely, ascertaining the methods used by the smugglers to conceal their wares. Needless to say, the officials in the preventive services acquired a very special knowledge of those methods. He would therefore leave it to his expert advisers to say how far better results could be obtained by additional staff and equipment. Personally, he doubted whether that would help very much. The British authorities attached more importance to the improvement of the personnel than to its increase.

The important point, in his view, was that there should be exchange of information and consultations between the chiefs of the different services as to the methods of the illicit traffic, the heads of the smuggling organisations and the channels they used to distribute their opium. The principle of a central intelligence bureau in each territory was, he imagined, accepted by all delegates. It had often been recommended by the Advisory Opium Committee. He would ask the President's permission for the British expert for Malaya to address the Conference.

Mr. CATOR, Superintendent of Government Monopolies, Straits Settlements, said that the conclusion drawn by the authorities in Malaya from their experience of control and preventive work was that, while an extensive service was required—and the Government of Malaya had never refused any reasonable demand—the most important point was to improve the morale of the subordinate class of officer. This had been done in Malaya by increasing the number of European supervisory personnel and recruiting a better type of officer, although this of course cost more money. By this means, it was possible to limit the number of duties in the charge of each European officer, so that he could keep a closer watch over his subordinates. There was no intention of increasing the number of the subordinate class. The idea was to build up a service which would be proud of itself. The method employed was increased pay and better prospects of advancement for all officers. He thought he could say that, with the services built up since 1928, there had been, if not complete success, at any rate considerable improvement in the repression of smuggling. In conclusion, he was quite sure that the Government of Malaya would accept any good case which he might put before it for increased expenditure on the preventive services.

M. STEINMETZ (Netherlands) said that the Netherlands Indies Government had never refused to incur any justifiable expenditure on the preventive services. There were difficulties, however. The sections in charge of the preventive services were, for purposes of good administration, incorporated in the local police. The salaries of police officials, and therefore of those in the preventive services, as of all officials, were based on an absolutely rigid system which could not be modified. Hence, the only way of encouraging the preventive services was to offer rewards, and after each seizure a special reward was given to all taking part in it. It was, of course, important to choose officers who were specially fitted for preventive work by their energy and abilities.

M. EKSTRAND, speaking as Chairman of the Commission of Enquiry, said that the Commission had not overlooked the necessity for organising on a common basis the preventive services on land frontiers as well as on sea frontiers. It had, however, thought it unnecessary to refer to special equipment for the land services, because, in its view, they needed no such equipment.

M. KUSAMA (Japan) said that his delegation had felt that the recommendation for a common plan of organisation might cause doubts as to the application of such a system. He was quite sure that all delegates would agree that the best plan of organisation for the preventive services in the various territories was one adapted to local conditions, irrespective of whether the frontiers were sea frontiers or land frontiers. In Formosa, the system of opium control was in the hands of the provincial authorities. The Commission's recommendation laid stress on the need for a special organisation of the preventive services. The system followed in Formosa for the last thirty years had been based on control by the police forces and not by a special service for the opium traffic; that was to say, opium control was included among the general supervisory duties of the police, in respect not only of the lawful traffic but of the illicit traffic as well.

About a third of the police were detailed for opium preventive work and, therefore, it might be assumed that about a third of the total police expenditure was spent on that work. The amount in round figures would be 2,500,000 yen.

M. EKSTRAND, Chairman of the Commission of Enquiry, pointed out that, in the preamble to the recommendation No. 5, the Commission said : " If illicit traffic is temporarily suppressed in one place, it will inevitably reappear in another ". The Commission's idea was that supervision should be equally effective in all parts of a territory, because it was plain that, if control was effective in some places and less so in others, the illicit traffic would attempt to penetrate by the loopholes offered by these latter places. Secondly, it was essential that, control should be equally effective in all the territories concerned, since, otherwise, a country where it was less effective would be more exposed to penetration by the illicit traffic. Hence, the recommendation said : " Preventive services in all the territories in the Far East should keep in constant touch and exchange information regarding illicit traffic ". For these reasons, the Commission attached importance to the employment in all the territories of the most uniform system possible.

The PRESIDENT thought that all delegates would agree that exchange of information between the different services was desirable. It must be remembered, however, that provision for this was made in Article VIII of the Geneva Opium Agreement. The Conference might perhaps make a reference to that article and pass a recommendation to the Governments stressing the importance of making use of it.

Sir Malcolm DELEVINGNE (United Kingdom) suggested that it would be desirable to find some practical conclusion to the discussion. The Conference might adopt a resolution, for consideration by the Governments, concerning the possibility of improving the morale of the preventive services. The question of co-operation between the various services had been discussed and provided for in 1924-25, but the article in question had suffered because it had been framed in too general terms and did not indicate any definite steps to be taken. The Conference might take advantage of the presence of the heads of the various services and ask them to consider among themselves what would be the most effective way of improving co-operation for the suppression of the illicit traffic. They might consider whether it would be possible to arrange for periodical meetings of the heads of services in order to give regularity to the system, tighten it up and generally improve the information services. It must, of course, be remembered that the countries did not all fall into the same category. There were, first, countries with land frontiers —Siam, Burma and Indo-China—and, second, countries into which opium could only be smuggled after a long sea voyage—Malaya, the Netherlands Indies and, possibly, parts of Indo-China. Hong-Kong and Macao were in a special situation, as they practically formed part of the mainland of China. Formosa stood in a position by itself, there being only a short sea passage from China.

M. EKSTRAND, Chairman of the Commission of Enquiry, said that it was the interpretation placed by the delegate of the United Kingdom on Article VIII of the Geneva Agreement that had led the Commission to put forward Recommendation No. 5. The Commission had found that it was essential to establish, if possible, more definite rules for co-operation among the heads of the competent services. He would emphasise that, in the evidence given before the Commission, the heads of the services in the different territories had frequently said that it was necessary, not only to improve the morale of the personnel, but to increase their strength as well.

M. BOURGOIS (France) suggested that the heads of the services might consider, as an alternative to periodical meetings, which were bound to be expensive, the possibility of exchanging reports at regular intervals. That would be an improvement on the present position under the Geneva Agreement.

The PRESIDENT proposed that, before going further, the Conference should ask the heads of the preventive services to discuss the matter in private and report.

The proposal of the President was adopted.

SIXTH MEETING (Public)

Held at Bangkok on Saturday, November 14th, 1931, at 8.45 a.m.

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15. Illicit Traffic : Consideration of Recommendations Nos. 1, 3, 5, 6, 7 and 8 of the Commission of Enquiry (continued).

RECOMMENDATION No. 5 *(continuation of the discussion).*

First Paragraph (continuation of the discussion).

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that the Philippines, which he had omitted to mention at the previous meeting, fell into the first group of countries—namely, those in which illicit trafficking involved long sea voyages. He trusted that the United States representative would take part in the conversations contemplated.

Mr. CALDWELL (United States of America) said that Colonel Sweet would be very glad to discuss with the heads of the preventive services any formula devised to strengthen co-operation between the authorities in question and to combat the illicit traffic. Colonel Sweet was not, of course, empowered to conclude any agreement involving certain expenditure.

Second Paragraph.

M. VAN WETTUM (Netherlands) said that the system referred to in the first sentence of the second paragraph was already in force in the Netherlands Indies. Fines might be imposed in addition to imprisonment.

The Netherlands delegation was quite prepared to agree to the act of inducing minors to smoke opium being made a punishable offence. In the Netherlands Indies, even attempts to commit an offence were punishable. In practice, however, it was difficult to furnish proof of the offence and to take proceedings in respect of such acts.

With reference to the third sentence, M. van Wettum thought that it was impossible to treat offences under the opium regulations with the same severity in all the territories. It was right to prescribe severe penalties, but in inflicting penalties regard must be had to the general principles of the criminal law of each country.

The United Kingdom delegate had recommended that the question of expelling offenders should be considered. That would be impossible in the Netherlands Indies, where the penalty of expulsion was prescribed only for offences against public order.

M. YATABE (Japan) sympathised with the idea underlying the recommendation made by the Commission of Enquiry, but, in view of the special nature of the principles embodied in the Japanese criminal code, the Japanese Government would find it difficult to give immediate effect to this recommendation. With regard to the last sentence in the second paragraph, M. Yatabe thought that the words " the same severity " could not mean that the same penalties, whether of fine or imprisonment, should necessarily be imposed. Each country followed its own policy in applying penalties for any crimes. The only obligation into which Governments could enter consisted in an undertaking to prescribe equally severe penalties.

M. EKSTRAND, Chairman of the Commission of Enquiry, explained that the Commission had intended to recommend the greatest possible uniformity in penalties. For example, the offence of illicit trafficking, which in one country was punishable with a minimum fine of 500 dollars, ought not in another country to be punishable with a minimum fine of 5 dollars.

Sir Malcolm DELEVINGNE (United Kingdom) observed that M. Ekstrand had spoken of minimum penalties. The principle of minimum penalties, though formerly recognised, had been generally abandoned in modern British legislation. Sir Malcolm Delevingne had understood the recommendation to mean that an adequate maximum penalty should be prescribed by law and should be enforced by the courts when the offence was sufficiently serious. It was common knowledge that in cases of illicit trafficking there were considerable variations in the degree of culpability as between the various accused persons. The offenders brought before the courts were generally mere agents of those who organised the traffic. Their culpability was very different from that of their chiefs. In the British courts, a very clear distinction would certainly be drawn in the respective penalties inflicted. What exactly was the object sought by the Commission of Enquiry? The British law on the subject provided high maximum penalties, and his Government would favour the severe punishment of offenders in all cases where their guilt was serious.

M. EKSTRAND, Chairman of the Commission of Enquiry, replied that the Commission had wished to recommend the greatest possible measure of uniformity in regard to penalties, as in the case of preventive measures. A country could not be allowed to become a place of refuge for illicit traffickers because it offered less resistance. Obviously, the Commission had been unable to go into details and had not intended to recommend any measures incompatible with the principles embodied in any system of law. The offences which involved a very heavy penalty in one country ought not in another country to be considered as relatively unimportant and therefore be punished lightly. The Commission thought that there should be uniformity with a tendency towards severity.

M. BOURGOIS (France) said that Volume II of the Commission's report gave all necessary information concerning the legal provisions in force in Indo-China with regard to offences against the opium regulations. He would merely point out that offenders were punished with a fine of from 100 to 5,000 francs, together with imprisonment for a term of from one month to three years. He drew attention to the very important fact that the offender had always to be sentenced to both penalties—fine and imprisonment—wherever both penalties were prescribed by law. In addition to the fine, there were damages amounting to five times the value of the opium seized. Finally, the tenants or owners of licensed smoking-establishments were held responsible for all offences committed in their establishments.

Prince VIWAT (Siam) said that in Siam the penalties provided were fines or imprisonment, or both; and that both had in many cases been inflicted simultaneously on offenders against the opium laws. The amount of the fine was equivalent to four times the price of the opium involved in the offence, with a minimum fine of fifty ticals. The value of the opium was calculated on the basis of the price at which Government opium was sold. The maximum term of imprisonment was two years.

In principle, the Siamese delegate agreed that, in the matter of penalties, there should be more uniformity as between the various countries. Nevertheless, in practice, the criminal law of each country must be taken into account.

Mr. MARSHALL (India) observed that it was difficult enough to secure uniformity of penalties within a single province. He did not see how such uniformity could be ensured between a large number of countries with differing laws and differing legal systems.

In Burma, the principle of a minimum penalty for offences against the opium regulations was unknown. Such a penalty was prescribed only in the case of serious offences against the common law. Nevertheless, circular letters had been sent by the Supreme Court to all magistrates recommending that in the case of illicit traffickers, as opposed to that of illicit consumers, both imprisonment and fine should always be included in the penalty. The difficulty consisted in ensuring that all the magistrates followed such instructions.

M. EKSTRAND, Chairman of the Commission of Enquiry, entirely recognised the difficulties that had to be faced in this matter, but he recalled the fact that for a long time past various groups of European countries had been attempting to bring their legal systems into uniformity—for example, by communicating draft laws to one another. That system had yielded very good results.

Mr. CALDWELL (United States of America) could affirm that the United States preventive services had achieved, on the mainland at least, as great a measure of success as that obtained by the Canadian services, to the efficiency ofwh ich Sir Malcolm Delvingne had referred. Further, in view of the very intimate and cordial co-operation between the preventive services of the two countries, there could not be any great difference in the results. As soon as one of these services adopted any particular method the other service was informed. Very useful work was being done in this way.

With regard to the smuggling of opium from Far-Eastern territories, not only into the Philippine Islands, but also into the home country, there was no authorised manufacture of prepared opium in the continental United States or in Hawaii, and strict prohibitive measures were vigorously enforced to suppress the traffic in, and use of, such opium. The problem of controlling that traffic would be relatively simple were it not for the fact that there were in the Far East quantities of prepared opium available to illicit traffickers, who exercised an apparently inexhaustible ingenuity in finding places of concealment for their contraband on steamers bound for Hawaii and the western coast of the United States. During the period from July 1st, 1927, to December 31st, 1930, there were seized at ports and harbours of the United States and Hawaii a total of 9,037 lb. of opium, most of which was prepared opium, concealed in numerous places on vessels arriving from the Far East.

In the American Government's opinion, the illicit traffic would continue to constitute a problem whether the policy followed were that of a monopoly or that of absolute suppression. It was evident from the reports of Far-Eastern colonies which maintained Government monopolies and from the statements made at the Con erence that even Government monopoly of the importation of raw material and of the manufacture and sale of prepared opium did not serve to prevent smuggling into these territories.

Until the efforts to limit and control poppy-cultivation met with success, constant vigilance would be called for to combat the illicit traffic. The experience gained from the attempt to suppress opium-smoking gradually through the monopoly system was regarded by his Government as indicating that neither the incidence nor the danger of smuggling would justify a departure from the policy of absolute proscription.

The United States were prepared to join actively in measures to prevent and suppress smuggling and to co-operate to that end in regard to opium, as they co-operated in regard to manufactured drugs.

The PRESIDENT concluded, from the various observations which had been made, that in the matter of the suppression of the illicit traffic the Members of the Conference were not prepared to adopt uniform laws providing for the imposition of the same fines and the same terms of imprisonment. It was agreed, on the other hand, that penalties for offences connected with the traffic in opium should be as severe as possible in the different countries concerned. In determining the penalty, each Government must naturally consider the relationship between

that penalty and penalties inflicted for other offences. The Conference might possibly agree on the principle that, in the case of offences against the opium laws, the penalties should consist of imprisonment in addition to fines.

Sir Malcolm DELEVINGNE (United Kingdom) said that his delegation was of opinion that it was impossible to issue imperative instructions to the courts as to the penalties to be imposed. The law should make provision for a wide range of penalties without fixing any minimum, and it would be the duty of the courts to decide what penalty should be inflicted in accordance with the facts of the case and the degree of guilt of the offenders.

M. VAN WETTUM (Netherlands) thought it was quite impossible for all the countries concerned to adopt the same maximum penalties. Such penalties must be determined in relation to all the other penalties provided for under the criminal code of the country concerned. It did not seem possible for the Netherlands Indies to go further than its present practice of inflicting penalties which included both fine and imprisonment. The maximum term of imprisonment was three years and the amount of the fine was proportionate to the quantities seized; it was therefore unlimited.

Sir Malcolm DELEVINGNE (United Kingdom) proposed that a resolution falling into two parts should be submitted to Governments and the League of Nations :

I. That the penalty inflicted should always be one of imprisonment in the case of persons convicted of having organised the illicit traffic or of having taken part therein. An addition might be made to the effect that the penalty should also include a fine, but that was a question which should be discussed separately;

II. That the maximum penalty should be heavy enough to constitute an adequate punishment in the case of serious offences.

M. DE MAGALHÃES (Portugal) said that the Portuguese law did not treat opium offences as crimes punishable with imprisonment, but as " infractions " punishable with fines. Until the Portuguese law was changed, the Portuguese delegation would be unable to vote for the principle of the double penalty in all cases. The fines provided for by the law might amount to three or five thousand dollars. The illicit importation or possession of opium was punished with a fine equivalent to ten times the value of the opium seized. In certain cases, a minimum fine of five thousand dollars might be imposed. The situation prevailing in the Portuguese possessions was described in the report of the Commission of Enquiry. The Portuguese delegation could not be expected to support provisions that would be contrary to their national laws.

Most of the offenders arrested were mere subordinates of the ringleaders of the illicit traffic. A fine seemed to constitute an appropriate means of punishment, particularly as in most cases the fine was not paid and the punishment was converted into a term of imprisonment at the rate of one day's imprisonment for each ten dollars of the fine, with a maximum term of two years. The captains and masters of vessels conveying illicit opium were punished in the same way, as was also a mere attempt to commit the offence.

Sir Malcolm DELEVINGNE (United Kingdom) submitted the following draft resolution :

" The Conference,

" Having in mind the large profits made in the illicit traffic in opium and convinced that the imposition of a monetary penalty is not by itself sufficient to deter persons from taking part in such traffic;

" Bearing also in mind that the illicit traffic is largely organised by principals who remain in the background :

" Agrees to recommend to the Governments concerned that the national laws should provide :

" *(a)* That the penalty of imprisonment should be imposed in the case of all persons proved to have organised or taken part in or to have attempted to organise or take part in the illicit traffic in opium;

" *(b)* A maximum penalty of such severity as will prove an adequate deterrent against the organisation of such traffic.

" By ' illicit traffic ' is meant the smuggling of opium into a country or the sale or distribution of opium so smuggled."

M. VAN WETTUM (Netherlands) pointed out that the draft resolution involved a grave juridical question. He therefore asked that it should be held over until delegates had had time to consider it further.

M. BOURGOIS (France) accepted the spirit of the resolution. He could not, however, agree to it without certain formal modifications. The resolution said : " Persons proved . . . to have attempted to organise ". It was a generally recognised principle of law that an attempt to commit a crime was not punishable unless the party had taken some initial steps towards committing the crime.

Sir Malcolm DELEVINGNE (United Kingdom) said that the word " attempt " was one quite usually adopted in English criminal legislation. It implied that the offender had taken certain steps for the purpose of committing the offence. The question was one of drafting which could probably be settled easily.

The Conference decided to postpone consideration of the draft resolution.

Second Paragraph, Second and Third Sentences.

Sir Malcolm DELEVINGNE (United Kingdom) offered two observations on the second sentence in the second paragraph of Recommendation No. 5. First, it would be extremely difficult to prove the offence of inducing a minor to smoke opium, and still more so that of attempting to induce. Second, he was entirely in sympathy with the idea behind the recommendation, but the latter did not, in his opinion, go far enough.

For instance, suppose a smoker was smoking in the company of a minor, or had a minor in his company when he was smoking, that could not be regarded as an attempt to induce a minor to smoke, though it might possibly be a first step towards teaching him to do so. Again, if a smoker took a minor into a divan, that would not be regarded as an attempt to induce him to smoke, but it might be a first step towards initiating him in the habit. Or suppose, in a territory in which smoking was authorised at home, a smoker left his opium or pipes in the possession of a minor, this again would not be an attempt to induce him to take up smoking.

Sir Malcolm Delevingne therefore submitted the following draft resolution :

> " Any person allowing, inducing, or conniving at the smoking of opium by a minor, taking a minor into an opium-smoking establishment, or allowing a minor to have opium in his possession shall be guilty of an offence."

The idea behind his draft was that the encouraging or facilitating of smoking by a minor should be regarded as reprehensible and made an offence.

Prince VIWAT (Siam) agreed that it was difficult to prove inducement to smoke. He, however, understood the Commission's recommendation to mean that minors should, so far as possible, be kept from coming into contact with smoking. In Siam, it was an offence for the licensee of an opium-smoking establishment to allow a minor to enter the divan. In countries where smoking at home was allowed, this system could not be applied, but it might be possible to introduce some other rule—for instance, that no minor should be allowed to enter a place where opium was retailed.

M. VAN WETTUM (Netherlands) thought that Sir Malcolm Delevingne's proposal went too far. Did it mean that a father would not be permitted to smoke at home in the presence of one of his children who was a minor? What would happen if there were only one room in the house and several children under age in the family? Was it proposed that the police should conduct a daily search? The Conference should confine itself to a recommendation that inducing a minor to smoke opium should be a punishable offence.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that he had not proposed that it should be an offence for a father to smoke at home in the presence of his child. He had given, as an instance of an act not covered by the Commission's recommendation, smoking in the company of a minor. Smoking in the company of a minor was different from smoking in the presence of a minor. He had purposely not drafted his resolution too tightly, and he had not even introduced the words " in the company of a minor ". The draft would certainly not cover the case mentioned by the Netherlands delegate.

M. STEINMETZ (Netherlands) said that it was not clear to him whether an offence would have been committed, supposing a minor brought his own pipe and opium and smoked in the company of an adult smoker. It was possible that the adult might have no authority over the minor and therefore could not prevent him from smoking.

Sir Malcolm DELEVINGNE (United Kingdom) replied that, even if he could not prevent the minor from smoking, the adult could refuse to allow him to smoke in his company. The idea underlying the draft resolution was that it was usually the older man who induced the younger to take up smoking, and that the younger did or might contract the habit from associating with older smokers.

M. EKSTRAND, Chairman of the Commission of Enquiry, explained that by the word " induce " the Commission had meant that it was not sufficient that the older person should set the example—that was to say, smoke in the presence of a minor—but that there should be some act of suggestion or encouragement to the younger person to smoke.

M. YATABE (Japan) said that in Formosa the opium laws laid down that a person inducing anyone—and not only a minor—who was not in possession of a licence to smoke was guilty of an offence. The penalty was a fine not exceeding 5,000 yen or imprisonment for a term not exceeding five years. The penalty therefore was more severe than that for smoking opium without a licence.

M. STEINMETZ (Netherlands) asked how many offences had been committed under this regulation.

M. YATABE (Japan) said that he would reply later.[1]

On the proposal of Sir Malcolm DELEVINGNE, *the Conference agreed to postpone further consideration of the draft resolution.*

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[1] **See Minutes of the twelfth meeting.**

RECOMMENDATION No. 6.

Prince VIWAT (Siam) said that his Government favoured the principle that Government opium should be identifiable. There were, however, at least two methods : first, that put forward in the recommendation, and, second, the identification of the receptacle in which the opium was packed.

He described the method adopted in Siam. As a consequence of the prohibition against the smoking of opium outside Government shops, all opium found outside the shops was *ipso facto* illegal opium. Again, Government opium being packed in Government tubes, all opium found not in a tube was *ipso facto* illegal opium. Each Government tube bore special marks : (1) the year of packing; (2) a number making it possible to identify the machine by which the tubes had been packed; (3) a mark indicating the zone in which the tube was to be sold; and (4) a secret mark. Hence, every tube was identifiable by the Government department and no difficulty had been experienced as regarded identification.

It might be asked whether there were any means of identifying Government opium once it had left the tube. In Siam, the shopkeeper was under an obligation not to open the tube until the smoker was ready to begin smoking. The smoker himself saw to it that the shopkeeper kept this obligation, because he knew that if the tube was not opened under his very eyes he was being swindled and not getting his money's worth either in quantity or in quality. This was a check on the possibility that the shopkeeper might cut open the tubes and sell the opium elsewhere. Another safeguard was the rule that the shopkeeper must return the empty tubes before obtaining a fresh supply.

As, therefore, there might be several methods of making Government opium easily identifiable, Prince Viwat would propose that it should be left to the ingenuity of the opium factories to devise the methods which they considered most effective and best adapted to local conditions.

M. TOUZET (France) said that the French delegation entirely supported the Commission's recommendation. It was expected that the reform in question would be carried out in Indo-China in the course of next year.

M. DE MAGALHÃES (Portugal) said that the Portuguese Government agreed to the Commission's recommendation. The suggestion had been under consideration by his Government for some time and he hoped that the recommendation would receive effect in Macao in the next few months.

M. YATABE (Japan) thought that the recommendation would require careful study before it could be adopted generally. It should only be enforced when and where it was found necessary. In Formosa, the experts had had no difficulty in distinguishing between Government and illicit opium. They used the method of chemical analysis.

Sir Malcolm DELEVINGNE (United Kingdom) said that the Commission's recommendation was already in operation in the British Far-Eastern territories, and he had no hesitation in accepting it. It would, however, hardly be possible for the Conference to go so far as to adopt a resolution on the subject. The question was one for the various administrations.

He asked Prince Viwat whether, under the Siamese system, there was anything to prevent the licensee of an opium shop from selling illicit opium inside his establishment.

Prince VIWAT (Siam) concurred in Sir Malcolm Delevingne's suggestion that the Siamese opium shops sold illicit opium occasionally. He could well imagine that an opium shop was the safest place for such a transaction. The practice was checked by inspection. The number of tubes bought by each shop at each purchase was known, and the Government tubes could be identified. Hence, if illegal tubes were found in a shop, they could be identified. The point which the Siamese delegation wished to make was that, whether a secret substance was used or no, the results and the danger remained the same.

He had, however, no final objection to the method proposed by the Commission and would make another suggestion. If the different administrations agreed to adopt the Commission's system, they should come to some understanding, so that they would not all use the same secret substance. Otherwise, the position would be worse than before.

M. VAN WETTUM (Netherlands) said that his Government had no objection to the Commission's recommendation. A system of identification for Government opium had been in use in the Netherlands Indies for many years.

Mr. MARSHALL (India) said that the question did not affect India, which did not sell prepared opium. He did not think that there was any possibility of introducing a secret substance into raw opium.

Sir Malcolm DELEVINGNE (United Kingdom), in reply to Prince Viwat's suggestion, pointed out that the whole value of the Commission's method lay in the fact that the substance was to be absolutely secret, even to the officials of the Government concerned. If the Governments began to communicate the secret to one another, it would soon become public property.

In view of the statements of the Siamese and Japanese delegations, it did not seem possible for the Conference to carry the matter any further. He suggested that it should simply take note of the facts mentioned by the different delegations.

The suggestion of Sir Malcolm Delevingne was adopted.

RECOMMENDATION No. 7.

Sir Malcolm DELEVINGNE (United Kingdom) asked whether it would not be a little delicate for the Conference to adopt a resolution which might seem to imply that not all the Governments represented were fulfilling their engagements?

The PRESIDENT thought that the Commission's recommendation was simply a reminder to the Governments that there were certain undertakings to be accomplished.

RECOMMENDATION No. 8.[1]

Prince VIWAT (Siam) associated himself with Sir Malcolm Delevingne's arguments. To compete with the smuggler the Governments must come down to his level, and, so far as the price of illicit opium was known, they would, in order to be logical, have to sell their opium for next to nothing. Supposing that policy was successful and illicit opium was driven from the market, what was there to prevent the reappearance of illicit opium when the Governments came to introduce the rationing and licensing system? There would certainly be a demand for unlawful opium as soon as an attempt was made to restrict sales of official chandu.

The question of price reduction was essentially one for international co-operation. If the retail price of Government opium in one territory was much lower than that in another, the door would be opened for the smuggling of Government opium. Again, if a high grade of opium were sold officially in one country and a low grade in the adjacent territory, there was sure to be a danger of smuggling across the frontier. The Siamese delegation accordingly thought that a reduction in the prices of Government opium was practicable only if carried out by concerted action in contiguous territories.

M. BOURGOIS (France) said that the policy of the Government of Indo-China had, in principle, been to raise the price of opium in order to reduce consumption and to fix it so high as to preclude the purchase by people with average means of quantities injurious to health. That policy had, however, been applied with great elasticity. While raising prices in places where conditions were normal, so as to diminish consumption, the Government had been obliged to create special zones with lower prices, so as to reduce the consumption of illicit opium.

The *régie* in Indo-China sold several grades of prepared opium at different prices. Ordinary Indian opium was sold at 220 piastres a kilogramme and opium derived from seizures of Chinese opium at 190 piastres a kilogramme. The price of Benares opium went up to 350 piastres. These were the prices ordinarily charged outside the so-called " special " zones—*i.e.*, districts where the illicit traffic was particularly heavy and where the *régie* had had to adopt lower prices in order to compete with contraband opium. These prices applied only to opium derived from seizures, and were 80 piastres a kilogramme in the first zone, 100 piastres in the second, and as much as 140 piastres in the third. The zones comprised the frontier districts of Tonkin and Laos, the whole of North Annam and the two northern provinces of Annam proper.

Numerous decrees had been issued modifying prices so as to make them conform to the variations in the price of smuggled opium and the increase or decrease of smuggling from Yunnan.

The results of this policy had varied considerably. In some zones it had been found that prices were still too high and thus made it possible for smuggling to be carried on with substantial profits. That was the case when there were large illicit crops in Yunnan and intensive smuggling. In other cases, the policy had been more successful, as was shown from the statements on pages 282 and 283 of Volume IV of the Commission's report and from the figures, which seemed to indicate that there had been a very considerable decline in smuggling as a result of these methods.

It was therefore very difficult to urge a rigid policy and say that prices must be either very high or very low. It appeared that an elastic policy was the best, one adapted to local circumstances, at any rate in territories like Indo-China which were exposed to smuggling on a large scale.

It had been objected that measures like these were taken haphazard and accidentally, that they were mere palliatives without any effect on the consumption of opium, and that low prices were the only sure method of attacking the illicit traffic and preventing that demoralisation of both seller and consumer which was bound to result from such transactions. They were, of course, a palliative, but they were not without appreciable effect on the illicit traffic. Had not the Advisory Opium Committee arrived at the conclusion that the only radical solution was to reduce poppy production?

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[1] For the views of the delegations of India and the Netherlands on this recommendation, see Minutes of the second meeting; and for those of the United Kingdom delegation, see Minutes of the third meeting.

It had been said that the reduction of retail prices might be misinterpreted by public opinion, which would hold that it involved the danger of increasing the number of smokers. The public must be made to realise the fundamental reason for such a policy—namely, that a policy of higher prices was followed in all places where there was no danger of smuggling and that one of lower prices was adopted only in restricted zones as a temporary measure, and that, whichever policy was adopted, the only object was to reduce consumption and the illicit traffic.

M. Bourgois therefore did not think that the policy of the Government of Indo-China could be impugned. The policy of reduction was purely temporary, and was only intended to meet local circumstances. Its general policy was to raise prices.

Hence, it would hardly be possible for the Conference to take any very rigid resolution and to recommend one system rather than another. Each country must be allowed to follow an elastic policy, which could be adapted to circumstances with all the necessary latitude. In some cases, the Government of Indo-China had found that, owing to a decrease in smuggling, prices had had to be raised a few months after they had been reduced, while in others they had had to be lowered again because smuggling had again become dangerous. Everything depended on local circumstances.

M. TOUZET (France) drew attention to an error on page 85 of Volume I of the Commission's report. Some confusion might have been caused in the minds of the Commission owing to the use of the term " local opium " in Indo-China. In Indo-China, all raw opium, whether of Indian or Yunnanese origin, was prepared locally in the factory at Saigon. The Government could not describe seized contraband opium from Yunnan as Yunnanese opium, because, theoretically, there was no production in Yunnan, and therefore, theoretically, there could be no Yunnanese opium. If such opium were sold as Yunnanese opium, it would be thought in Geneva that the Government was procuring opium supplies from China. Nor could it sell it as Benares opium, since that would almost amount to fraud. A description had therefore had to be found, and the name chosen was " local opium ", although only its manufacture was local.

The discussion was adjourned.

SEVENTH MEETING (Public)

Held at Bangkok on Monday, November 16th, 1931, at 8.45 a.m.

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16. Illicit Traffic : Consideration of Recommendations Nos. 1, 3, 5, 6, 7 and 8 of the Commission of Enquiry (continued).

RECOMMENDATION No. 5 *(continuation of the discussion).*

Draft Resolution submitted by the Delegation of the United Kingdom concerning Penalties for Illicit Traffic [1] (continuation of the discussion).

M. VAN WETTUM (Netherlands) felt in sympathy with the object of Sir Malcolm Delevingne's resolution, which was intended to reach the actual promoters of the illicit traffic. The difficulty was that the promoters of the traffic carefully avoided having contraband opium in their possession. In his view, the only way of getting at them was to punish their agents and to confiscate their contraband goods; this entailed heavy losses for them. The word " organise " in the resolution appeared to him too vague, and he could not agree to the draft in its present form. He added, in passing, that the law in the Netherlands Indies—and, he thought, in all countries—punished not only the offence itself, but also the act of inciting to the commission of the offence. Moreover, as far as infractions of the opium regulations were concerned, both a fine and imprisonment were imposed if the quantity of opium in the case exceeded 3 taels and the infraction was committed intentionally. Further, it would be better not to try to define illicit traffic. Any definition might be incomplete, and in any case it was likely to differ in the different countries.

He proposed that the United Kingdom resolution be amended as follows :

" The Conference,

" Having in mind the large profits made in the illicit traffic in opium, and convinced that the imposition of a monetary penalty is not by itself sufficient to deter persons from taking part in such traffic,

" Agrees to recommend to the Governments concerned that the national laws should provide, unless laws on the subject are already in existence :

" *(a)* That the penalty of imprisonment should be imposed in the case of all persons proved to have taken part in the illicit traffic in opium, with the exception of cases wherein the quantity involved does not exceed a fixed low minimum;

" *(b)* A maximum penalty of such severity as will prove an adequate deterrent against taking part in the illicit traffic in opium."

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[1] See Minutes of the sixth meeting, page 44.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that the discussion did not refer to persons found in possession of opium, but to those who supplied opium.

M. VAN WETTUM (Netherlands) said that the Government of the Netherlands Indies had considered it essential to fix a limit below which the offence was not regarded as serious. That limit could, of course, vary according to country.

Prince VIWAT (Siam) was prepared to accept the British draft. The task of the Governments concerned was to discourage illicit traffic so far as possible. The resolution appeared to meet that idea.

Sir Malcolm DELEVINGNE (United Kingdom) said that his resolution aimed at the organised illicit traffic. There were two classes of illicit traffic, which differed very greatly in importance and culpability. There was, first, what he might call the casual illicit traffic, which was of secondary importance—that was to say, the case of persons who brought in small quantities of smuggled opium for their own use or that of others.

There was, on the other hand, illicit traffic organised by gangs or syndicates, often consisting of wealthy persons who put up a big amount of capital and made large profits. They were the principals behind the illicit traffic on a big scale and they were the people at whom it was necessary to strike.

He would be prepared to accept any amendment to his resolution which made it clear that such organised traffic was aimed at, but an amendment which eliminated that idea would deprive his draft of its value. M. van Wettum's idea, apparently, was that a person should not be convicted until there had been some actual movement of opium in the illicit traffic, and that preliminary acts should not be considered an offence or made punishable. Such a proposal would make it extremely difficult to get at the principals. They took care to keep in the background and to provide as little evidence as possible of their connection with the actual offence. Sir Malcolm Delevingne desired that, where there was sufficient evidence that such persons were organising or attempting to organise illicit traffic, they should be punished severely.

M. BOURGOIS (France) asked whether Sir Malcolm Delevingne's proposal was intended to convey two ideas : first, that all serious offences should be punished by imprisonment, and not only by fine; and, second, that certain acts—for instance, attempting to organise illicit traffic—not at present covered by legislation, should be brought within the law. If only the first idea was involved, the difficulties and objections raised, in particular with regard to the words " persons proved . . . to have attempted to organise ", would be removed by the use of the customary legal phraseology, " persons found guilty of illicit traffic ". If the second idea was intended, he would prefer that it should be made into a separate paragraph or embodied in a resolution or a simple recommendation.

M. VAN WETTUM (Netherlands) said that his main objection was to the use of the term " organise ", which was not sufficiently definite. In his view, organisation in itself was not punishable. Before it could become so, some effect must have been given to organisation or an act must have been committed in consequence of organisation. When such acts were committed by the " organisers " of illicit traffic or their agents, they were punishable under the law as it stood in the Netherlands Indies.

Sir Malcolm DELEVINGNE (United Kingdom) replied that, by the term " organise ", he meant to cover any act preparatory to or with a view to the commission of the offence of illicit traffic, even though it might not actually be possible to prove that the person concerned had committed the act of smuggling. The principle was already embodied in the English law on the subject. If a man was found out doing certain acts—for example, entering into negotiations with third parties, working out the details of a scheme, recruiting persons for the purpose of carrying out an illegal transaction—he was no less guilty and should be no less punishable than those who committed the offence itself.

While quite prepared to make concessions in matters of drafting, Sir Malcolm Delevingne would ask whether M. van Wettum and M. Bourgois accepted the central idea of his resolution, and he would press for the Conference to take a decision on it.

M. BOURGOIS (France) understood that the British resolution proposed to assimilate preparatory acts and the offence itself from the point of view of the gravity of the offence and the severity of the penalty. There was no question of covering preparatory acts not at present covered by the law. Accordingly, no new legislation would be required. If that interpretation was correct, he thought he might say that he was in agreement with Sir Malcolm Delevingne.

M. YATABE (Japan) said that the British draft would appear to imply revision of the penal legislation in force in Japan. The Japanese Government would have difficulty in amending the law so as to make it compulsory for the courts to pronounce the sentence of imprisonment without the alternative of a fine. In practice, however, all serious cases of illicit traffic would be punished by the courts with a term of imprisonment.

On the proposal of the PRESIDENT, *it was decided to refer the two draft resolutions to a Drafting Committee,* consisting of M. VAN WETTUM, Sir Malcolm DELEVINGNE, M. BOURGOIS and M. KUSAMA, with a view to the preparation of an agreed text.

Draft Resolution submitted by the Delegation of the United Kingdom concerning Penalties for inducing Minors to smoke Opium.[1]

Prince VIWAT (Siam) thought that the terms " allowing " and " conniving at " in the United Kingdom resolution might be given a rather wide interpretation. If a man found a minor on the point of smoking opium and did not prevent him from doing so, would he be guilty of an offence?

Sir Malcolm DELEVINGNE (United Kingdom) replied that he would be guilty if he had authority over the minor.

M. VAN WETTUM (Netherlands) suggested that it would be best to keep to the word " inducing ". That would be going fairly far, since it was difficult enough, as it was, to prove the fact of having smoked opium. Further, it would be well to make it clear that the offence of inducement related to adults only. A minor who induced another minor to smoke would not be culpable to the same degree as an adult.

The PRESIDENT observed that M. van Wettum's modification reproduced almost textually the Commission's recommendation, but added to it the notion that the offence must be committed by an adult.

Sir Malcolm DELEVINGNE (United Kingdom) said that the terms " allowing " and " conniving at ", which were both used in English law, were perfectly clear in meaning. If they were struck out, the resolution would lose practically its entire force; it would cover only very few cases, especially since, as M. van Wettum had admitted, it was difficult to prove inducement to commit an offence. If a person knowingly allowed a minor to use his house to smoke opium, that was not an offence of inducement, but the act was none the less serious. The phrase " conniving at " did not mean that a person definitely sanctioned an illegal act, but that he tolerated it or closed his eyes to it; in a word, that he gave it some sort of approval.

M. VAN WETTUM (Netherlands) had much sympathy with Sir Malcolm Delevingne's idea. The resolution, however, would have no effect in practice. The Conference should confine itself to the most important case, that of inducement to smoke. The fact of allowing or conniving at was too much open to doubt. Provisions that could not be applied should be avoided.

M. BOURGOIS (France) said that the French delegation would propose, as a compromise, the use of the term " facilitate ". This word applied to many acts not covered by the words " allow " and " induce ".

M. TOUZET (France) read the following text :

> " Any person inducing a minor to smoke opium, to enter a smoking establishment, or to have opium in his possession, or facilitating the commission of one of these acts by a minor, commits a breach of the law which shall be punished. "

The use of the words " any person " would not weaken, but strengthen, the resolution, since the courts had a tendency to regard this phrase as applicable to minors of 18 years of age. Further, the term " breach of the law " covered all cases—crimes, offences and simple misdemeanours—and thus left the various systems of law free to enact suitable penalties.

M. DE MAGALHÃES (Portugal) could not accept the resolution, as it was incompatible with Portuguese law. His difficulty was that, under the draft resolution, a mere accidental fact might make a person liable to punishment. What was needed was that the act should be committed habitually; this, moreover, was easier to prove. In the case of minors, the problem was first and foremost one of education. The Portuguese delegation, however, could accept the French proposal if completed as follows : " Any person habitually inducing a minor . . . "

M. VAN WETTUM (Netherlands), in a spirit of compromise, would offer no objection to the French proposal.

Sir Malcolm DELEVINGNE (United Kingdom) said that, though the French proposal did not go as far as he would like, he thought that it represented an advance and he would accept it.

M. YATABE (Japan) also approved the French proposal. Japanese law covered all the cases referred to in it.

Prince VIWAT (Siam) accepted the French proposal, but asked that it might be completed by the addition of the words " a breach of the law which shall be punished by severe penalties ".

M. BOURGOIS (France) accepted this amendment.

Sir Malcolm DELEVINGNE (United Kingdom) approved the principle of the amendment, but asked whether it would not be possible to make matters still clearer and stipulate the penalty of imprisonment.

M. BOURGOIS (France) suggested that the term " facilitating " would cover all degrees of culpability. He thought it would be difficult to prescribe imprisonment for the mere act of placing a room or instruments or opium at a minor's disposal. If imprisonment was explicitly mentioned, the resolution would, he feared, remain a dead letter. It would be better to leave the judge free to deal with each particular case on its merits.

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[1] See Minutes of the sixth meeting, page 45.

Sir Malcolm DELEVINGNE (United Kingdom) thought that the act of placing a room, a pipe or opium at the disposal of a minor was, in point of fact, as serious an offence as that of inducing a minor to smoke. If the Conference really desired to take effective steps to prevent smoking by minors, the penalties prescribed must be of a deterrent character. A rich man would be unmoved by a fine of 2,000 dollars, but would hesitate if the penalty was one of imprisonment. He agreed that the discretion of the courts should be respected. He would be content with a provision to the effect that the offence might be punished with imprisonment.

M. BOURGOIS (France) proposed the wording : " any breach of the law must be punished with a severe penalty which may amount to imprisonment ".

Sir Malcolm DELEVINGNE (United Kingdom) approved the principle embodied in this amendment.

M. BOURGOIS (France) was unable to accept the Portuguese amendment. Referring to the example of the laws on traffic in women, he pointed out that a person could not be punished as a *souteneur* unless he was an " habitual " offender. In practice, the courts considered that when an offence had been twice committed it was " habitual ". Nevertheless, a single act of inducement to debauchery, although not enough to make the offender liable to be dealt with as a *souteneur*, was considered an offence and was punished, though less severely. Similarly, with regard to opium, an isolated act might involve punishment, and the courts had power to inflict still more severe punishment in the case of habitual offenders.

M. DE MAGALHÃES (Portugal) said that in Portuguese criminal law the term " habitual " was employed in the case of a suborning, and it covered all cases of repeated inducement to debauchery. On the contrary, the act of inducing a minor to enter a smoking establishment on a single occasion would not constitute a punishable offence and no court would apply such a recommendation. The Conference's recommendations to the Governments should be so worded that they could be adopted to the legal systems of the different countries.

M. BOURGOIS (France) thought that M. de Magalhães would be satisfied if the first part of the French resolution was amended to read : " the act of inducing a minor . . . " That wording was found in the laws relating to prostitution as well. The magistrate would thus be left free to decide, in each particular case, whether a single act was sufficient or whether several acts were required.

Sir Malcolm DELEVINGNE (United Kingdom) could not see any marked difference between M. Bourgois' new proposal and his original wording. In any case, it would be most regrettable if, after the public discussion of the matter, the Conference adopted the suggestion made by the Portuguese delegation. The addition of the word " habitually " would expose the Conference to the reproach of playing with the question. It was difficult enough to prove that one act of inducing had been committed. It would be still more difficult to prove that such an act was committed habitually. The recommendation by the Commission of Enquiry that the smoking of opium by a minor should be regarded as an offence was already embodied in the law of most of the countries or territories represented at the Conference. That being so, inducement to perform that act should also be an offence. Sir Malcolm Delevingne could not support an amendment which would weaken the recommendation of the Commission of Enquiry to that extent.

M. EKSTRAND, Chairman of the Commission of Enquiry, gave, as an example, an imaginary case of a person who, on a single occasion, induced a minor to smoke. The minor accepted at once, began to smoke and became an opium addict. The act committed by the person in question would thus be followed by disastrous results. M. Ekstrand asked whether that person could be punished under the Portuguese law.

M. DE MAGALHÃES (Portugal) observed that the example chosen was, in fact, one not of inducement but of invitation. Such a case was obviously punishable. It was, however, true that a minor who promptly accepted such an invitation needed appropriate moral education.

The PRESIDENT said that the resolution under discussion was of the highest importance, since its object was to prevent the spread of opium addiction amongst minors. In the 1925 Geneva Agreement there were two articles dealing with that question, Articles II and III. It would be noticed that the resolution under discussion was in accord with those provisions, which had, moreover, been accepted by all the countries represented at the Conference. He proposed accordingly to take a vote on the principle embodied in the resolution and not on its wording, which would be sent to a Drafting Committee. The resolution in its revised text read as follows :

> " The act of inducing a minor to smoke opium or to enter a smoking establishment or to have opium in his possession, or of facilitating the commission by a minor of any of the afore-mentioned acts, shall constitute an offence punishable by a severe penalty which may amount to imprisonment."

The principle embodied in the resolution was adopted unanimously.

RECOMMENDATION No. 8 *(continuation of the discussion).*

M. DE MAGALHÃES (Portugal) said that the present price charged for Government opium in Macao was 4 dollars per tael. That was already very low, too low to make further reduction possible for the moment. The price which the Commission of Enquiry had found on its visit to Macao was 3 dollars, but it had since been raised to 4 dollars owing to fluctations in the exchange. The Portuguese authorities considered that any further reduction in price would encourage internal contraband.

M. YATABE (Japan) said that his Government's policy was to fix prices on consideration of the various factors existing in the territories where opium-smoking was permitted. In Formosa, the price of Government prepared opium was a little under 12 sen per gramme, while that of illicit opium was estimated at between 8 and 16 sen. In the Kwantung Leased Territory, the Government fixed the price by taking into consideration the market prices in Shanghai, Tsing-tao and Mukden, and with a view to giving smugglers the least possible chance of disposing of illicit opium. The Japanese Government was entirely in sympathy with the Commission's recommendation.

The PRESIDENT summed up the debate and drew attention to the method followed in Siam and Indo-China, of having high prices in areas where smuggling was less prevalent and reduced scales of prices in areas nearer the frontier where smuggling was more intense. He wondered whether that system could not be adopted by the other countries.

Sir Malcolm DELEVINGNE (United Kingdom) suggested that it should be placed on record that the Governments represented at the Conference took different views with regard to Recommendation No. 8. The recommendation was not in accord with the policy of the United Kingdom Government, in whose opinion it would not achieve the results suggested by the Commission. His Government considered that the question of prices was one of expediency to be settled in the light of conditions in each territory. If at some later date it appeared that reduction might be valuable, it would undoubtedly consider the matter. It could not, however, do so in the present situation, and other delegations would probably endorse that view. The Conference therefore might dispose of the recommendation by taking note of the views that had been expressed.

The proposal of Sir Malcolm Delevingne was adopted.

17. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions.

RECOMMENDATION No. 9.

Complete Government Monopoly of Retail Distribution (Article I, paragraphs 2 and 3 *(a)* and *(b)*, of the 1925 Geneva Opium Agreement).

Prince VIWAT (Siam) said that, in accordance with the provisions of Article I, paragraph 3 *(a)*, of the Geneva Agreement, the Siamese Government had tried experimentally the system of employing retail sales officials with fixed salaries. He would indicate the method by which that system had to be applied in a country where smoking was allowed only in Government or licensed shops and the difficulties accompanying it.

In the first place, the rule of compulsory smoking in shops made it necessary to have a very large number of shops. If facilities were not afforded for smoking, people would be forced to smoke illegal opium Next, each shop had to keep a large supply of pipes, cushions and other paraphernalia required by smokers. Thirdly, the dross had to be collected, and, in doing so, great vigilance had to be exercised, since, otherwise, smokers would steal or resell or eat the dross. The difficulty of collecting dross from the tens of millions of pipes smoked in the year could easily be imagined. Fourthly, the shops had to be open at practically all hours of the day. This necessitated a large number of officials.

The Siamese authorities had found that it was necessary to have seven or eight officials per shop. As there were over nine hundred shops in Siam, an army of over seven thousand officials would be needed. The Government could naturally afford to pay them only a very low salary. The work in the opium shops was unattractive, unhealthy and monotonous, except for the opportunities it offered for corruption. In Siam, the consumption of Government opium was over 1,000,000 taels per annum, representing 500,000 taels of dross. The opium sold brought in cash over 20,000,000 ticals per annum—*i.e.*, over 9,000,000 gold dollars. Hence, it would be very dangerous to have an army of low-paid officials to handle such large amounts of opium, dross and cash.

The report by the British Malaya Opium Committee of 1924 fully corroborated this view. The difficulty experienced in Siam had been that of finding reliable men to take charge of the shops. Prince Viwat recognised that, in theory, the retail trade should be in the hands of officials with no interest in sales, so that there would be no pushing of sales. He did not, however, think that, with the great majority of smokers, who belonged to the poorer classes and for whom the pocket would be the primary consideration, there could be much danger of the pushing of sales, an opinion which was borne out by another passage in the report of the British Malaya Opium Committee. He would suggest that the physical and moral dangers involved in having officials in charge of shops in a country like Siam would outweigh that of the danger of sales being pushed.

Sir Malcolm DELEVINGNE (United Kingdom) raised a question of procedure. Article I of the Geneva Agreement covered three different points : (1) the manufacture of prepared opium, (2) the wholesale distribution of prepared opium and (3) its retail distribution. Prince Viwat had dealt with the third point, but it would simplify the discussion if the three subjects were taken separately in the order mentioned.

The proposal of Sir Malcolm Delevingne was adopted.

Government Monopoly of the Manufacture of Prepared Opium (Article I, paragraph 2, of the 1925 Geneva Opium Agreement).

Sir Malcolm DELEVINGNE (United Kingdom) said that the manufacture of prepared opium was a Government monopoly in Malaya, Sarawak, North Borneo and Hong-Kong. At Singapore, there was a modern factory similar to that at Bangkok, which manufactured specially packed tubes. It supplied prepared opium to the Straits Settlements and Malay States and would in future be supplying Sarawak, and perhaps North Borneo as well. This system was intended to facilitate the control of manufacture and to check the illicit traffic. The Conference might consider whether it would not be desirable to extend such arrangements and to concentrate the manufacture of prepared opium in as few factories as possible. If the Conference thought such arrangements desirable, the United Kingdom Government would be ready to consider an arrangement by which the Government of Hong-Kong should be supplied with specially packed tubes from Singapore. He would suggest, as a general principle, that the manufacture of prepared opium should be solely in Government hands, and should be concentrated as much as possible.

The discussion was adjourned to a later meeting.

18. Letter from the Chairman of the Anti-Opium Committee of the Women's International League for Peace and Freedom.

The PRESIDENT read a letter, dated October 20th, 1931, from the Chairman of the Anti-Opium Committee of the Women's International League for Peace and Freedom, sending cordial greetings to the Conference at Bangkok for the suppression of opium-smoking and expressing wishes for its success. He suggested that the Conference should take note of the letter and authorise him to reply.

The proposal of the President was adopted.

EIGHTH MEETING (Public)

Held at Bangkok on Tuesday, November 17th, 1931, at 8.45 a.m.

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19. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 9 *(continued)*.

Government Monopoly of the Manufacture of Prepared Opium (Article I, paragraph 2, of the 1925 Geneva Opium Agreement) (continuation of the discussion).

M. VAN WETTUM (Netherlands) said that, in the Netherlands Indies, the manufacture of prepared opium had been a monopoly ever since the *régie* was set up. The Netherlands Government, had, of course, no objection to Sir Malcolm Delevingne's suggestion that the Hong-Kong Monopoly should be supplied from Singapore.

Prince VIWAT (Siam) stated that the manufacture of prepared opium had been a monopoly in Siam for the past twenty years. There was only one factory, that at Bangkok. The Siamese delegation had no objection to the British proposal.

M. YATABE (Japan) saw no objection to the centralisation of the manufacture of prepared opium within the limits of the territories of any country. It was a matter which concerned the Governments only.

Sir Malcolm DELEVINGNE (United Kingdom) explained that he had only mentioned the suggestion to supply Hong-Kong from Singapore to illustrate his proposal for centralising the manufacture of prepared opium. He did not wish to make a formal proposal at the moment.

M. VAN WETTUM (Netherlands) asked whether Sir Malcolm Delevingne contemplated the centralisation of manufacture within the limits of each individual territory or the centralisation in a small number of factories of all manufacture in the Far East.

Sir Malcolm DELEVINGNE (United Kingdom) replied that the proposal was to centralise manufacture as much as possible in all the territories belonging to each Government.

M. DE MAGALHÃES (Portugal) said that, for the moment, he had nothing to add to the very complete description of the situation in Macao given in the Commission of Enquiry's report, Volume II, page 387.

The PRESIDENT thought that possibly the question arose only in regard to the British possessions, since Java and Siam had only one factory each.

Sir Malcolm DELEVINGNE (United Kingdom) said that the situation in Kwangchow-Wan did not appear very clearly from the Commission's report. As the Conference had been called to review the existing situation as a whole, he would venture to draw his French colleagues' attention to pages 327 to 332 of Volume II of the report. It was common knowledge that Hong-Kong had at one time suffered from illicit traffic which originated in Kwangchow-Wan. That traffic had not entirely disappeared. Did Kwangchow-Wan draw its supplies of prepared opium from Saigon, or was there any local manufacture? In the latter case, by whom was the opium manufactured?

M. BOURGOIS (France) explained that new opium regulations had been introduced at Kwangchow-Wan in a Decree dated July 26th, 1929. It was essential to avoid any action that would clash directly with the customs of the people, who were less completely subject to French authority and at a lower stage of development than the people of Indo-China. Economic conditions at Kwangchow-Wan were also of a special character. In view of these considerations, it had been impossible to apply the monopoly system purely and simply as it existed in Indo-China proper. The new regulations, like the old ones, took local needs into account, but were at the same time in accord with the international obligations signed by France. They might be summarised as follows.

The system of retail shops had been abolished and the Monopoly sold raw opium, not to retailers directly, but to a small number of makers of prepared opium appointed by the Customs and *régie* administration. Opium was no longer sold in cases, but by weight; nor was it sold by auction, but at a fixed price determined by the Government. It was no longer allowed to circulate in the territory except on a licence issued by the Monopoly. Raw opium had to be converted into chandu under the direction of the Monopoly within forty days and put up in boxes bearing the maker's marks and labels. Makers of prepared opium must be persons of the highest respectability and solvency They deposited a security of 10,000 dollars. The permit to make prepared opium was valid for one year only and could be cancelled in case of fraud. It included a licence for the retail sale or prepared opium, which was sold by the Monopoly bureaux as well. The licence-holder was allowed to sell opium at any price he thought suitable, but the authorities supervised his entire business. The obligation to use receptacles authorised by the Monopoly for the circulation of opium made it easier for the authorities to identify contraband opium.

M. Bourgois might remind the Conference that, in 1927 and 1928, an attempt had been made to centralise the sale of opium completely and to prohibit the sale of any opium except that prepared by the factory at Saigon. The sales had, however, been insignificant, and this protracted and entirely conclusive experiment had merely shown that smokers did not want the Monopoly opium. There could be no doubt that they had obtained supplies from the illicit market. Smuggling was particularly easy at Kwangchow-Wan. Supervision in the coastal districts of the territory was very difficult. The Concession consisted of a large number of islands and islets separated by channels and numerous straits. Moreover, France occupied only part of the Bay of Kwangchow-Wan. In the remaining part there were deep inlets and Chinese ports of which the smugglers availed themselves. Again, Article II of the Convention of November 16th, 1899, between France and China, specified that Chinese vessels could move and anchor freely without having to pay dues—that was to say, without being searched—in the straits between the islands of Nao Chow and Tang Hai. Chinese boats took advantage of that situation to load raw opium from China or Persia in waters outside French control. As the manifest of such boats bore the name Kwangchow-Wan, the illicit opium appeared to come from the French Concession, but that was not really the case. Energetic steps had been taken and the supervisory regulations strengthened, with the result that the smuggling trade reported a few years ago had almost entirely disappeared, as was stated in the communications from the Hong-Kong Government. Nevertheless, it was certain that small quantities of contraband opium might always escape control, more particularly by reason of Article II of the 1899 Convention.

M. TOUZET (France) said that France had nothing to conceal at Kwangchow-Wan, and, as Sir Malcolm Delevingne had seen fit to reopen, in connection with Kwangchow-Wan, a question which the French delegate had supposed finally buried, he would gladly follow him and would adduce in reply certain documents which the delegate of the United Kingdom would be unable to challenge, because they came from the British authorities at Hong-Kong.

Sir Malcolm DELEVINGNE (United Kingdom) said that he had not raised the question of contraband from Kwangchow-Wan.

M. TOUZET (France) said that in that case he would merely supplement M. Bourgois' statement with certain technical observations.

Before going further, he might point out that the report of the Commission of Enquiry (Volume I, page 10) seemed to imply that the Government-General of Indo-China had shown no eagerness to open the gates of Kwangchow-Wan to the Commission of Enquiry, whereas it had everything to gain from an impartial enquiry. In point of fact, the Governor-General of Indo-China had spontaneously invited the Commission to visit the Concession.

In reply to the delegate of the United Kingdom, who had alluded to a sentence on page 332 of Volume II of the report stating : " At the time of the Commission's visit to Kwangchow-Wan, no measures had been taken to prepare for the introduction of the new control system ", it should be stated that, at the time when the Commission had passed through Kwangchow-Wan, the Ordinance of July 26th, 1929 (summarised on pages 331 and 332 of the report), had been approved by the Governor-General. but had not been ratified by a decree from the Home Government, such a decree being necessary to give effect to so important an ordinance dealing with budgetary matters. As soon as the decree was passed, the Ordinance was put into force, and it was the system laid down in that Ordinance of 1929 that was at present applied.

M. Touzet summarised the principal provisions in the Ordinance and explained that the opium manufactured at Saigon was not to the taste of the inhabitants of Kwangchow-Wan. The French administration considered that, in the existing circumstances, it would be impossible to sell at Kwangchow-Wan opium manufactured 3,000 kilometres away from the place of consumption by processes and formulas which did not suit the consumers concerned.

As a compensation for the charges imposed on the makers of prepared opium, appointed and supervised by the Administration, they had been granted the retail sale of Government opium, but, of course, concurrently with the bureaux established by the Monopoly. Retail sales were therefore no longer free, and that was a great advance in the French Government's efforts to conform to and bring the regulations at Kwangchow-Wan into line with international obligations.

The Administration was careful to retain complete liberty of action as to the distribution and renewal of the licences, which were strictly annual, and thus preserved its full authority over the opium arrangements at Kwangchow-Wan; it could immediately dismiss licence-holders who were found at fault. Under Article 10 of the Ordinance, the *régie* reserved its right—and it made use of it—to place its own manufactured opium at the disposal of consumers at an official tariff. Its object was to accustom the local taste to the Monopoly opium and in this way eventually to exclude all other opium.

Further measures would be taken later to bring opium at Kwangchow-Wan under still stricter regulations, but M. Touzet did not wish to anticipate. The delegate of the United Kingdom had been right in pointing out that the report of the Commission of Enquiry might create an impression that the regulations which had been enacted were not being applied. At the present time, the regulations of July 26th, 1929, were in full effect.

M. EKSTRAND, Chairman of the Commission of Enquiry, replying to M. Touzet, said that, at the time when the original programme of the tour in the Far East had been submitted to the Commission at Geneva, it had not included a visit to Kwangchow-Wan. After it had set out, the Commission had sent a telegram asking for arrangements to be made for a visit to Kwangchow-Wan, and it had later received a letter inviting the Commission to visit the French Concession. The Commission had never meant to convey in its report the impression that the Indo-China authorities had not desired the Commission to go to Kwangchow-Wan. That would have been inconsistent with the attitude taken by the authorities throughout the Commission's enquiry. The Indo-China authorities had not merely replied frankly and courteously to the Commission's requests, but they had even gone out of their way to meet its desires beforehand.

Sir Malcolm DELEVINGNE (United Kingdom) would like to have a few further details as to the number of makers of prepared opium appointed by the Kwangchow-Wan authorities and the nature and dimensions of the authorised containers, this being a very important point in the control of opium sales. He asked whether there were any licensed retailers apart from the authorised makers of prepared opium. As under the Geneva Agreement the wholesale distribution of prepared opium was to be a Government monopoly, it would be useful to know what was the wholesale system employed at Kwangchow-Wan.

M. TOUZET (France) asked permission to give at a later meeting particulars of the number of makers of prepared opium and the form and size of the containers. He could say that, previously, there had been thirty-six makers, but that the number had been reduced. There were no other retailers than the authorised makers and the Monopoly retail shops.

M. BOURGOIS (France) read a passage from the records of evidence taken by the Commission of Enquiry at Hanoi on December 30th and 31st, 1929, and a deposition by M. Deyme, Director of Customs, concerning the complete failure of the attempted sale at Kwangchow-Wan of the opium prepared by the Saigon factory.

The PRESIDENT observed that the statements of the delegations indicated that, in most of the territories, there was a Government Monopoly for manufacture and that in the majority of them there was no other factory. Sir Malcolm Delevingne had suggested that the Conference should recommend that there should be as few opium factories as possible. The only territories with more than one factory were the British and French possessions. In the case of Kwangchow-Wan, it was clear that an improvement might be expected in consequence of the coming into force of the Ordinance of July 26th, 1929. The Conference might take note of the French delegation's statements.

Government Monopoly for the Wholesale Distribution of Opium (Article I, paragraph 1, of the 1925 Geneva Opium Agreement).

Prince VIWAT (Siam) desired merely to point out that the importation and wholesale distribution of opium in Siam had been a Government Monopoly for many years.

M. DE MAGALHÃES (Portugal) reminded delegates that the Portuguese Government had established a State Monopoly at Macao on July 1st, 1927. The position in regard to imports and the distribution of opium was set forth in the Commission's report.

Sir Malcolm DELEVINGNE (United Kingdom) referred to the first sub-paragraph of paragraph *(b)* on page 388 of the Commission's report, Volume II, concerning the system in force for the Government opium factory at Macao. He did not fully understand the way in which the system worked. In particular, he had the impression that the expert engaged in the factory

held a position somewhat outside the Monopoly and that he acted as an intermediary between the Monopoly and the licensed vendors. Normally, under the monopoly system, the Monopoly included a Chief of Service and employees who were, at the same time, Government officials. That did not seem to be the situation in regard to the expert in the factory. How were the responsibilities divided between him and the official Monopoly services?

M. LOBO (Portugal) explained that, when the Government had set up the Monopoly in 1927 in fulfilment of the Geneva Agreement, it had been necessary to find, in addition to the Government officials who were entirely new to their work, someone familiar with the preparation of opium and with local conditions in Macao. After carefully examining the matter, the Government had decided to employ the services of a Chinese expert under contract. In accordance with the law in Macao, this expert was a Government official engaged by contract. His duties were to receive each morning from the Government warehouse a certain quantity of raw opium, to prepare it and then to deliver the prepared opium to the Government warehouse. He also had the duty of ensuring discipline and good order in the factory under the direction of a European inspector. It was true that, according to the Commission's report, this expert would appear to act as an intermediary between the Monopoly and the vendors. In fact, however, his functions were not those of an intermediary. He was a Government official, and had been chosen because he knew the vendors and because, when the Government had remodelled the entire farming system, it had felt able to rely on him, and on him alone, for the issue of all licences and for guaranteeing the respectability of the vendors. M. Lobo added that under his contract the Chinese expert received a fixed salary of 800 dollars a month. So long as the expert's services were needed, his contract would be renewed.

Sir Malcolm DELEVINGNE (United Kingdom) asked whether it was to be inferred from M. Lobo's statement that the expert was the old manager or farmer under the system which had existed previous to the Monopoly. If so, it seemed somewhat extraordinary that the Portuguese authorities should have chosen a man of that kind to find persons with the necessary moral qualifications to be entrusted with retail sales.

M. DE MAGALHÃES (Portugal) said that, in the remarks made by M. Lobo, the Portuguese delegation had given a full reply to Sir Malcolm Delevingne's question concerning the appointment of a Chinese expert in the Government opium factory at Macao. He failed to understand why the delegate of the United Kingdom should have expressed surprise at the terms of that answer. Sir Malcolm Delevingne was certainly aware of the circumstances in Macao. The Portuguese Government had made every endeavour to carry out its international obligations to the full. It must be remembered that the population of Macao was almost exclusively Chinese. In 1927, out of a total population of about one million and a-half, there were only 3,600 non-Chinese. Most of the Portuguese in the colony were engaged with the military forces, and hence it was not easy to find a Portuguese to take charge of the opium factory. For this reason, and for those given by M. Lobo, a Chinese technical expert, in whose ability the Portuguese Government had the greatest confidence, had been engaged. His appointment dated from July 9th, 1927.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that the Portuguese delegate had not answered his question. He had asked whether the Chinese expert, in whom the Portuguese Government apparently had the greatest confidence, was the person who had been in charge of the factory under the old regime. As members of the Advisory Opium Committee and delegates representing Governments in the Far East were aware, the position in Macao had for years been extremely unsatisfactory from the point of view of control. The explanations furnished by the Portuguese delegation did not seem to show that the Government Monopoly instituted at Macao was what was usually understood by that term. It did not appear to give the Portuguese authorities the full control which the institution of a Government monopoly had been intended by the Geneva Agreement to give them. It was of course natural that, in starting a new system, the authorities should obtain expert advice. If, however, the supposition was correct that the Chinese expert in question was the person responsible for the factory under the old system, it might have been expected, at the least, that he would have been subjected to the closest supervision. Neither the Commission's report nor the Portuguese delegation's answer showed that that was the case. The most striking point was the fact that the Chinese expert was also the person who vouched for the licensed vendors. In other words, the whole system was in the hands of the Chinese expert.

As delegates were aware, a very large quantity of the illicit imports into Hong-Kong came from Macao. While these were not imports of Government prepared opium, it was clear that illicit opium was being prepared on a very large scale in or somewhere near Macao and shipped from Macao to Hong-Kong. In this connection, he would quote the following passage from the report of the Hong-Kong Superintendent of Imports and Exports for the year 1930 :

> " Macao took the first place, having supplied 60 per cent of all seizures. Practically all this was the well-known Red Lion Brand in one-tael tins. At the present time, this is the best known brand of prepared opium throughout the world, for, during the year, seizures have been made extensively in Singapore, Java and the Philippine Islands, and fairly frequently in Australia, the United States of America and British North Borneo. This opium is not sold by the official Monopoly for consumption in Macao. It was common in the earlier part of the year to find these brass tins stamped with the name of the firm Wang Kei in green ink, but the address of this firm was unknown until a seizure which included

cakes of Persian opium each bearing the firm's address in Macao was made. Enquiries by the Macao Government proved that the address was that of a licensed retailer of official Monopoly opium, but no evidence was found that the firm was also dealing in another brand of prepared opium. It is significant, however, that the name of this firm has not been noticed recently on any of the Red Lion opium seized."

The circumstances of that case suggested to Sir Malcolm Delevingne that the Chinese expert's guarantee as to the respectability of the licensed vendors was of no great value. His Government took the view that the position in Macao was not satisfactory.

M. LOBO (Portugal) did not think that, simply because the Chinese expert was employed as a Government servant, it could be said that the Monopoly was not a Government Monopoly. The Portuguese Government had done its best and were endeavouring daily to improve the position of the Monopoly. At the same time, conditions in Macao could not be reformed from one day to another.

In the case mentioned by Sir Malcolm Delevingne, the Macao authorities had immediately taken proceedings on receipt of information from Hong-Kong. The vendor's house had been searched and his property and papers seized. The evidence found had not, however, afforded legal proof as to the offence committed by the licensee. The case had been sent to the court, which had decided that there was no legal proof and that no action could be taken. Nevertheless, the licence had been cancelled by administrative action. Since then, the vendor's name had not reappeared in cases reported from Hong-Kong.

As to the suppression of the illicit traffic to Hong-Kong, M. Lobo would admit that the position in Macao was not really very satisfactory, as, indeed, was the case with other territories. Nevertheless, in the many instances of smuggling reported from Hong-Kong, the Macao authorities had always given the utmost possible assistance in tracing and punishing the offenders.

He might give a few more facts to clear up the position of Macao. It had been proved in most cases that seizures in Hong-Kong of opium from Macao had consisted of Persian opium mixed with Chinese opium or gum or dross. That mixture was one which could not be compounded in the Macao factory, as was proved by the seizures effected in Portuguese territory. The Hong-Kong Government stated that the factory from which such opium came was not in Macao. No one knew its exact situation. Owing to the constant movement of junks to and from Macao, it was very difficult to detect a junk which was carrying illicit opium. Such opium could not be seized by the authorities unless they obtained sure information—that was to say, information from accomplices. The Portuguese authorities could not be expected to seize every pound of opium passing through their territory. Moreover, Macao was surrounded by numerous islands which were outside Portuguese jurisdiction, and, therefore, no information could be regarded as trustworthy unless it came from someone engaged in the illicit traffic. If he might refer to a case in 1929, in which there had been suspicions of the adulteration of opium in Macao, it would be remembered that the Portuguese authorities had taken immediate action and that the factory and machines had been seized. This had been possible only because the factory was situated in Macao territory. The smugglers in this instance had been sentenced to two years' imprisonment. Again, in the majority of cases reported from Java, it appeared that the information of the authorities at Batavia corresponded to that received by the Macao authorities—namely, that the opium in question was counterfeited Macao opium.

It might be asked why the opium prepared by the Macao Government and not that prepared by other Governments was counterfeited. The reason was that other Government opium was manufactured from Indian raw opium and the restriction of production in India was absolutely effective. The Macao Government used Persian opium, which was available in all parts of China, with the result that Macao opium was chosen for imitation.

After much investigation, the Portuguese authorities had discovered the reason for this large contraband trade in adulterated opium through Macao or through places near it to Hong-Kong. In one case, overwhelming evidence had been obtained showing that at Kuhok, in the Chinese hinterland behind Macao, a factory had been established, not only for the preparation of opium, but for the manufacture of tin containers as well. In consequence, a police cordon had been placed on the frontier and one of the smugglers concerned had been arrested. A number of tins manufactured outside Macao had been found in his baggage. It had been ascertained that the covers of the tins were sent to Canton to be engraved and afterwards returned to Kuhok, where the tins were packed. Again, the smugglers found it easy to conceal opium in the boxes of joss-sticks manufactured at Macao. It was impossible to search every box.

While, therefore, it must be admitted that the situation in Macao was not satisfactory from the point of view of the illicit traffic, the great falling off in the smuggling of illicit opium into Macao was proof of the great effort made by the authorities to repress the contraband trade. The only explanation of that decrease was the stricter control exercised, with the result that the smugglers sent their wares elsewhere. The Commission of Enquiry had been right in saying that, if the illicit traffic was stamped out in one place, it would inevitably reappear in another. Hence, it was important for the Conference to note that the unsatisfactory position in Macao was not due to lack of energy on the part of the Portuguese authorities, but that their efforts were thwarted by the illicit traffic.

Sir Malcolm DELEVINGNE (United Kingdom) said that he had not intended to go into the sources of the illicit traffic in Macao. He had merely wished to elucidate the nature of the Government Monopoly in that colony. He thought he might say that the Portuguese delegation had not dealt with any of his points. His suggestion was that the Government Monopoly in Macao was not, and under the present arrangement could not be, really effective. He took it from the Portuguese delegation's reply that the Chinese expert was the former manager of the old factory. He ventured to submit to the Portuguese delegate that the position and the result might be more satisfactory under a different regime.

The PRESIDENT asked whether the Chinese expert had been a former manager of the old factory under the farming system.

M. DE MAGALHÃES (Portugal) thought he could say from memory that the Chinese expert had been employed in the old factory but not in the position of director.

The PRESIDENT asked whether the Chinese expert selected and engaged the factory staff.

M. DE MAGALHÃES (Portugal) replied in the negative. The expert was merely an employee of the *régie*. His duties were strictly laid down in the regulations on the organisation of the Monopoly. He had nothing to do with the other employees, who were under the direction of M. Lobo, acting for the Government.

M. VAN WETTUM (Netherlands) reminded delegates that the wholesale distribution and sale of prepared opium in the Netherlands Indies had been in the hands of the Government for many years.

M. YATABE (Japan) said that, in the Kwantung Leased Territory, the wholesale distribution of opium was operated by the Monopoly, which sold directly to retailers. In Formosa, there were at present about fifty wholesale dealers appointed by the provincial governors. The number of wholesale dealers had been decreasing with the reduction in the number of smokers in the island, and he thought that this movement would continue. In appointing wholesale dealers, the Governor was required to choose only persons of the highest standing and repute in their districts. So far, this system had given rise to no difficulties.

Sir Malcolm DELEVINGNE (United Kingdom) asked whether the system of wholesale distribution described by M. Yatabe was in accord with the Geneva Agreement.

M. KUSAMA (Japan) said that the question of distribution must be regarded from two different angles—(1) the wholesale trade and (2) the retail trade. The system employed in Formosa was not, strictly speaking, a Government monopoly in the sense that a Government monopoly must be run by officials in receipt of a fixed salary. It had, however, been developed in the course of the last thirty years, and Article I, paragraph 1, of the Geneva Agreement had been interpreted in the light of the derogation mentioned in that paragraph. The Government considered that the system in force, if it did not fulfil the letter, was entirely in accord with the spirit of the Geneva Agreement and that it worked very satisfactorily.

The PRESIDENT thought that the question was one of interpretation. It might be useful to take advantage of the present Conference to clear up the meaning of Article I, paragraph 1, of the Geneva Agreement.

Sir Malcolm DELEVINGNE (United Kingdom) said that his Government had always understood paragraph 1 to mean exactly what it said—namely, that, subject to the provisions of paragraph 3, the distribution of prepared opium was to be a Government Monopoly. The original proposal made at the 1924-25 Conference had been for a complete monopoly, including retail sales, but objections had been made to it on the ground of local difficulties. Paragraph 3 had been inserted to meet those difficulties. No objection, however, had been raised with regard to wholesale distribution, if Sir Malcolm Delevingne's memory was correct.

M. KUSAMA (Japan) said that, as the system of wholesale distribution in Formosa was completely under the control of the Government, it would be difficult for the Japanese delegation to consider revising that system. If the Conference wished to raise the question dealt with in Article I, paragraph 1, of the Geneva Agreement, the Japanese delegation would have to reserve its right to ask for a discussion on the whole article. Suggestions had already been made at the present Conference for the revision of certain of the articles in the Agreement—for instance, Article VI. If difficulties were to be made concerning the system of wholesale distribution in the different territories, M. Kusama would have to ask the Conference to reconsider the whole of Article I.

Sir Malcolm DELEVINGNE (United Kingdom) asked what advantage the Japanese Government found in conducting the wholesale distribution of opium through wholesale dealers, to whom it paid a 2 per cent commission on sales. Would it not be better to send opium direct to the retailers? In this way, it would avoid the 2 per cent commission, and would have complete control of the trade without having to employ intermediaries.

M. YATABE (Japan) did not think that the system was employed on account of any special advantages it conferred, but simply because of the necessity of working through wholesale dealers. Opium-smokers, to the number of about 40,000, were scattered throughout the island, and it was impossible for the Government Monopoly to keep in direct touch with them. There must therefore be some agents through whom opium could be distributed to the retailers.

Sir Malcolm DELEVINGNE (United Kingdom) said that he had not suggested that the factory should sell opium to the smokers directly, but that it should distribute it directly to the retail shops.

M. YATABE (Japan) replied that, as the smokers were scattered all over the island and as there were about four hundred retail shops in the villages and country districts, it was difficult for the Monopoly to establish direct contact with the shops.

Sir Malcolm DELEVINGNE (United Kingdom) understood that the shops were licensed by the Government.

M. YATABE (Japan) : Yes.

M. STEINMETZ (Netherlands) said that the Government factory in the Netherlands Indies had experienced difficulty in getting into touch with retail shops. There was a single factory in Batavia and over a thousand retail shops. A system had therefore been established under which prepared opium was first sent to Government depots—of which there were seventeen—whence it was forwarded to the retail shops. He understood that Sir Malcolm Delevingne wished to know why, under the Government Monopoly system in Formosa, the intermediate wholesale agents were not Government officials.

M. KUSAMA (Japan) said that there would be certain difficulties from the purely practical point of view in distributing opium through Government officials. The authorities in Formosa might well ask what was the practical value of changing the present system, which had worked very satisfactorily for the last thirty years. It had been in existence long before the Hague Conference and even before the Shanghai Commission. The wholesale distribution system had never been questioned so far as Formosa was concerned.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that, in 1925, Japan had undertaken an international obligation to make the wholesale distribution of opium a Government Monopoly. He felt obliged therefore to protest against the assumption that a Government which had signed and ratified an agreement was at liberty to disregard any part of its provisions on the ground that there was no need to change the existing regime.

The PRESIDENT did not think that there had been any deliberate violation of an international undertaking. In the Japanese Government's view, the system in force in Formosa at the time of the Geneva Agreement was not incompatible with Article I, paragraph 1, of that Agreement. It was evident that the Japanese Government had had in mind the exceptions allowed in paragraph 3 with respect to the retail trade. Now that the Conference was of the opinion that Article I, paragraph 1, provided that all wholesale distribution should be in the hands of the Government, the President would ask whether the Japanese delegation could not consider the possibility of conforming to that interpretation.

The discussion was adjourned to the next meeting.

NINTH MEETING (Public)

Held at Bangkok on Wednesday, November 18th, 1931, at 8.45 a.m.

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20. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 9 *(continued)*.

Government Monopoly of the Wholesale Distribution of Prepared Opium (Article I, paragraph 1, of the 1925 Geneva Opium Agreement) (continuation of the discussion).

M. VAN WETTUM (Netherlands), with reference to his statement at the previous meeting, said that, under the monopoly system employed in the Netherlands Indies, there was, in actual fact, no wholesale trade in that territory.

M. YATABE (Japan), in reply to Sir Malcolm Delevingne's remarks at the eighth meeting, said that the new opium ordinance in Formosa, which had come in to force in 1929 and been revised in accordance with the provisions of the 1925 Geneva Agreement, stated, in Article 3, that the manufacture of opium and the sale of prepared opium were to be carried on by the Government-General. This was the basic principle on which the present system was established. To carry out this provision, the Prefectural Governor was empowered to appoint an individual of appropriate social and financial standing in the community to discharge, in an official capacity, the Government's duties and functions in the distribution of opium to retailers. Article 8 of the Regulations for the Enforcement of the Opium Ordinance of Formosa provided that " the wholesale agent should be appointed by the Prefectural Government or the Governor of the province ".

Under the Japanese administrative system, the appointee of the Government, whether a permanent official or an individual nominated to perform certain administrative functions, was considered to be an official while acting in that capacity. The wholesaler of prepared opium was not a licensee in the sense of obtaining a permit from the Government and carrying on a certain occupation. The wholesale distribution of opium was not a business proposition in the ordinary sense of the term. The wholesaler was appointed by the Government and was considered to be a member of the Monopoly staff in the performance of its specific duties. A similar system existed in other branches of the administration in Japan, more especially the postal administration, in which the local postmasters in the country districts were not paid a fixed salary but received a certain percentage on the basis of the services they performed. Such postmasters were nevertheless regarded as officials carrying on the official duties of the national postal services. Similarly, the opium wholesaler was regarded as coming under the category of the Opium Monopoly staff. For this reason, the Formosa Government considered that the system was in accordance with the terms of the Geneva Agreement. As to the forms of remuneration, the appointment carried with it certain official honours, and the appointees did not consider pecuniary renumeration as the primary condition for the appointment. A nominal fee of 52 sen for handling a receptacle containing 375 grammes of opium valued at 40 yen was fixed to cover sundry expenses—book-keeping, making of regular reports, etc.

Furthermore, each wholesale agent had a fixed number of specified retailers to whom he was authorised to distribute opium, and each retailer was allotted a fixed number of specified smokers in his district; all smokers were rationed, and consequently the amount of opium a wholesale agent distributed annually was to a certain extent fixed.

Sir Malcolm DELEVINGNE (United Kingdom) entirely accepted the Japanese delegate's explanation. A misunderstanding had no doubt arisen from the description of the system in force in Formosa given in Volume I, page 119, of the report of the Commission of Enquiry.

M. KUSAMA (Japan) explained further that, under the system in force in Formosa, the words " licensee " and " appointee " were not identical in meaning. Their legal significance was entirely different. The misunderstanding was due to an error in the Japanese translation of point No. 14 of the Questionnaire submitted by the Commission of Enquiry. The question had been understood to apply both to wholesale distribution and to retail sale, with the result that the reply published in Volume IV of the Commission's report did not correctly describe the facts. The correct reply was that wholesale distribution was effected through agents appointed by the Government according to the system followed hitherto, while retail sales were conducted by licensees. In principle, the system was that of a Government monopoly covering both retail and wholesale trade. The statement on page 417 of Volume II (paragraph *(f)*) of the report : " The licensed wholesale and retail dealers are actually agents of the Monopoly ", was not absolutely correct, since the wholesale agent was not licensed; only the retail sellers were licensed by the Government.

Sir Malcolm DELEVINGNE (United Kingdom) understood from M. Yatabe's explanation that the retail dealers supplied specified consumers. There was doubtless a list giving the names of those consumers. Further, he understood that, as consumers were rationed, sales by the retailers were fixed in amount. Wholesale distributing agents were, moreover, authorised to supply opium only to a certain number of specified retailers. The practical result would be that the amounts distributed were fixed. If that was the case, it was difficult to understand paragraph *(f)* on page 417, which read : " No limits are set to the quantities of prepared opium furnished to the licensed dealers by the Monopoly Bureau ".

M. KUSAMA (Japan) explained that the amount of prepared opium delivered annually to wholesale agents was automatically fixed by the rationing system. The report had intended to convey the fact that no limit was fixed for the amount of opium that might be delivered at any one time. In other words, no quantity was prescribed as the maximum which a wholesale agent might receive at one time. The limits resulted naturally from the operation of the rationing system. Reference to the figures of stocks in existence on December 31st, 1929 (Volume II, page 412) would show that the stocks of prepared opium held by the wholesalers and retailers were markedly less than the amounts which the Governors of the provinces received direct from the Monopoly for distribution to those persons. On December 31st, 1929, the eight provincial Governors held 2,470.5 kilogrammes of prepared opium, whilst the wholesalers held 745.2 kilogrammes and the retailers 321.7 kilogrammes.

Sir Malcolm DELEVINGNE (United Kingdom) asked whether it was correct to say that the Monopoly supplied opium to the provincial Governors and that the latter distributed it amongst the wholesalers, who subsequently supplied the retailers.

M. KUSAMA (Japan) : Yes. In reply to another question by Sir Malcolm Delevingne, he added that there were ten provincial Governors.

M. EKSTRAND, Chairman of the Commission of Enquiry, pointed out that, since the enquiry, changes and improvements had been effected in the system applied in Formosa. To give an example, in its general statement,[1] the Japanese delegate had explained that no smoker was

[1] See Minutes of the second meeting, page 12.

allowed to obtain opium except from the designated retailer in his district. The misunderstanding had perhaps arisen from the introduction of certain improvements in the earlier system. Some speakers had based their remarks upon the present system, whereas the Commission's report was inevitably based on the conditions which had existed at the time of its visit.

The PRESIDENT noted that the misunderstanding with regard to the position in Formosa had been removed.

Mr. MARSHALL (India) said that, in Burma, the wholesale sale and distribution of opium were entirely in the hands of the Government.

M. BOURGOIS (France) explained that, throughout Indo-China, the entire wholesale distribution was a Government monopoly. In regard to Kwangchow-Wan, he had already described the conditions under which sales were effected.

Sir Malcolm DELEVINGNE (United Kingdom) remainded the Conference that, as regarded the British possessions, he had already explained that the wholesale distribution was entirely in the hands of the Government.

The PRESIDENT concluded from the statements that had been made that the situation with reference to Article I, paragraph 1, of the Geneva Agreement was that wholesale distribution in the territories of the various countries constituted a Government monopoly.

Complete Government Monopoly of Retail Distribution (Recommendation No. 9 Article I, paragraph 3 *(a)* and *(b)*, of the 1925 Geneva Opium Agreement) (continuation of the discussion).

M. VAN WETTUM (Netherlands) stated that the system of retail sales adopted throughout the Netherlands Indies had for many years past included the employment of persons who received a fixed salary. Only some 5 per cent of all the retail sales was effected by persons holding Government licences. Those exceptions to the general rule were inevitable and were the result of local conditions. Sales in remote localities were sometimes so small in amount (*e.g.*, 5 or 6 taels a month) that it would scarcely be possible to open a Government shop. In other districts, Government shops could not be opened owing to frequent changes in the places of consumption—tin mines, petrol boring, timber felling, etc. In other places, smokers lived so far from the administrative centres that it would be impossible to exercise regular control over opium shops. These exceptions were not in contradiction with the Monopoly system as a whole. Of the 5 per cent of the sales he had mentioned as being effected by licensees, one-third were made to rationed smokers. Other guarantees were secured by compelling licensees to register their sales or by having the cost incurred by the licensees for transporting the opium paid by the Government or by the industrial enterprises concerned. Even where such guarantees were not forthcoming, there seemed, in point of fact, to be no danger of licensees endeavouring to increase their profits by encouraging opium-smoking. The average quantities they handled were too small. That was shown by the fact that there were in all about 340 licensees.

The PRESIDENT thought the discussion would be clearer if the wording of the last paragraph in Article I was borne in mind.

It would be noticed that the recommendation made by the Commission of Enquiry tended towards the abandonment of the present experimental stage. It suggested that all retail shops should be owned and managed by the Government.

The Commission of Enquiry further recommended that the exception in the last paragraph of Article I should be done away with, so that all retail shops should be owned and managed by the Government, irrespective of whether there was a system of registration, licensing or rationing or no.

M. DE MAGALHÃES (Portugal) said that, in Macao, the situation was practically the same as in 1930, when the Commission visited the Colony. The number of licensees had, however, fallen from 43 to 40 and that of smoking establishments from 63 to 58. The Monopoly had been set up as recently as 1927, and the present system was the only one possible in the circumstances. The Macao Government approved the Commission's recommendation that commissions on sales should be replaced by fixed salaries. For the moment, the form of remuneration adopted in Macao was a payment of 2 per cent on sales. As the Monopoly had been in existence only three years, it would not be possible to make the required change immediately. The Government nevertheless intended to take the necessary steps as soon as possible. In regard to licensed wholesalers, the situation was practically the same as that described in the report. Vendors were not allowed to be in possession of more than 200 taels of prepared opium.

M. YATABE (Japan) observed that the question of instituting a monopoly for retail sales in accordance with Recommendation No. 9 was closely connected with the problems dealt with in Recommendations Nos. 11 and 13, which referred to the system of registration and rationing

and to the limitation of smoking to Government establishments. In order to save time, he would deal with all these questions at once.

He then read the following statement :

In my first statement, I explained in a general way the present system of opium-control in Formosa and Kwantung. As reported by the Commission of Enquiry, the system of registration in Formosa was instituted in 1897, and when the first register was completed throughout the island, in September 1900, 169,064 smokers were registered. Later, the register was reopened twice, in 1904-5 and in 1908, with the result that new smokers, numbering 30,543 and 15,849 respectively, were registered, making the total of smokers registered, up to 1908, 215,456. This figure steadily decreased year after year owing to the vigorous efforts of the authorities concerned, and at the end of 1929, the year in which the new legislation came into force, there were in Formosa only 24,626 smokers in possession of licences to smoke opium—that was to say, about one-ninth of the original number registered. The authorities, however, having found that there was a certain number of secret smokers, decided to issue licences to those unlicensed smokers who were found to be confirmed addicts. During the investigations, lasting some eight months from December 1929, the authorities received applications for registration from 25,527 persons.

This figure of 25,000 may appear somewhat large, but among them the confirmed addicts were found to number only about 5,500, while 13,500 were found curable and were sent for compulsory treatment in the Government hospitals; 6,500 applied for the licence simply in order to take out a licence for certain personal advantages. Hence, it may be taken for granted that this aggregate of about 19,000 confirmed and non-confirmed addicts is the total number of secret smokers discovered.

The fundamental principle upon which the system in Formosa is based is to prohibit opium-smoking except by those who were recognised as confirmed opium addicts at the time of the coming into force of the opium-control law. The Formosa authorities are convinced that the ultimate aim of absolute prohibition is difficult to accomplish unless the licence is restricted to those smokers who have become addicted within a certain specified period. We realise, however, that it is a most difficult task to check the deeply rooted habit of opium-smoking among the inhabitants of the island, and, in spite of all the efforts of the authorities concerned, it has proved practically impossible to prevent totally the spread of the habit; unfortunately, a certain number of people have acquired the habit during the twenty-one years between 1908 and 1929. Adding this number of newly found smokers to that of the licensed smokers remaining in the register at the end of 1929, we obtain a fairly accurate estimate of the member of smokers in Formosa in that year; their number is calculated to be about 43,000—that is, about one-fifth of the number originally registered.

From this analysis, we are readily convinced that the system in Formosa has been successful in reducing the number of opium-smokers to one-fifth, which in itself testifies to the results achieved so far. The authorities are also convinced that, if they had adopted a system other than that which has been in force in Formosa, the result might have been quite different and, perhaps, far from satisfactory.

The explanations I have given in regard to registration and rationing apply to smoking establishments also. Had the Government of Formosa decided to set up smoking establishments maintained either by Government or by licensees, to which any person could come in order to smoke, the result accomplished to date could not have been expected, for the simple reason that the opium-smoking habit is deeply implanted in the inhabitants of Formosa, and that it was found impossible to check it by any other means than individual control by way of registration and licensing.

Of course, when the Formosa Government established their system of control some thirty years ago, they had no definite idea when complete abolition could be effected. After a thirty years' persistent policy of steady and gradual suppression, they have now come to believe that under the present system of control their object can be reached within a comparatively short period.

For this reason, the Japanese Government are not in favour of adopting any policy, including the system of Government shops managed by employees of the Opium Monopoly for retail distribution and compulsory smoking in Government smoking establishments, which would tend to make a radical departure from the present system. They will continue to carry out the present system, improving it, of course, as far as possible and enforcing the measures of control in all directions.

Our delegation is in sympathy with the aims of Recommendations Nos. 9, 11 and 13 of the Commission. The systems recommended have been adopted by various Governments under varying circumstances. Each has its own merits in the different conditions obtaining in the different territories. Therefore, if the Conference decides to recommend all these measures for the consideration of the Governments concerned, I am ready to agree on the understanding that, in solving the problem of the gradual suppression of smoking opium, each Government shall be free to adopt the policy best suited to its various territories.

Mr. MARSHALL (India) said that, even before the Geneva Agreement was ratified, there was in Burma a complete system of licensing and rationing of opium-consumers. Accordingly, in view of the last reservation embodied in Article I, it was not necessary to apply the provisions of paragraph *(a)*. Nevertheless, the Government of Burma had recently decided to replace the licensed retailers by salaried vendors—except in the case of seventeen licensed retailers in remote

districts. The salaried vendors in question were Government officials and were subject to constant and rigorous inspection.

The new system had been introduced as from November 1st, 1931. He was therefore not in a position to say what results were being achieved. A certain number of licensed retailers had had to be retained because there were no Government Treasuries in their districts, and their disappearance would have entailed practical difficulties in the crediting of sales proceeds. It had been decided to withdraw two of these licences, and the decision had been put into effect forthwith. The withdrawal of further licences was under consideration. There were, in all, one hundred and twenty-one retail shops in Burma. The few remaining licensees were, as formerly, unaffected by financial considerations, since smokers' rations were fixed by the excise officers and the amount sold could not be increased without their permission.

The Government of Burma was therefore prepared to accept, in spirit, the Commission's recommendation that sales should be conducted exclusively by Government officials. It could not, however, give immediate and complete effect to that recommendation. As Mr. Marshall had stated previously, the Government of Burma could not accept the Commission's other suggestion relating to the gradual merging of Government retail shops in Government smoking establishments.

M. BOURGOIS (France) explained that, in French Indo-China, there were seven classes of shops authorised for retail sales. These were differentiated by the sum paid for the licence, which varied from 5 to 160 dollars, and by the maximum amount prescribed for annual sales, which could not exceed 300 kilogrammes. Licensees were authorised to sell only at a fixed price. They made a profit of 4.5 per cent. The satisfactory working of that system had been ensured by a whole series of guarantees, which were described in Volume II, page 300, of the Commission's report. These guarantees related to the choice of the licensee. The latter had to undergo an investigation as to his moral character. The licence could be withdrawn. It was granted for one year only. The vendor was bound to record all his sales in a special book. Visits of inspection were made, not only by the police, but also by the Customs authorities. The opium had to be purchased only from a specified depot. It was thus easy to exercise supervision over both purchases and sales and their relation one to the other. The smallest container of smoking-opium cost 95 cents (almost one dollar). Authorisation to pass from one category to a higher category was accorded only after an investigation into the causes of the increase in yearly sales. The result had been a general decrease in opium sales, together with a decrease in the number of licences, which had fallen from 3,098 in 1918 to 2,277 in 1929.

The Government of Indo-China was nevertheless prepared to follow the Commission of Enquiry, or the Conference, in the new way suggested, and to take the necessary steps to replace the system of licences and percentages on sales by that of a salaried staff. Nevertheless, as was the case in the territories of other countries where that system was in force, there would inevitably have to be certain exceptions. No doubt, in some districts where sales were very small in amount, it would be difficult to provide the required salaried personnel. Certain local conditions would perhaps prevent the early and practical application of the new system. The Government of Indo-China had already drafted the necessary regulations. The French delegate added that, in his opinion, the staff would not consist of Government officials. The Siamese delegation had shown the disadvantages that might arise from the adoption of that system. M. Bourgois had in mind a system which would give no less complete guarantees without being open to the same objections—namely, a system of salaried persons who had no interest in increasing sales.

Sir Malcolm DELEVINGNE (United Kingdom) said that his Government had accepted the provision contained in paragraph 3 *(a)* of Article I of the Geneva Agreement, not merely as an experiment, but as its definite policy. The present position in the British possessions was as follows.

In the Straits Settlements, the Federated Malay States and the Unfederated Malay States, except for a few shops in remote areas in Trengganu and Kelantan, all opium shops were Government shops. The number of these shops, which had been eight at the time of the visit of the Commission of Enquiry, had now been reduced to five. They were situated in exceptional areas, which were far distant from the centres of addiction, and with which communications were very difficult. The Government's policy was to reduce the number of these few remaining shops. Three had been closed in Kelantan last year. Meanwhile, those remaining open could only obtain supplies which, in the opinion of the administration, were reasonable in view of local conditions. Their sales were on a very small scale.

In Hong-Kong, the system of paying the persons in charge of the shop a fixed salary was applied, but the shops were not Government shops in the strict sense of the term. There were various reasons for the adoption of this system. In the urban areas, physical difficulties made necessary a greater number of selling points than the population might *prima facie* seem to require. while the population of the non-urban areas was scattered through a number of village groups and islands. The latter were difficult to reach, and the amount of opium sold in them was quite low. The Government, however, was prepared to consider the possibility of substituting, as far as possible, the system of Government shops for that existing at present. The cost of doing so would, of course, be considerable, but every possible method was being explored.

The situation in North Borneo was the same as in Malaya; but, as stated in the Commission's report, in certain remote districts employers were authorised to supply their labourers with opium from the Government factory. They acted as the nominee purchasers for the workmen in their employ.

The same policy had been adopted in Sarawak, with the exception of a few small places, where the position was the same as in Malaya.

It followed that the United Kingdom Government was carrying out the provision of paragraph 3*(a)* as to the payment of fixed salaries instead of a commission on sales, except for the few cases mentioned, and the latter were under consideration with a view to the complete adoption of the system recommended by the Commission of Enquiry. He thought that probably there would always remain a few remote areas where it would not be worth while to have Government establishments.

In conclusion, he would suggest that, as a result of the discussion, the Conference might adopt a modification of Article I, paragraph 3*(a)*. It might say that either the system of Government shops or that prescribed in paragraph 3*(a)* should be adopted. The last paragraph in Article I should be retained, and this would cover the case of Japan.

On the motion of the PRESIDENT, *the Conference decided to postpone further discussion of the subject until Sir Malcolm Delevingne's proposal had been circulated in writing.*

RECOMMENDATION No. II.

System of Registration, Licensing and Rationing (Resolution in Final Act of First Geneva Opium Conference).

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that Recommendation No. II covered three different points: (1) registration, (2) licensing, and (3) rationing; he proposed that these three points should be taken separately.

The PRESIDENT agreed and invited the Conference to consider the question of registration first.

M. VAN WETTUM (Netherlands) wished to be clear as to the meaning of the term " registration ". As used in the agenda of the Conference, it meant registration as practised in the Straits Settlements —that was to say, before the consumer could purchase opium he must obtain a permit from the Government. As used in the Netherlands Indies, registration meant that, when the consumer went to purchase his opium, his name and address and the quantity he bought were entered in a book by the retailer and he was not required to obtain a permit from the Government.

Sir Malcolm DELEVINGNE (United Kingdom) said that M. van Wettum's description of the system employed in the Straits Settlements was not quite correct. In that colony, a person wishing to smoke had to apply beforehand to one of a number of registration centres, where he was given a card. He had to present the card every time he wished to buy opium. There was no question of his obtaining a permit, or, in other words, permission to smoke. That would be a system of licensing, whereas the system applied in Malaya was that of registration pure and simple. At the same time, there were various degrees of application of that system. The Government of Malaya was advancing by stages, with a view to tightening up the present registration system.

The PRESIDENT observed that registration pure and simple meant that the names of all persons wishing to buy opium must be entered in a register at the time of purchase. The system adopted in the Netherlands Indies and Malaya, though different, amounted to much the same thing in the end, except that that in force in Malaya was more stringent. It might be more useful for the identification of smokers.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that as yet there was no system of identification in Malaya.

M. VAN WETTUM (Netherlands) said that, in describing the position in the Netherlands Indies, he would have to refer to the licensing and rationing system as well as to the registration system.

The statement which he had made at the second meeting concerning the registration and licensing systems in the Netherlands Indies showed that the Netherlands Government had adhered strictly to the terms of the resolution in the Final Act of the 1924-25 Conference.

He would next explain the way in which the licensing and rationing system was applied in the different parts of the Netherlands Indies. Four categories of zones had been established. There were, first, open zones, where the general arrangements were in force. The principal condition applying to these zones was that no one might possess more than a-quarter or a-half or one tael of opium, but every Chinese or Malayan or Javanese might consume opium. The districts in question were, for instance, Batavia, Semarang, Surabaya and the agricultural districts on the east coast of Sumatra. In these areas, an attempt had been made to enforce the licensing system, but it was no longer applied. The registration system employed in Singapore was known as the identification system in the Netherlands Indies, in certain parts of which it had been tried, but without success. The Netherlands Indies authorities considered that, if a similar registration system was workable, it might as well be accompanied by licensing and rationing, since if, in one of the open zones, a smoker had to apply to an official to be registered before he could obtain his opium, he would almost certainly prefer to go to the smugglers for his supplies.

The second class of zones consisted of prohibition areas where no one was allowed to possess opium. A great part of Java was a prohibition area.

Thirdly, there were licensed areas, in which all smokers had to be licensed and rationed. The registers in these areas still remained open. A newcomer could obtain a licence with the approval of the competent official, but even in these areas there were certain classes of the population who were never allowed to smoke—for instance, the Dyaks of Borneo.

Fourthly, there were mixed areas—for instance, the island of Billiton, where the native inhabitants who smoked were very few in number and there was a large Chinese population working in the tin-mines. In these areas, the conditions applying to the Chinese were the same as those in force in the open areas, but the native inhabitants were obliged to obtain licences.

The actual conditions in the Netherlands Indies would be realised when it was stated that half the total sales of opium in the whole of the Netherlands Indies were to licensed smokers.

In conclusion, the registration system adopted in the Straits Settlements could only be introduced in the open areas in the Netherlands Indies if it were possible to introduce licensing and rationing at the same time. A trial of the latter system had been made at Batavia and in other big centres of population in 1921, but had been abandoned in 1926 owing to the enormous decrease of licit sales, due to the fact that smokers obtained their supplies from smugglers.

Mr. CATOR (United Kingdom), Superintendent of Government Monopolies, Straits Settlements, said that in the Straits Settlements and Federated Malay States registration had been instituted by law in the beginning of 1929 after some experiments on a voluntary basis in the Federated Malay States. The system was that of open registers. At the outset, to facilitate matters for smokers wishing to register, the authorities had allowed registration in a certain number of centres. The number of registration centres had since been reduced; there were one at Singapore, one at Penang and a limited number in the Federated Malay States. He could not claim that the system had been a complete success, but it had proved much less difficult to apply and it had given better results than had been anticipated by some at the beginning. For the Straits Settlements, it must be admitted that the number of registered smokers did not approach the true number of persons smoking, the reason being the large illicit traffic in the colony. In the Malay States, however, it did represent the large majority of smokers, the exceptions being mainly rich men who could afford to employ substitutes.

In the working of the system the chief defect was the lack of a complete method of identification. That defect had been recognised when the system was first introduced, but the authorities had decided to disregard it because they were afraid of deterring smokers from applying for registration. They were hoping to introduce a more complete identification system by means of photographs, etc. A second defect was the large number of " dead " cards—that was to say, cards of smokers who had left the country and had failed to return their cards to the registration centres. Such cards had never been finally cancelled; they might not have been presented for years. The administration was trying to put these defects straight. Adopted at the outset only as an experiment, the system would be extended where experience showed this to be feasible. Though not complete, it gave valuable information on points such as the average consumption of each individual smoker. In general, the authorities were satisfied that it was worth while to continue the system, and they proposed to develop and improve it.

M. VAN WETTUM (Netherlands) considered that the system adopted in the Netherlands Indies afforded better prospects of obtaining information as to the number of smokers and the quantity each consumed than that followed in the Straits Settlements, because with the former system there was nothing to deter a smoker from purchasing his supplies from the Government shop, while under the Malayan system he might be shy of obtaining registration beforehand.

The PRESIDENT asked whether, under the Malayan system, a man who was registered in one place could buy opium in any of the Government shops.

Mr. CATOR (United Kingdom), superintendent of Government monopolies, Strait Settlements, replied that he could do so from any shop in the area in which he was registered, but, if he wished to obtain opium in another area, he must exchange his card for one issued in the latter area.

M. YATABE (Japan) said that the basic principle of control in Formosa was the total prohibition of smoking by any person other than those medically certified to be confirmed addicts and to have acquired the habit previous to the coming into force of the opium law. The system for the registration and licensing of consumers was very well described in Volume II, page 419, of the Commission's report, to which he had nothing to add.

M. DE MAGALHÃES (Portugal) reminded the Conference that, in reply to the questionnaire of the Commission of Enquiry, the Portuguese authorities in Macao had said that circumstances in that colony made the measure of registration suggested impracticable and, possibly, even dangerous. The result would probably be to increase the illicit traffic. At first sight it might seem that the system should be easy to apply in so small a territory, but those acquainted with conditions in Macao would agree that it would not be workable except perhaps for the fixed population, and even among them smokers would probably obtain their supplies from the illicit traffic in order to avoid registration. The difficulties in the case of the floating population would be practically insuperable. It would be quite impossible to introduce any adequate system of identification, which would require a very large office and staff. Even then, it was not likely to be successful. At the same time the Portuguese Government fully appreciated the desirability of the registration system.

The PRESIDENT asked whether the Macao authorities could not apply the Netherlands Indies system of registering the names and addresses of smokers at the time of purchase.

M. DE MAGALHÃES (Portugal) replied that that system was already in force in Macao.

M. BOURGOIS (France) remarked that the experience acquired since the passing of the resolution in the Final Act of the 1924-25 Conference had confirmed its soundness in every respect. The statements made at the present Conference and the reports received showed that, while the licensing system had given good results in certain conditions, its application had been found " useless and even dangerous " in other countries, because it deterred smokers from registering and so increased the illicit traffic. The possibility of adopting such a measure depended chiefly on the extent of smuggling. The French delegation had already explained that Indo-China had never been exposed to smuggling on so menacing a scale as at present. M. Bourgois could only repeat his delegation's formal statement on the subject in 1924-25. It must adhere to the attitude adopted then, the soundness of which was confirmed by experience. Indo-China could not, in the existing circumstances, adopt a registration system which would constitute an obstacle to the ordinary consumer's obtaining his supplies from lawful sources, would force him back on the illicit trade and so increase it. The adoption of such a system was regarded as " useless and dangerous " in so far as concerned that territory. While it was appreciated that the system was the goal to be aimed at, the recommendation in the Final Act of 1925 should be followed and the Powers should be left " the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient ".

M. EKSTRAND, Chairman of the Commission of Enquiry, said that, as a result of the reply from the Macao authorities to Point No. 50 in the Commission's questionnaire,[1] the Commission had, not unreasonably, acquired the impression that there was no registration system in Macao and had made a statement to that effect in its report. If, however, M. Ekstrand had understood M. de Magalhães correctly, it seemed that there was a registration system of approximately the same type as that employed in the Netherlands Indies. If so, he would ask whether the system applied only to the fixed population or whether some attempt was made to register the floating population as well.

M. LOBO (Portugal) replied that, at the time of the Commission's visit to Macao, the administration there had taken the term " registration " used in the questionnaire to mean something like identification—that was to say, an identity card was to be issued to each smoker and his name, etc., recorded in a register. For this reason, it had been impossible to reply that registration was in force in the colony. As, however, it appeared from the Netherlands delegate's statement that registration might take the form of recording the names, addresses and purchases of smokers at the time of purchase, M. Lobo could say that this method had been introduced for the fixed population in Macao; the licensee must enter the date of sale, the name of the purchaser and the amount bought, at the time of each purchase. No attempt, however, had been made to enforce this system for the floating population, as in their case it would be absolutely unworkable.

The discussion was adjourned to the next meeting.

TENTH MEETING (Public)

Held at Bangkok on Thursday, November 19th, 1931, at 8.45 a.m.

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21. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. II *(continued)*.

System of Registration, Licensing and Rationing (Resolution in Final Act of First Geneva Opium Conference) (continuation of the discussion).

Mr. MARSHALL (India) read the following statement :

Registration has been in force in Burma for very many years. Under the Burma system, registration involves licensing and licensing involves rationing; and the three operations of registration, licensing and rationing are so interconnected that it is impossible to split up these three subjects in describing the system in force. I propose therefore to deal with all three subjects in a single statement.

In an earlier statement, I have summarised the history and present position of the Burma opium system and have explained how the register of Burmese consumers and the register of

[1] Volume IV, pages 361 and 362.

smokers came to be closed. The registers which remain open at present are the new register of Burmese consumers, opened recently in six unhealthy districts, and the register of non-Burman consumers. I wish now to describe briefly what happens when new entries are made in the registers.

When a non-Burman, or, in the six districts referred to, a Burman, wishes to purchase opium from an opium shop for the first time, he must apply to the excise officer for registration. He is required to produce some evidence that he is really an opium consumer and is cross-questioned as to how, when and where he acquired the habit. Enquiries are also made about his occupation and income and whether he is a bachelor or a married man with a family, in order that the excise officer may be able to limit his ration to an amount which he can afford to purchase. In the case of Burmese applicants in the six districts, a medical certificate is also insisted on, in most cases.

If the excise officer is satisfied that the applicant is really a consumer, he enters his name, age, address, description and other particulars in the register. This is registration. At the same time, the excise officer issues to the applicant a consumer's ticket, which is a licence to purchase. This is in the form of a book, on the first page of which are entered the consumer's name, age, occupation, height, description, identification marks, and so on, and also his daily allowance or ration. The remainder of the book consists of blank pages, on which will be entered the amounts of each purchase and the dates on which the purchases are made. The original ration of the consumer has to be fixed at the same time as the licence is issued, so that it can be entered in the consumer's ticket or licence. This ration is based on the probable actual consumption of the applicant and on his means of purchase. After the consumer begins making his purchases, the resident excise officer is required to verify from time to time, by enquiring outside the shop, the correctness of the ration fixed for each consumer. In the case of consumers in the same town as that in which the opium shop is situated, these verifications are made in the mornings before the opium shop opens, or in the evenings after the shop is closed. For consumers at some distance from the town, verifications are carried out on Sundays and holidays. If the resident excise officer is unable to verify those at a distance, he deputes some member of the detective excise staff to make the enquiries for him. Verification consists of a surprise visit to the consumer's residence; an examination of the opium in his possession; a comparison between the amount which he actually has in his possession and the amount he ought to have according to the date of his last purchase and the amount then purchased; further enquiries about his occupation and income; enquiries about his associates, his reputation and whether he has any connection with the illicit traffic, and so on. The results of these verifications are recorded in the permanent registers in the opium shop. If any change in ration is made, the reasons for the change must also be recorded. I presume I need not describe in detail how the rationing system is put into effect. Every sale to every consumer is recorded both in a register at the opium shop and in the consumer's ticket. If a consumer's daily ration is one-eighth of a tola and he purchases three tolas (which is the maximum limit of possession) at a time, he makes his purchase of three tolas every twenty-fourth day.

The opium shops are inspected frequently. Inspecting officers check all the registers and pay particular attention to the suitability of the daily rations, and to the justification for any alterations made in daily rations since the last inspection.

I would remind delegates that the principal *raison d'être* of this system was the desire of the Government to prevent unregistered Burmese consumers from obtaining access to opium. I would remind them also that, in most areas, the price of smuggled opium has tended to be above the price of opium at the Government opium shops, and that the price of Government opium, resold illegally by a registered consumer to an unregistered consumer, has been above the price of smuggled opium. Therefore we have had to be on the alert to see that only real consumers were registered and that rations were fixed so low that the registered consumers would not have a surplus which they could hawk to unregistered consumers. Any consumer suspected of this practice gets his ration drastically reduced.

This system has given us a real control over individual consumption, and has provided us with power to reduce excessive consumption by gradual restriction of allowances. In the early days, it was quite common for wealthy Chinese smokers to receive an allowance of three tolas (or very nearly one tael) per day, and actually to consume this amount, as they were men against whom there was no suspicion that they were hawking surplus opium. Nowadays, an allowance of one-third of this amount, or one tola per day, is quite exceptional, and there is no reason to believe that the men who receive this ration supplement their allowance by purchases of smuggled opium.

The system has also given us complete statistics regarding the number and classes of the people who consume Government opium and the amount consumed by each. It also furnishes us with a detailed history of most of the consumers, and gives us an elaborate system of supervision over the licit consumption of opium, together with a considerable amount of incidental information regarding the illicit traffic.

The Burma system already follows generally the recommendations of the Commission of Enquiry, except that the register of Burmese consumers and the register of smokers are closed, while the Commission have recommended that all registers should be kept open or reopened at regular intervals. As I have already explained in my opening statement, this question of reopening these registers is at present under the consideration of the Government of Burma.

The system I have described is suitable for Burma, but I recognise that conditions in Burma are much simpler than those in the other countries represented here. We have only one hundred and twenty opium shops, and we have a much smaller Chinese population than other countries of the Far East. Also, we do not have the problem of a floating Chinese population.

In the Shan States it is considered impracticable at present to introduce the registration and rationing system. The sparseness of the population, the long distance between villages, the large area of jungle and the consequent difficulty of control make such a policy very difficult to enforce.

The PRESIDENT, summing up the discussion, said that the system of registration pure and simple offered various advantages. It gave indications as to the number of consumers, the quantities of licit opium consumed and the classes from which the smokers were drawn. From the different statements it appeared that, in the majority of the territories represented at the Conference, one of two systems of registration had been adopted—the Netherlands Indies system or the Malaya system. He asked whether the Conference thought it would be possible to recommend that Governments which had not yet adopted any system of registration should introduce such a system in one of the two forms mentioned.

Sir Malcolm DELEVINGNE (United Kingdom) said that a registration system was in force in all the British territories except Hong-Kong. Details of the systems adopted would be found in the Commission of Enquiry's report. In regard to Hong-Kong, both for the Government of that colony and for the home Government, difficulties had arisen from the shortness of the time available for studying the problem since the report of the Commission of Enquiry had been available. Sir Malcolm Delevingne was, however, in a position to say that the Governor of the colony had sent the home Government a reply which he might describe as very encouraging. Although no decision had so far been taken, the question was being very carefully considered.

The difficulties of the situation in Hong-Kong were well known. The colony was overwhelmed by a flood of illicit Chinese opium. The problem was complicated by enormous fluctuations in the population of the colony. That made a registration system more difficult to apply than when the Chinese population was more or less permanent. Sir Malcolm Delevingne hoped that, in one way or another, Hong-Kong would find it possible to adopt the Commission's recommendation. He was prepared to accept a proposal in the sense suggested by the President, provided that account was taken of the special difficulties arising from the floating population of Hong-Kong.

Prince VIWAT (Siam) desired to state first that the Siamese Government had always considered that the application of the threefold system—registration, licensing, rationing—was the final step in the suppression of opium-smoking. All the measures hitherto adopted by the Siamese Government were preparatory steps to the introduction of the complete system. As was well known, in Siam every licit consumer of opium had to smoke in the smoking-establishments and no one was allowed to possess opium or a pipe. The Siamese Government had not taken the next and final step —that of registration, licensing and rationing—because the risk of proceeding further in restrictions was now apparent.

As to the system of registration pure and simple, the statements made by other delegates showed that that system offered considerable advantages. In the first place, it made possible a knowledge of the approximate number of smokers. In the second place, it furnished indications as to the rate of individual consumption. In regard to the first point, the Siamese system, under which smoking was not allowed elsewhere than in the smoking-establishments, made it possible to ascertain approximately the number of smokers. Prince Viwat recognised, however, that, in the absence of registration, it was impossible to ascertain the quantity consumed by each smoker. Nor did that system give information on other details, such as the sex and nationality of smokers. The Siamese delegate was therefore prepared to accept the recommendation concerning registration pure and simple. Referring to the method of identification of which the British delegate had spoken, Prince Viwat said that he considered it as more or less of a detail in the much wider subject of registration pure and simple. He thought that it afforded useful means for applying the system more effectively. The question would be considered when the plan for the introduction of registration came up for examination.

M. VAN WETTUM (Netherlands) wished to supplement the explanation he had given at the previous meeting when he had stated that in all official shops in the Netherlands Indies a register was kept for the entry of the names of all purchasers of opium. In order to derive the greatest possible advantage from that system, a second register was also kept, in which there was a separate heading for each consumer. The name of any one consumer might be entered many times over in the first register. As a rule, the second register recorded 100 per cent of the sales; in large shops in open areas, however, many of whose customers belonged to the floating population, only 70 to 80 per cent of the total sales were recorded. To obtain an idea of the total number of smokers in these latter shops, a count was taken of the individual consumers for one month, and the result was taken to represent the average for the whole year.

The PRESIDENT asked whether the French delegation could accept the principle of a recommendation inviting Governments which had not yet adopted the registration system to introduce it in one form or another, regard being had to the difficulties encountered where there was a floating population; the wording would be left to the Drafting Committee.

M. BOURGOIS (France) thought that the first thing to do was to distinguish between the system of recording of sales (" inscription ") and that of registration. Under the former system, as practised in Indo-China, the purchaser went to the retail shop and a record was made of the quantity delivered to him. Even supposing his name as well was taken, without any other formality, that would merely be a record of the sale. Registration implied more complicated formalities. The French delegation wished for time to reflect before taking any engagement or defining exactly the policy of the Government of Indo-China in this matter.

The PRESIDENT was not sure that the system of recording sales, including the name and address of the consumer, could not be regarded as a kind of registration.

M. BOURGOIS (France) replied that registration implied certain administrative measures, such as an application by the smoker to the local authority to have his name entered in the register, identification, taking of finger-prints or a photograph, etc. The system M. Bourgois had in mind could not be called registration; it was a simple entry in a book. In his view, it had certain advantages, since the formalities involved in registration might deter consumers and cause them to obtain supplies from the illicit traffic. The first step that could be taken should be merely to ask the purchaser for his name and address without any further formality.

M. TOUZET (France) explained that the characteristic feature of registration was an entry in a register with a serial number. The recording of sales in the strict sense of the term consisted merely of taking the name and address of the client at the place where he made his purchase. It might perhaps be possible to make a trial with the recording of sales in Indo-China, but the other system appeared to be more difficult, for reasons to which M. Touzet did not propose to revert. For the moment, the French delegation would have difficulty in considering anything beyond the recording of sales.

M. DE MAGALHÃES (Portugal) said that the Portuguese delegation realised that the system he had described at the previous meeting was not exactly the one proposed by the Commission of Enquiry. He would therefore have to say that, in the circumstances existing in Macao, a complete registration system would be very difficult to apply. It involved very complicated formalities, in particular the making out of medical certificates attesting the applicant's right to have his name entered as a confirmed addict. Such administrative measures would be unworkable in Macao.

Sir Malcolm DELEVINGNE (United Kingdom) proposed that the discussion should be closed by the adoption of a draft resolution or of some other text framed in accordance with the President's suggestion. The first thing to do was to define exactly what was meant by the term " registration ". Two methods were employed at present : (1) registration in the full sense of the word—that was to say, the system in force, although imperfectly, in Malaya and elsewhere—and (2) the other system mentioned by M. van Wettum.

Sir Malcolm Delevingne hoped that the Conference would make a choice between these two methods and proposed that it should pronounce in favour of the former, which was the more complete. In certain circumstances, however, it might be difficult or inexpedient to apply that system, and in that case the other method would have to be followed. As had been done in the Netherlands Indies, the Government might employ one system in one part of its territory and the other in other parts. That would be a great advance on the present position.

M. VAN WETTUM (Netherlands) said that, if he understood it correctly, the resolution proposed by Sir Malcolm Delevingne would place the system followed in the Netherlands Indies on a lower level. He could not agree to a resolution of that kind. His standpoint was quite different from his British colleague's. In his opinion, where it was possible to apply the system followed in the Straits Settlements, it might be accompanied by a system of licensing and rationing.

Sir Malcolm DELEVINGNE (United Kingdom) replied that the resolution, as he understood it, would merely suggest that the admirable example of the Netherlands Indies should be followed where circumstances required it.

M. VAN WETTUM (Netherlands) observed that, if a distinction was drawn between a system of complete registration and any other system, the question would at once arise why the system of complete registration was applied in Singapore and not in the Netherlands Indies. In the latter territory, every effort had been made to go as far as possible in the direction of reduction. The Netherlands delegation could not, therefore, agree to any such distinction as would be suggested by Sir Malcolm Delevingne's proposal. He would much prefer the distinction drawn by M. Bourgois, since it clearly brought out the difference between the two methods.

The PRESIDENT thought it might be possible to frame a resolution defining registration. The Conference might recommend that the Governments of territories in which there was no registration should adopt one form or the other of the two systems at present employed, according to the special circumstances in their territories. It would be best to leave Governments to improve, in the light of their own experience, whatever system of registration they might adopt.

M. VAN WETTUM (Netherlands) said that the Netherlands Indies would never adopt the registration system as applied in Malaya. The Netherlands Indies Government had shown, in practice, that, as soon as it was possible to introduce both rationing and licensing, that measure had been adopted.

M. BOURGOIS (France) suggested that the difficulty might be overcome by adopting a resolution urging Governments to arrange for a record of the names and addresses of purchasers together with the quantities sold. Each Government would be free to decide whether that information should be entered merely in a register kept by the retailer or in a special register after compliance with certain previous formalities and with certain other conditions at the time of sale; the purchaser might, for instance, be required to produce an identity card. Each Government would thus be left free to go as far as it thought fit in the direction indicated, according to the special circumstances existing in each area in its territory.

Sir Malcolm DELEVINGNE (United Kingdom) said that he could only repeat that, in his opinion, the system of complete registration was, from the administrative point of view, more complete and more effective than the other, though he recognised that, in some cases, its application might be difficult or even inadvisable. The Netherlands delegate had said that there was no intermediate stage between the two systems. Some Governments might not be in the happy position of the Netherlands Indies and might have to stop at the half-way stage of complete registration, without going so far as licensing and rationing. The United Kingdom delegation would find it difficult to agree to the two systems being placed on the same footing, since it thought that complete registration was the better plan.

It was decided to request the President to prepare a draft resolution which would be considered by the Drafting Committee and later by the Conference.

Licensing System.

Prince VIWAT (Siam) thought that the licensing system placed, if not more obstacles, at all events more difficulties, in the way of the licit consumer. The latter was bound to procure his supplies from a specified retail shop and to possess a pass-book entitling him to obtain opium. He could not buy more than a fixed amount. When supplies of smuggled opium were abundant and easily procured, it was inadvisable to place such difficulties in the way of the lawful consumer. The Siamese authorities had learned from experience that any measure of a restrictive character diverted consumption from lawful channels towards illicit supplies. Their most recent experience in this connection had been the issue of licences to consumers of dross. Those licences were issued for one year and were renewable at the beginning of each year. Four years ago, 2,581 licences were granted. In the current year, only 549 persons had applied for a renewal of their licences. It could not be assumed that the other 2,000 dross-smokers had died in four years. The consumption of dross, too, had fallen by 77 per cent. It was therefore to be supposed that recourse had been had to illicit sources, particularly as illicit dross seizures had increased by 300 per cent since the introduction of that measure. The experience gained in connection with dross licences was an excellent object-lesson on the uselessness and danger of restrictive measures at a time when there were abundant supplies of smuggled opium. The Siamese delegation was therefore unable at the moment to accept the recommendation on licensing and rationing as worded in the report.

Nevertheless, the Siamese Government approved the spirit of the recommendation. The laws in force in his country, moreover, laid down the principle of a complete system, embodying the three factors—registration, licensing, rationing. As he had previously stated, it was by way of the ultimate adoption of that system that the Siamese Government hoped finally to suppress opium-smoking.

M. LOBO (Portugal) said that, so far as Macao was concerned, the Portuguese delegation considered that a system of licensing and rationing was the direct consequence of the registration system.

In so far as it was possible to control a fixed population, the registration system might be introduced with some chance of success. The system could not possibly be applied to both classes of the population of Macao, since the floating population of 1,400,000 escaped all control. Even if registration was applied to the fixed population, numbering 160,000, it would obviously be easy for the people concerned to merge themselves in the floating population and thus, in their turn, evade registration. In short, so long as there could be no simultaneous control over both classes, it was impossible to apply the system in Macao owing to the special circumstances in that colony.

Sir Malcolm DELEVINGNE (United Kingdom) said that the question of the licensing and rationing of opium-smokers had engaged his Government's attention for many years. In 1924-25 he had proposed the adoption of such a system. That proposal had been rejected on the ground that, owing to the illicit traffic, it would not have much effect. Accordingly, the 1924-25 Conference had limited itself to the resolution in its Final Act. There matters had remained until the publication of the Ekstrand Commission's report. All delegates at the present Conference were agreed that the situation in regard to the illicit traffic could hardly be regarded as any, if at all, better than in 1924-25; in fact, there was evidence to show that it was worse.

There seemed to be some inconsistency in the reasoning of the Commission of Enquiry. Volume I, pages 135 and 136, of its report contained some very categorical remarks, which Sir Malcolm Delevingne understood to represent the conclusions of the Commission itself and not the views of the Governments. The passage in question read :

> " As long as illicit opium is freely offered to the consumer at prices cheaper than the legitimate article or in quantities which exceed those available to the legal consumer owing to restrictions on individual consumption, Government measures to limit consumption or

prevent the further spread of the habit will never lead to total suppression of opium-smoking. On the whole, Governments have gone as far in the control of the habit as the extent of the illicit traffic has permitted.

" Registration, licensing and rationing of smokers, prohibition of smoking among minors, women and certain racial groups of the population will not be effective when anybody can, without great difficulty, satisfy his demand for opium from illicit sources."

Later in its report, however, the Commission made the recommendation under discussion. It was, Sir Malcolm Delevingne thought, generally admitted that the finding set forth in the first sentence of the passage he had quoted was sound. Experience in other branches of administration had proved the same thing. For instance, the rubber-production restrictions enforced in Malaya had been followed by an enormous amount of smuggling.

The United Kingdom Government were still of opinion—an opinion it shared with the British Malaya Opium Committee of 1923—that licensing and rationing were important steps for bringing about the gradual suppression of opium-smoking. It was not, however, prepared, in the existing circumstances, to accept the general application of that system. It agreed with the Commission's view as stated on page 135 of Volume I of the report. An attempt to introduce such a system, if not impracticable, would, at any rate, not bring the Governments much nearer the solution of the problem of suppression.

At the same time, it did not follow that nothing could be done. There were only two alternative courses likely to produce effective results in present conditions. First, there was the policy, to which the American Government was committed, of the enforcement of total prohibition, so far as that was possible. Mr. Caldwell had admitted that that was not possible so long as smuggling continued on a big scale, but he had claimed that, on the whole, the American Government was in a better position than those Governments which had adopted only measures of control.

The second course—which, in Sir Malcolm Delevingne's opinion, was deserving of the Conference's consideration—was the gradual introduction of licensing and rationing as and where circumstances permitted. The grounds on which the Governments had come to the conclusion that the general application of the licensing and rationing system was not practicable did not have the same force in all areas. Owing to various causes, certain areas were much less exposed to the illicit traffic than others. It seemed therefore that there was a chance of making some advance by the gradual application of the licensing and rationing system in areas where smuggling was less intense and offered less difficulty in the way of tightening up control. In the Netherlands Indies, the authorities had experimented with various systems and had at length settled down to a regional system of application. For the British territories, it could not be claimed that all were equally menaced by smuggling. Sir Malcolm Delevingne could not make any definite proposal for them at the moment, as there had been no time to consider the matter and work out a scheme.

He would suggest that, while placing it on record that the Governments represented were not prepared to adopt the Commission's recommendation for the moment, the Conference should recommend, for the favourable consideration of the Governments, the possibility of applying a stricter system of licensing in areas where smuggling presented less difficulty. Valuable results might be obtained if the different administrations would apply their minds to something on the lines of the system followed in the Netherlands Indies, certain areas being marked, with all due allowance for the needs of existing smokers, as prohibition areas. In other words, control should be adapted to the circumstances in the different areas and be made as stringent as conditions and the illicit traffic allowed. The Governments might be requested to report to the League at the end of a specified period what they had been able to do and, so far as time allowed, what their experiences had been. Even if the experiment failed, the position would, he submitted, be no worse, and he did not believe it would fail. Smuggling would never cease altogether, and the execution of the policy to which all the Governments were committed by the Hague Convention was one of proceeding by gradual stages. The Governments should advance as far as they could on the road towards complete suppression, provided nothing was done that would hamper the control existing at present.

M. EKSTRAND, Chairman of the Commission of Enquiry, in reply to Sir Malcolm Delevingne, explained that, upon the termination of its enquiry, the Commission had come to certain conclusions immediately, while it had reached others only later. One of the first conclusions formed was that, unless the control of poppy-cultivation could be introduced, the system of supervision must be a very efficient one in all the territories concerned. The second conclusion reached at once was that there could be no adequate system of supervision unless effective action could be taken against the illicit traffic. These two conditions the Commission had regarded as fundamental for the success of the campaign against opium-smoking. It had reached a further conclusion, that much still remained to be done in regard to both the reduction of poppy-cultivation and the measures for combating the illicit traffic. The enquiry would have borne somewhat meagre results had the Commission been content to leave matters there, had it limited itself to these two conclusions and said that nothing could be done until effect had been given to them.

The Commission's idea, therefore, was that the measures to be adopted pending the fulfilment of these two conditions should be introduced gradually, and that the different countries should, so far as possible, keep abreast with one another in introducing them—that was to say, that improvements effected in one country should stimulate the others to bring about the same reforms as soon as circumstances allowed.

There was sufficient evidence to show that licensing and rationing were feasible in some areas; this had been proved in the Netherlands Indies. The Commission's report might not give

the impression that all the countries concerned had fulfilled their obligations in every respect. The Commission had found that the circumstances and difficulties differed so widely in the various territories that it was not possible for all to introduce the same measures simultaneously. It had accordingly attempted to ascertain how far their difficulties had prevented some countries from developing their preventive measures as far as others had done. The comparative table at the end of the report showed the points in which each had been able, in the opinion of its Government, to fulfil its obligations.

M. KUSAMA (Japan) approved Sir Malcolm Delevingne's proposal in principle. He understood that the recommendation would not apply to territories where the licensing system already existed.

M. BOURGOIS (France) said that his delegation could not accept the proposal in principle. Owing to the intense contraband trade in Indo-China, it saw no possibility of instituting and enforcing the licensing and rationing system at the moment. The acceptance of the recommendation contemplated would, to a certain extent, constitute an engagement, and it would suggest that important results could be obtained. The French delegation could, however, accept the principle of recording purchases.

Sir Malcolm DELEVINGNE (United Kingdom) had thought that the French delegation might have gone so far as to recommend for favourable consideration by its Government the possibility of introducing the licensing system in the parts of Indo-China less seriously menaced by smuggling.

M. TOUZET (France) said that smuggling was particularly brisk in Tonkin and in the northern half of Annam. The south of Indo-China was less affected. He was not sure, however, whether the adoption of the measures proposed might not have the effect of developing smuggling in the south as well. Sir Malcolm Delevingne was certainly aware of the close relations existing between the southern provinces of China and Cochin-China. There was an active trade in both directions, and there was every ground to fear that, if special difficulties were created for opium-smokers, the introduction of the licensing and rationing system would cause an increase in the illicit traffic. The French delegation did not want to adopt a recommendation and at the end of two years have to report that it had been impossible to take any action. It was prepared to make a reservation at once and to say that it did not see the possibility of setting up in the south of Indo-China a system materially different from that employed in the north.

Prince VIWAT (Siam) said that he had been unable to give full consideration to the proposed system of regional application of the registration, licensing and rationing system, but at first sight it seemed that the more stringent the control, the more intense the illicit traffic was likely to be. Siam could not be divided into parts from the point of view of physical geography. Communications from north to south were fairly easy, and there was no apparent reason why the illicit trade, which was at present so active in the north, should not flow southwards when there was a greater demand in the south. Further, if a complete system of registration, licensing and rationing was to be applied in one territory, it must be enforced in the contiguous territory, otherwise the door would be open for illicit traffic across the frontier. He was, however, prepared to recommend for his Government's careful consideration the possibility of introducing the scheme outlined by the British delegate.

M. DE MAGALHÃES (Portugal) observed that the question of licensing was fundamentally linked up with that of registration, and the reasons for which registration in the form suggested could not be introduced in Macao at present had been explained. Consequently, though it approved the recommendation in principle, his delegation could not vote for a resolution which would be inapplicable in its territory.

The discussion was adjourned to a later meeting.

RECOMMENDATION No. 13.

Compulsory Smoking in Public Smoking-Establishments.

Prince VIWAT (Siam) said that compulsory smoking in public establishments had been enforced in his country for about ten years. The Siamese authorities felt very satisfied with the system, and he was therefore in full accord with the first paragraph of Recommendation No. 13.

Sir Malcolm DELEVINGNE (United Kingdom) said that it would be more convenient to him to take the two paragraphs of this recommendation together. His Government had two objections to the recommendation. First, it had been its policy for a long time to discourage the smoking of opium in public. It considered that the disadvantages of permitting smoking in public outweighed its advantages. In Hong-Kong, the divans had been closed in 1910. In Malaya, while they had not been suppressed, the Government's policy was to discourage the practice, and there were at present no divans in the Straits Settlements and very few in the Federated Malay States. His Government would have very great difficulty in reversing its policy, unless it was satisfied that the change would be an improvement.

Secondly, it had objections based on the second part of the recommendation, which involved the setting up of a very large number of establishments and the scrapping of the existing organisation. It would also necessitate, as Prince Viwat had shown, the employment of a very large number of officials, and there would be difficulty in finding persons qualified to manage or be employed in the Goverment divans.

Finally, he was convinced that the disadvantages were very much greater in the case of establishments run by private individuals.

The PRESIDENT asked whether, at the time when divans were still allowed in Hong-Kong, it had been made compulsory for smokers to smoke in the divans only.

Sir Malcolm DELEVINGNE (United Kingdom) replied in the negative.

M. BOURGOIS (France) entirely approved Sir Malcolm Delevingne's conclusion. There was no adequate reason for changing a policy which had been very strongly recommended at Geneva and at earlier conferences. The French Government had suppressed the divans in Tonkin and Annam; over three hundred had been closed in the other parts of Indo-China in the last few years. The recommendation would make it necessary to reopen them and increase the number. There were many arguments against public divans. They attracted smokers and kept them from their families. Their alleged advantages were not sufficient to warrant the reversal of the policy which had been recommended hitherto and followed by all the Governments.

M. VAN WETTUM (Netherlands), with reference to the questions of public smoking-establishments and Government-owned divans, could only repeat what he had said in his first statement.[1]

M. LOBO (Portugal) said that, when they established the Government Monopoly, the Macao authorities had been instructed by the home Government to follow the policy of reducing the number of public divans. They had been carrying out that order. The Commission's proposal seemed to imply an increase in the number of divans and was therefore in conflict with the policy enjoined by the Portuguese Government.

Mr. MARSHALL (India) stated that the Government of Burma could not accept the recommendation. There were no public smoking-establishments, and there never had been any, in Burma. The Government was definitely opposed to the system of Government smoking-divans. The question of permitting licensed divans was under consideration, but, even if they were allowed, the Government could not provide for compulsory smoking in them, because smokers were not very numerous and were scattered all over the province, so that it would be a question of providing establishments for two or three smokers only.

M. KUSAMA (Japan) observed that M. Yatabe had already explained that the Japanese Government's general attitude and policy in the question of public smoking-establishments would not be modified in order to follow out the Commission's recommendation, which would mean setting up again a large number of public divans. The Japanese Government's policy for some years past had been based on Article 17 of the Hague Convention. That policy was to suppress the divans and similar establishments.

The Formosa Government had abolished all divans in 1929, when the new regulations came into force. It would be difficult to close and reopen the same institutions from one day to another. The position in the Kwantung Leased Territory was rather different, but the policy of restricting the number of divans and finally abolishing them would be pursued and carried out, if practicable.

Prince VIWAT (Siam) remarked that the general opinion seemed to be that the system of compulsory smoking in public establishments was worse than that of permitting smoking at home. He did not propose to discuss in detail the advantages and disadvantages of the two systems, but would refer delegates to Volume II, page 244, of the Commission's report, where the Commission indicated the advantages of the system it recommended. The point Prince Viwat wished to stress was the great advantage of the system from the point of view of the control of dross; the Siamese Government had been able to withdraw from the market practically all the dross accruing from the smoking of licit opium.

The PRESIDENT did not think it possible, in the circumstances, to proceed further with Recommendation No. 13.

ELEVENTH MEETING (Public)

Held at Bangkok on Friday, November 20th, 1931, at 8.45 a.m.

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22. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 14.

Regulations regarding Disinfection of Opium Pipes.

Prince VIWAT (Siam) said that his Government entirely concurred in the first paragraph of the recommendation, concerning the disinfection of pipes, and was prepared to take action to put the recommendation into effect as soon as possible. The second paragraph, that dealing

[1] See Minutes of the second meeting.

with smokers authorised to smoke at home, was already applied in the sense that such persons might not possess pipes without a Government licence. Steps would be taken as soon as possible to carry out the recommendation with regard to the sterilisation of private pipes as well.

M. VAN WETTUM (Netherlands) said that his Government could not adopt either of the two recommendations. It was to be feared that the result of making the disinfection of pipes compulsory would be to send smokers to the smugglers. The taste was the main thing for smokers, and they preferred an old pipe to a new one. As to the second paragraph, it would be impossible to exercise adequate supervision over persons authorised to smoke at home. A licensing system for pipes had been enforced in part of the Netherlands Indies for some years, but had had to be abandoned as a failure.

Mr. MARSHALL (India) said that, in the opinion of the Government of Burma, the disinfection of pipes was a somewhat unimportant matter of detail which might be left to the Governments concerned. It did not fall within the problem of the policy to be followed with regard to opium, but was a question of public health. Besides, there was reason to fear that such a measure would not hasten the disappearance of the opium-smoking habit. The Government of Burma did not accept the first paragraph of the recommendation.

As regards the question of licensing pipes, the Government of Burma had, in 1923, examined a proposal to introduce legislation to provide for the licensing of opium pipes, but had dropped it, as it was considered unworkable. Nevertheless, it was prepared to reconsider the question of licences to possess a pipe.

Sir Malcolm DELEVINGNE (United Kingdom) said that there were no public smoking-establishments in the British possessions, with the exception of two or three in Malaya which would be closed shortly.

The second paragraph of the recommendation appeared to be a corollary to Recommendation No. 13, and it fell to the ground if Recommendation No. 13 was rejected. The recommendation as to licences to possess a pipe was equivalent to introducing the licensing system in a disguised form.

M. EKSTRAND, Chairman of the Commission of Enquiry, said that the Commission intended the second paragraph to refer to persons who smoked in private. In the case of public establishments, the Commission regarded pipes as necessary paraphernalia. Licences could, of course, be issued, but they would be made out in the name of the person directing the establishment. With regard to persons authorised to smoke elsewhere than in public establishments, the Commission considered that they came within the general category and that the pipes they used should also be inspected and disinfected. The Commission had come to the conclusion that infectious diseases could be communicated, not only through pipes smoked in public establishments, but also through those of individuals who smoked at home. It did not think that the issue of licences for the possession of pipes was necessarily bound up with compulsory smoking in public divans. The rejection of Recommendation No. 13 did not automatically entail the dropping of No. 14.

Sir Malcolm DELEVINGNE (United Kingdom) said that the wording used in the first sentence in the second paragraph showed that the provision contained in it was a consequence of Recommendation No. 13. No. 13 made it compulsory for smokers to resort only to public establishments, except in the case of persons in possession of a special licence. The second paragraph in No. 14 dealt with persons in this category.

M. BOURGOIS (France) thought, with Mr. Marshall, that the disinfection of pipes was not a matter for an international convention nor even for a recommendation in an international agreement. It was a simple question of hygiene, in which each Government had discretion.

M. KUSAMA (Japan), with reference to the first paragraph, said that in Formosa there were at present no public smoking-establishments, so that the question did not arise for that territory. In the Kwantung Leased Territory, smoking was still allowed in certain retail shops, and the recommendation could be put into effect without any objection of principle on the part of the administration. The police authorities could carry out the health measures suggested at the same time as their duties of inspection. It seemed doubtful, however, whether the Conference could accept the terms of the recommendation as it stood.

With regard to the second paragraph, the opium regulations in Formosa prohibited the sale, purchase, transfer, possession or holding of any instrument for smoking opium without authorisation from the Government-General, though there were certain exceptions to cover wholesale distributing agents, the manufacturers of instruments, and smokers holding a licence. Hence, the opium regulations in Formosa were already in conformity with the Commission's recommendation. There was no special licence, in the strict sense, for the possession of a pipe, but, in fact, no one could be in possession of a pipe without a licence. The regulations in Kwantung were similar. The Commission's recommendation went further, however, because it proposed the disinfection of pipes. In M. Kusama's view, that was an internal matter within the discretion of the administration.

M. BOURGOIS (France) added that the Government of Indo-China was, of course, in favour of any step that would promote hygienic notions among the inhabitants. He pointed out, however, that the obligation to take out a licence for the possession of a pipe would be a tiresome and misplaced formality. It presented certain definite drawbacks and its advantages were doubtful.

M. LOBO (Portugal) said that the Macao Government had carefully considered the possibility of carrying the Commission's recommendation into effect, but had at once perceived that there would be difficulty in identifying smokers. What method could be used to collect pipes, number them and disinfect them properly? The Bureau would have the utmost difficulty in tracing the owner of each pipe. At the moment, it seemed impossible to take immediate action on the recommendation. The Portuguese Government nevertheless warmly sympathised with any recommendation which aimed at public health. He agreed, however, that the matter was one for the Governments and had no connection with the policy to be followed in regard to opium.

The PRESIDENT summed up the debate and suggested that the Conference should confine itself to taking note of the opinions expressed.

The proposal of the President was adopted.

RECOMMENDATION No. 15.

Collection of Dross (Article V of the 1925 Geneva Opium Agreement).

Prince VIWAT (Siam) said that Article V of the Geneva Agreement confirmed the view that dross, eaten or smoked, was more harmful than opium. The apparent object of the article was to prevent the consumption of dross. The Siamese Government entirely approved Recommendation No. 15, which advocated the system in force in Siam.

Mr. MARSHALL (India) referred to the passage in Volume I, page 34, of the Commission's report reading :

> " As dross is used for various purposes, the question of the morphine content of dross is of great importance. Very little scientific knowledge exists in this respect. . . . The question of the morphine content of prepared opium and dross and the harmfulness of the use of dross is a question that requires scientific research."

The Government of Burma considered that the scientific investigation referred to should precede any measure based on the argument that dross had harmful effects.

The Government of Burma accepted the principle that it was desirable to recover dross, but it doubted whether the recommendation would prove workable. It was willing to make an effort to recover dross, but, as there were no public divans in the territory, no appreciable results could be expected. Again, the Commission's recommendation referred mainly to dross produced in smoking-establishments and hence did not apply to Burma at present. It was to be feared that any dross that might be recovered from individual smokers at home would be very much adulterated and that smokers would sell to the Government, instead of dross derived from Government opium, that derived from illicit opium.

The PRESIDENT pointed out that the signatories to the Geneva Agreement had committed themselves to a policy of suppressing dross and reminded the Conference that, during the discussions in 1924-25, it had been agreed that consumption of dross was more harmful than that of opium.

Mr. MARSHALL (India) replied that the prohibition was already applied in Burma, but that it could not be inferred from the terms of Article V that dross was more harmful than opium.

M. LOBO (Portugal) explained that, under the law in Macao, all transactions in dross, except with the Monopoly, were forbidden. Practice had shown the great difficulty of collecting the entire quantity of dross derived from the opium smoked in the divans, not to mention that consumed by the floating population. The licensed divan-keepers adulterated the dross by mixing another substance with it, so as to increase the quantity and weight. Proceedings had been taken against certain of the licensed divan-keepers, as might be seen from the reports to the League of Nations. The Macao Government did not see how it would be possible to take more stringent measures for the more effective supervision of the recovery of the dross smoked in the colony. Reference to the League documents showed that in 1927 only 20,000 taels of dross had been recovered, whereas the consumption of opium exceeded 120,000 taels. These figures were hopelessly at variance with the normal quantity derived, which was about 40 per cent. Subject to the foregoing reservations as to the difficulty of applying the prohibition, the Portuguese delegation accepted Recommendation No. 15, which was in line with Macao law.

M. VAN WETTUM (Netherlands) asked M. Lobo whether the Portuguese delegation approved the recommendation that a smoker should not be allowed to buy a fresh supply of opium unless he handed over the quantity of dross corresponding to his previous purchases.

M. LOBO (Portugal) could only reiterate the difficulties he had already mentioned.

M. VAN WETTUM (Netherlands) had already explained his Government's position with regard to dross. In conformity with Article V of the Geneva Agreement, dross was sold only to the Monopoly in the Netherlands Indies. It was taken back by the factory, which subjected it to a further process of preparation in order to recuperate the non-burnt chandu therein, and mixed this product with Monopoly opium for resale to consumers. It had been found that the opium thus obtained had a better taste.

The first proposal in Recommendation No. 15, that dross produced in smoking-establishments should be collected on the spot, was already applied in the Netherlands Indies. This resale to the Government by the divan-keeper of the dross collected in his establishment was one of his means of livelihood.

It had already been explained that in the Netherlands Indies it would not be possible to go so far as the provision in the second sentence to the effect that smokers should not be allowed a fresh supply of opium except on delivery of the dross corresponding to their previous purchases. Not only could fraud not be prevented, but not every smoker used his own pipe, and the dross collected varied in quality. Some smokers mixed cut leaves with their opium, and the residue could not serve any useful purpose.

The third sentence in the recommendation concerning the adulteration of dross raised a still greater difficulty. Any attempt to recover the largest quantity possible of dross acted as a stimulus to adulteration of dross.

The Netherlands Government considered it to be of primary importance to encourage consumers to resell their dross to the Monopoly and had done its utmost to prevent this harmful residue remaining in the hands of smokers. Various steps had been taken; high prices had been offered for dross resold to the Monopoly and payment was made in cash. This policy had had to be given up in 1912, as it had been found that it gave rise to fraud. As to the percentage of dross bought by the *régie*, M. van Wettum had already explained that the figure was very low. In 1912, when the policy of payment in cash had been abandoned, there had been a very marked fall in the quantities of dross handed in to the Monopoly. The Netherlands Government was at present considering by what other means consumers could be encouraged to sell their dross to the Monopoly.

M. YATABE (Japan) said that in both Formosa and Kwantung the purchase and sale of dross—apart from its sale to the Government—were prohibited by law. He reminded the Conference that smokers obtained their opium from retailers. The adoption of the method recommended by the Commission—viz., that smokers should be compelled to hand over the dross from the opium previously smoked before being allowed to make a further purchase—would mean that the dross would be received and collected by the retailers. The Japanese Government would accordingly find it difficult to accept that recommendation.

M. TOUZET (France) explained that in Indo-China the disposal of dross was regulated by a decree dated February 7th, 1899. According to that decree: (1) the transport of more than twenty grammes of dross without authorisation was prohibited; (2) the sale and transfer of dross without the authorisation of the Monopoly were prohibited; (3) any purchaser, whether a retailer or private individual, might sell his dross to the Monopoly and the latter was bound to buy it at a fixed price. The decree also prescribed that purchasers of opium must, at the time of purchase, deposit an amount equivalent to the value of the dross contained therein. The deposit was refunded when the dross was brought back. In practice, the results of this system had been very far from satisfactory. The Monopoly had become involved in book-keeping complications, its supervision had become less effective and the collection of dross had provided retailers with opportunities for fraud. Further, as there was only one opium factory in Indo-China, the dross collected in remote districts had to be sent to Saigon for expert examination. This involved great delay, and the consumer's deposit could not be refunded until after an interval of forty or fifty days. The consequence had been that smokers had given up bringing their dross to the Monopoly. The new law differed from the old only in that the Monopoly was not bound to take back the dross but might do so at its discretion. The new system, too, had yielded practically no results.

The Government of Indo-China was, nevertheless, anxious to follow the path indicated by the Commission of Enquiry and was seeking means for doing so. There were many difficulties to be overcome. The private smoker was inclined to consider the dross produced from the opium he had purchased as his own property. It was hardly possible to contemplate searching private houses. Nor, in view of the ease with which smuggled opium could be procured, was it possible to compel purchasers to hand over their dross to the Monopoly whenever they made a new purchase. Moreover, the exercise of supervision over dross was particularly important only in so far as it led to an improvement from the health point of view. As very strict supervision was being exercised over the keepers of retail shops and smoking-establishments, it might be asserted that the mixing of dross with smoking-opium had become very rare, since it involved too much risk. Notwithstanding these difficulties, the Government of Indo-China was reconsidering the regulations governing the collection of dross. Its enquiries were not sufficiently advanced for M. Touzet to say anything more regarding them, and he did not know how far the results would be successful.

Sir Malcolm DELEVINGNE (United Kingdom) said that his Government was of opinion that the habit of smoking dross or of swallowing it was harmful and should be suppressed by all possible means. The report of the Malaya Opium Commission in 1924 contained a statement that a considerable body of evidence went to show that the consumption of dross was more harmful than that of opium. That constituted the basis of British policy. The steps taken were those which seemed to be most effective with a view to collecting the maximum quantity of dross, and

high prices had been offered for all dross brought to the Monopoly. It could not, however, be claimed that much success had been achieved. There were considerable administrative difficulties of three kinds : (1) There was the adulteration of dross by the addition of various materials for the purpose of increasing its quantity and weight. (2) Smokers frequently handed over to the Monopoly dross derived from smuggled opium. Unless a chemical substance was mixed with licit opium, it was difficult to distinguish its dross from that produced from smuggled opium. (3) Dross might be smoked a second time before being brought to the Monopoly.

Apparently, those difficulties could not be overcome unless a test could be made on the spot—that was to say, in the Government retail shops—instead of waiting until the substance handed in by the purchaser had been analysed by the central Government laboratory. That was particularly important when small quantities were being handled, as would be the case if the recommendation of the Commission of Enquiry was adopted. The Malaya Commission thought the matter was sufficiently important to justify every effort to overcome the practical obstacles.

The administration had made experiments with a view to discovering a simple and practical test, but, so far, without success. If tests could be applied on the spot, the other measures suggested in the recommendation might also be adopted. The matter might be further considered during the discussion of the question of scientific research.

The difficulties of collecting dross were increased when reliance had to be placed on the good will of licensed dealers. M. Lobo's statements showed that, in Macao, fraudulent practices were engaged in by the approved persons acting as licensees of the retail shops. That went to confirm what Sir Malcolm Delevingne had previously said—namely, that the system under which the licensees were chosen by a Chinese expert was open to objection.

The practice followed in the Netherlands Indies of re-preparing the dross collected by the Monopoly, mixing it with chandu prepared from raw opium, was not known in the British possessions, but he had no objection to raise against it if there were sufficient reasons for thinking that dross so re-prepared was no longer harmful.

In conclusion, though he sympathised strongly with the recommendation of the Commission of Enquiry, he saw great difficulties in the way of its adoption in the existing state of scientific knowledge. Nevertheless, if research seemed to make its application possible, his Government would be prepared to consider measures of the kind suggested.

M. LOBO (Portugal), in reply to Sir Malcolm Delevingne's observation, explained that the system at present in force in Macao was the same as that existing when the Monopoly was instituted in July 1927. After careful consideration, the Portuguese Government had found that the best method of supervising the licensed vendors and keepers of smoking-establishments was to have someone attached to the administration for this purpose. If the administration had to deal directly with the vendors and divan-keepers and there was no one else to answer for them, it would be easy for them to evade supervision.

It might be asked whether there had been no adulteration of dross in the countries where that system was not employed. It would be wrong to suppose that the fact that the expert acted as intermediary between the Government and the licensed vendors and divan-keepers was the direct cause of adulteration. The expert's services were useful because he was responsible for the good behaviour of the licensed vendors and divan-keepers. In Macao it was easy to evade the arm of the law, as the Chinese border was only a few minutes away, and the expert had often been very helpful by informing the authorities in good time of misconduct on the part of a vendor or divan-keeper. The system had given good results and was regarded by the Portuguese Government as affording the best method of discharging its international obligations.

Prince VIWAT (Siam) said that the Siamese Government was well aware of the difficulties in the way of the collection of dross. Under the system in force in Siam, the licensed opium shops were under both a legal and a contractual obligation to the Opium Department to return all dross derived from the smoking of opium in their shops. The return of dross to the Government, for which the licensees received payment, was their sole source of remuneration, because they were required to sell chandu at the price which the Monopoly charged them. When the licensee brought the dross to the depot from which he had bought opium, it was examined by the dross examiner. If the latter found it to be good dross of the first quality—that was to say, that it had not been re-smoked or adulterated—he paid the licensee on the spot, but such payment was conditional, the last word resting with the Director-General of the Opium Department. If the depot examiner was in doubt as to the quality of the dross, he suspended payment pending the final decision of the Director-General. All dross received at the opium depot, whether it was considered of good or doubtful quality, was sent to the Opium Department, where it was again examined by the official examiners of the Department. If the Department came to the conclusion that the dross was of good quality, it notified the licensee that the dross had been passed as good and the payment became final. When it was suspected that the dross had been adulterated, it was sent for analysis. If upon analysis it was found not to be adulterated, the payment, if made already, was confirmed. If it was found that the dross had been adulterated or re-smoked, it was confiscated, and, if necessary, the Director-General required the licensee to make repayment of the money he had received. The shop-keeper was also liable to prosecution under the opium laws. The fact that the sale of dross to the Government was the licensee's sole source of income acted as a check on adulteration of the dross returned to the Opium Department. It likewise encouraged the shop-keeper to see that smokers did not re-smoke, adulterate or steal dross. This system, though not perfect, had so far been found workable.

Next, on the question of the disposal of dross Article V of the Geneva Agreement said nothing definite, because it prohibited only the purchase and sale of dross except to the Monopoly. In the last four years, the Siamese Government had collected an average of 700,000 tahils of dross per annum. Under the special reservation it had made to Article V, a small quantity was resold to licensed dross addicts; the amount resold in the year 1930-31 had been 9,500 tahils, or just over 1 per cent of the total quantity collected. This method of disposal would completely cease in a year or two, as few dross addicts were applying for the renewal of their licences.

In October 1930, the Government had disposed of about 2,300,000 tahils of dross, representing three and a half years' accumulation, by dumping it in the sea. The dross collected since then amounted at present to 600,000 tahils. The costs of collection to the Government were 3,000,000 ticals, or just under 1,500,000 gold dollars, per annum. The Government naturally desired some return for this expense, provided the dross could be put to some innocuous use.

Now, the morphine content of dross was high, almost the same as that of raw opium. The possibility of using dross as a source for the production of morphine had never been considered by previous opium conferences. The probable reason was that the accumulated amount had never been large enough to make this a practical proposition. No country had hitherto had a large accumulation. Previously, dross had usually been consumed by either eating it or smoking it either pure or mixed with chandu. Eating dross was generally recognised as the more harmful practice, but smoking it either pure or mixed with chandu was also bad. The purpose of Article V of the Geneva Agreement had obviously been to prevent these two methods of consumption.

If dross could be used as a raw material for the manufacture of morphine, it should plainly be classified with raw opium, which, under the existing Conventions, might be sold or exported when destined for medical and scientific needs. As everyone was aware, there was more morphine in the world than was required to satisfy those needs, but its production was not limited by the scarcity of raw opium. If, therefore, some dross should be used for the purpose of morphine extraction, it would not increase the total amount of morphine. Although the amount of dross converted might not be very large, it would reduce by an equivalent amount the quantity of raw opium used for the preparation of morphine.

Prince Viwat, accordingly, would ask the Conference to consider whether the dross collected by the Governments could not be sold and exported for the manufacture of morphine for medical and scientific needs, on the understanding that it would be subject to the same control as that applying to raw opium intended for the same purpose. It should be added that, hitherto, the Siamese Government had made no attempt to sell dross for conversion into morphine.

M. TOUZET (France) reminded the Conference that the quantity of illicit opium seized in Indo-China each year was fifteen tons, whereas the official consumption in the last three years had averaged sixty tons. It followed that, under the Commission's recommendation, the Government might have to buy large quantities of dross derived from smuggled Chinese opium. Owing to the contraband trade, the repurchase of dross would accordingly present insuperable difficulties for the administration. Nevertheless, the Government would make a third attempt to collect dross and so discharge its international obligations.

The PRESIDENT observed that it was plain, from the statements of the various delegations, that legislation had been enacted in the various territories to conform to Article V of the Geneva Agreement. The difficulty was to collect the amount of dross equivalent to the amount of opium smoked and, except in Siam, the quantity collected was very small. In the circumstances, he took it that the Conference would wish merely to take note of the position of the various Governments in the matter.

With regard to the disposal of dross, two systems had been placed before the Conference—that of the Netherlands Indies and that followed in Siam. The Siamese delegation had asked the Conference to consider a definite proposal. It considered that the conversion of dross into morphine for medical and scientific purposes was in conformity with the spirit of the 1925 Agreement and it had referred in this connection to Article XI.

Sir Malcolm DELEVINGNE (United Kingdom) did not think that any objection could be taken, on the merits of the case, to the extraction of morphine from dross, provided it was destined for medical or scientific purposes in accordance with the conditions of the Geneva Conventions.

He would suggest that, as a result of the whole discussion, the Conference might adopt three resolutions on the following lines:

"1. The Conference approves the principle of Recommendation No. 15 of the Commission of Enquiry, but points out that, in territories where smoking in public smoking-establishments is not compulsory, its effective application depends on the existence of a simple test which can be carried out on the spot and recommends that joint research be made to discover such a test.

"2. The Conference sees no objection to the extraction of morphine from dross, provided it is destined solely for medical or scientific purposes in accordance with the Conventions in force.

"3. The Conference has no objection to thec onversion of what is termed first-quality dross for mixture in small quantities with chandu manufactured from raw opium, to improve the taste."

M. TOUZET (France) said that the French delegation would like to see an addition to the resolution referring to the question of smuggled opium. In speaking of the fifteen tons of contraband opium seized each year, he had not, of course, included in that quantity the enormous and incalculable amounts that escaped seizure. The proportion of the quantity seized to that not seized was unknown. The dross of illicit opium which had evaded control might be brought to the Government depot for purchase. And what would happen if there sprung up a contraband trade in dross derived from opium smoked in Yunnan?

M. VAN WETTUM (Netherlands) asked what action Sir Malcolm Delevingne proposed in the case of the numerous class of smokers who failed to hand in their dross.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that, under recommendation of the Commission of Enquiry, they would be unable to buy further supplies of Government chandu.

M. VAN WETTUM (Netherlands) could not agree, in that case, to the first resolution. He could not see what was the practical value of the third recommendation. If the Government recovered so much dross that, in its opinion, the morphine content of the chandu became too high, it could buy raw opium of a lower morphine content than that purchased at present. However, the measures which would then have to be taken could be decided upon by his Government when that situation had become an actual fact.

M. STEINMETZ (Netherlands) observed that, under Sir Malcolm Delevingne's proposal for joint research for an easy test, the countries which mixed a secret chemical substance with the Government chandu would have to communicate the secret to all persons conducting the research. Hence, it would be difficult to have any such test. Further, an easy test, which could be carried out on the spot, had been employed in the Netherlands Indies, but had been dropped because it had led to fraud on the part of both officials and retailers, who had adulterated the dross with materials of various sorts.

Sir Malcolm DELEVINGNE (United Kingdom) asked whether such adulteration could not be detected when the retailer sent in the dross for examination by the Government analyst.

M. STEINMETZ (Netherlands) observed that, if the dross had to be sent to the Government analyst, there would not be much use in having an easy test that could be carried out on the spot.

Sir Malcolm DELEVINGNE (United Kingdom) replied that the Siamese system might be adopted —namely, an easy preliminary test with subsequent analysis by the Government laboratory.

M. STEINMETZ (Netherlands) feared that that method would be too complicated for the Netherlands Indies.

Sir Malcolm DELEVINGNE (United Kingdom) understood that M. van Wettum would prefer the Conference not to commit itself to approval of the principle in Recommendation No. 15. He would accordingly be prepared to modify his resolution so that it would say :

> " The Conference recommends that all possible steps be taken to recover dross, but points out that, in territories where smoking in public smoking-establishments is not compulsory, the effective recovery of dross . . . "

M. VAN WETTUM (Netherlands) believed he could accept this text.

With regard to the Siamese proposal concerning the conversion of dross into morphine, he thought that there was no need for the Conference to express an official opinion. Each Government was free to dispose of its dross as it saw fit.

Mr. MARSHALL (India) agreed.

M. KUSAMA (Japan) observed that the Geneva Agreement made no provision for the disposal of dross. Hence, under the terms of the Agreement, each Government was entitled to dispose of its dross at its own discretion. The manufacture of morphine came under another Convention, which did not directly mention the conversion of dross into morphine. It seemed, therefore, that the Conference was not competent to consider the extraction of morphine, whether from dross or from raw opium.

On the proposal of the French and Japanese delegations, *it was decided to adjourn the discussion until Sir Malcolm Delevingne's resolution had been circulated in writing.*

The PRESIDENT thought that there had been a slight misunderstanding regarding the Siamese proposal. The Siamese Government had no intention of setting up a morphine factory. It merely desired to know whether, if there was at any time a European market for dross for the manufacture of morphine for medical and scientific purposes, it might, under Article V of the 1925 Agreement, act in that way as though the substance in question was raw opium. It appeared, from the statements that had been made, that such a procedure would not be contrary to the 1925 Agreement.

23. Credentials of the Delegate of India.

The PRESIDENT read a letter of November 19th, 1931, from the British Minister at Bangkok to Mr. Marshall, delegate of India, announcing the receipt of a telegram from the Government of India appointing Mr. Marshall as its representative at the Opium Conference at Bangkok and authorising him to sign on its behalf any convention or agreement that might be concluded.

The Conference took note of this announcement.

TWELFTH MEETING (Public)

Held at Bangkok on Saturday, November 21st, 1931, at 8.45 a.m.

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24. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 2.

Scientific Research.

Mr. MARSHALL (India) said that the Government of Burma accepted this recommendation to the extent to which financial conditions allowed it to be applied. He assumed that the League of Nations would publish the results of such research.

M. YATABE (Japan) stated that the Japanese Government supported Recommendation No. 2.

Prince VIWAT (Siam) said that, although the Siamese Government approved the principle underlying Recommendation No. 2, it thought that, in practice, scientific research would be really useful only if conducted in accordance with a concerted plan agreed upon between the Governments concerned. If the central bureau mentioned in Recommendation No. 18 was set up, it might be entrusted with the framing of such a plan, subject to the approval of the Governments interested.

M. BOURGOIS (France) did not think that the Conference intended to entrust the studies in question to the central bureau forthwith, as its existence was still very uncertain. The League of Nations Health Organisation would obviously be qualified to consider, in conjunction with the Advisory Opium Committee, the organisation of the scientific research proposed.

Sir Malcolm DELEVINGNE (United Kingdom) thought that the Conference would be unanimous in stating that scientific research was desirable in regard to certain matters closely connected with the problem of opium-smoking. If useful work was to be done, the following points must be considered : (1) the objects to be aimed at in the research, (2) the methods to be followed in that research, (3) certain other subsidiary points to which he would refer later.

1. *Objects of Research.*—Research should be directed towards practical aims directly connected with the problem engaging the attention of Governments. In the commentary which preceded the actual text of Recommendation No. 2, the Commission of Enquiry mentioned, as examples, certain points that might be studied. There was the question of the effect of opium-smoking on the individual. This was still a matter for dispute in some quarters, though the Hague Convention and the 1925 Agreement were, of course, based on the recognition of the harmfulness of opium-smoking. An authoritative pronouncement on this question by a competent body would be valuable, if only to put an end once for all to the controversy. An authoritative statement as to the effect of dross upon the consumer, although there seemed to be no room for dispute on that matter, might be useful.

Successful research with a view to the discovery of harmless substitutes for opium would amply compensate all the efforts put forth. It was still true to say that very little was known as to the cause of the harmful effects of opium. An analysis of the smoke from opium had shown that that smoke contained only a very small proportion of morphine. It might be matter for investigation whether the harmful effects of opium were due to other constituents of the smoke or to any other cause.

Other examples suggested by the Commission of Enquiry were, however, of less obvious value. Investigations into heredity and the secondary effects of opium-smoking would demand centuries of research and experiments on human beings, which the Governments represented at the Conference would scarcely be prepared to encourage.

2. *Research Methods to be followed.*—It seemed that the Conference might usefully proceed to an exchange of views on that subject, at all events concerning the preliminary steps. The research contemplated would, for the most part, deal with medical questions, but there would be some chemical research as well—in connection with the dross question, for instance? He agreed with the Siamese delegate that, if such research was to be useful and sufficiently speedy, it should be

conducted on a common plan drawn up by the Governments concerned. It would be well if delegates could prepare such a plan during their stay in Bangkok. With regard to chemical research, he would be glad if his colleagues could inform him as to the facilities available in their respective territories. In the Far East, they had special knowledge and experience of the problem and ample raw material was available. It would therefore be an excellent centre for such research. The question of laboratories, however, presented some difficulty. Those in the Far East were perhaps already very fully occupied. He was sure that his Government would gladly offer the collaboration of London laboratories for the purpose of the research. The medical research should also be pursued in the Far East, for that was where the necessary human material was available for the investigation into the effects of opium-smoking. Hospitals in the Far East must possess an enormous mass of information to which access might be made possible. The necessary organisation would have to be devised for collecting and distributing information on the problem. The same remarks applied to the question of the effect of dross upon the consumer.

The question of harmless substitutes for opium was partly a chemical and partly a medical one. The most difficult point was to determine the guiding lines on which research work should be undertaken.

The Commission of Enquiry had raised also the problem of the cure of addicts. It would perhaps suffice if the information already available were completed and published, for the problem of cure pure and simple did not call for a great deal of research work. Much attention had been paid to it in Europe and America, and the real difficulty was not to cure addiction, but to prevent relapses. It was therefore less a medical than a social and psychological issue. No great results had been achieved so far.

If the Siamese delegate's suggestions with regard to co-ordination were adopted, some authority or other could be instructed to see that the research work in the different countries was conducted on parallel lines and to collect and distribute information. Both the League Health Committee and the Advisory Opium Committee, which had a direct interest in the subject, might be consulted as to the assistance they could give with a view to the co-ordination of research work.

There was, lastly, the question of obtaining the necessary funds. Sir Malcolm Delevingne did not think that research work of the kind suggested entailed any great cost; the different Governments would, most probably, have no objection to allocating a reasonable sum of money to such an enquiry.

M. VAN WETTUM (Netherlands) said that the Government of the Netherlands Indies agreed to the principle in Recommendation No. 2. He thought that it was prepared to give all possible help, so as to enable the research work contemplated to be undertaken. The Conference could, in his opinion, endorse Sir Malcolm Delevingne's observations. The framing of the plan for both medical and chemical research work should be entrusted to the League Health Organisation acting in conjunction with the Advisory Opium Committee, but the Governments concerned should be consulted first.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that, if the Health Committee were requested to take up the question, it would be well to indicate exactly what it was being asked to do. The problem of opium-smoking was entirely outside that Committee's province. If it was to be asked to co-ordinate the work, the members of the present Conference—that was to say, the representatives of the Governments—must first consider the matters to be investigated and define the objects they had in view. It was for that reason that he had urged that the research work should be directed towards practical aims. The best method would be for the Conference to select, as a beginning, two or three of the more important subjects of research, so as to avoid giving the Governments too much work. If it was found necessary to investigate other questions, this task might be entrusted to the Advisory Opium Committee. The first point to be examined should be the causes of the harmfulness of opium-smoking and the possibility of overcoming them.

M. BOURGOIS (France) stressed the extremely complicated nature of scientific research into opium addiction. To deal only with a few aspects of the problem, there was as yet no exact knowledge of the component alkaloids of opium. From the medical angle, its effects on the sympathetic nervous system (euphoria) and on the brain, and likewise the causes which led to the formation of the habit, were unknown. Investigation might have, among other useful results, that of making it possible perhaps to eliminate or reduce, in the opium supplied by the Monopolies, the proportion of alkaloids having a particularly harmful effect. The problem would therefore have to be investigated from the different angles of medicine, chemistry and physiology. A conference attended by not a single medical expert could not sketch out a programme which fell essentially within the purview of the Health Committee and the Opium Advisory Committee. In accordance with their practice, these two bodies would form a joint committee to frame the programme. M. Bourgois emphasised once again the very great help which the Health Committee could give; it often received similar requests from all parts of the world, and in the ten years of its existence had acquired great experience of the most suitable methods. The Conference should confine itself to a quite general resolution; it should at the same time invite the Governments to begin forthwith any studies or experiments they might think it desirable to undertake at once. The Health Committee would be asked to map out the main lines of the research, collate the results that had already been obtained, indicate the points requiring urgent study, co-ordinate the researches of various workers, make the necessary written information available to investigators, and request any persons possessing the requisite qualifications to examine any special questions.

The PRESIDENT thought that all delegates agreed with M. Bourgois that there was, for the time being, no question of fixing a programme of scientific research work; the object was merely to define the purpose of the studies to be undertaken. The framing of the programme should be left to the Health Committee.

Sir Malcolm DELEVINGNE (United Kingdom) thought that the question of funds was outside the range of the resolution to be adopted by the Conference.

On the motion of the PRESIDENT, *the Conference decided to ask Sir Malcolm Delevingne to frame a draft resolution for submission to the Drafting Committee.*

RECOMMENDATIONS NOS. 18 AND 19.

Centralisation of Information.

Mr. MARSHALL (India) said that the Government of India and the Government of Burma doubted whether the results likely to be obtained from the setting up of the central bureau adumbrated in Recommendation No. 18 would be commensurate with the cost involved. Neither Government would be able to contribute to the expenses of the bureau.

The Government of Burma accepted Recommendation No. 19 concerning the annual reports to the League.

M. VAN WETTUM (Netherlands) and M. DE MAGALHÃES (Portugal) made a similar declaration on behalf of their Governments.

Prince VIWAT (Siam) said that the Siamese Government associated itself with Recommendation No. 18, but, as the other Governments concerned were not apparently prepared to agree to the institution of a central bureau, he thought that there would not be much use in setting one up.

He accepted Recommendation No. 19.

Sir Malcolm DELEVINGNE (United Kingdom) thought that the Conference could not summarily discard so important a recommendation. He hoped that the Chairman of the Commission of Enquiry would explain more fully the advantages which, in the Commission's opinion, might be expected from the establishment of a Central Bureau of the League in the Far East. In Sir Malcolm Delevingne's view, any such division of the League's activity might have a harmful, not to say disastrous, effect. The bureau would carry on its work far from the general supervision of the League. Its operations would be conducted at a great distance from the home Governments as well, which paid the closest attention to all these problems and to which, in the last analysis, belonged the final word. A bureau of that sort would be performing in the Far East appreciably the same work as that done by the Advisory Opium Committee on the drugs question as a whole

At the same time, the aim which the Commission had in view might perhaps be attainable in other ways. It might be noted that, according to the Commission of Enquiry, the bureau would have, in particular, the duty of organising conferences of representatives of the Governments concerned. As the present Conference, however, had seen, on the question of holding conferences of the preventive services only, the meeting of representatives of those services had been unable to agree on a modest proposal made by the delegate of the United Kingdom.

M. EKSTRAND, Chairman of the Commission of Enquiry, said that, in his view, the matter was so important that he would request the Conference to allow him time to prepare a statement which he would submit at the next meeting.

In accordance with this request, *the discussion on Recommendation No.* 18 *was adjourned to the next meeting.*

Sir Malcolm DELEVINGNE (United Kingdom), with reference to Recommendation No. 19, said that it would be helpful if the different delegations would indicate the special points to be included in the annual reports to the League. The proposed form would obviously have to be drawn up by the Advisory Opium Committee and suggestions from delegates would help the Committee in its task.

It had been suggested to him that these special annual reports might contain information as to the prices charged in the illicit traffic for the different grades of opium. Other particulars—for instance, the average consumption of opium-smokers—would be of use.

It should be pointed out that Malaya was obliged to send the League separate reports for the Federated Malay States, the non-Federated Malay States, and the Straits Settlements respectively. It would no doubt be helpful, both to the League and to the other Governments, if these reports could be combined in one document. Although that was a domestic question, Sir Malcolm Delevingne would be glad to have the Conference's approval for a combined report on Malaya.

The discussion on Recommendation No. 19 *was adjourned.*

25. Consideration of Measures that might be taken to discourage the Opium-smoking Habit.

RECOMMENDATION No. 12.

Prohibition of the Smoking of Opium by Minors.

Sir Malcolm DELEVINGNE (United Kingdom) said that his Government accepted the first paragraph in the recommendation. There were, however, certain obstacles in practice to the application of the second paragraph. Throughout the Far East, it was not easy to determine an adult's age. There was no civil register of births in China, and a Chinese emigrant between 21 and 24 could allege that he was 25 without its being possible to prove the contrary. Similarly, at present no proof could be produced as to the date of birth of Chinese born in the British territories, since the civil register of births had been introduced only recently. Hence, the Commission's second recommendation would remain a dead letter and there would be no means of giving effect to it. It would therefore be better not to adopt it. There were, of course, certain difficulties also in the way of determining the age of a minor; the United Kingdom Government, however, was prepared to accept the first paragraph of the Commission's recommendation, which was in line with the law in most of the British territories.

M. VAN WETTUM (Netherlands) said that in the Netherlands Indies the possession of opium was forbidden to persons under 18. The Netherlands Government would, however, be ready to raise the age to 21 and even, under certain conditions, to 25. The Government was, of course, faced with the same difficulties as those mentioned by Sir Malcolm Delevingne, but was willing to try and put the system recommended into force, so far as circumstances allowed. In the case of licence-holders, enquiries as to age would be a practicable proposition, and the Netherlands Government could agree to an age-limit of 25 for them. In the case, however, of smokers not in possession of a licence, who came to purchase opium, there would be no time to make the necessary enquiries as to their age. Provision would have to be made for certain transitional arrangements, as there were about two hundred smokers between 21 and 25.

M. BOURGOIS (France) said that the Government of Indo-China had hitherto adopted 21 as the age-limit. It was, however, prepared to raise the limit to 25, although it too had to cope with the difficulties mentioned by other speakers.

Prince VIWAT (Siam) accepted the first paragraph in the recommendation. The Siamese delegation shared Sir Malcolm Delevingne's view concerning the second paragraph; it would be impossible to determine whether a man was 24 or 25.

M. DE MAGALHÃES (Portugal) agreed to the first paragraph, which embodied a regulation that was already in force in Macao. There was, however, very great difficulty in determining whether any given individual was a minor or no. The second paragraph involved a difficulty because, under Portuguese law, the age of majority was 21, and the law could not be altered for the particular point under discussion. Further, the Portuguese delegation, like others, considered that it would be impossible to decide the exact age of persons from China.

Mr. MARSHALL (India) said that the Government of Burma accepted the Commission's recommendation as it stood. He took it that the words, " the question whether the minimum age for legal smoking could not be still further raised—for instance, to 25 years—should be given serious consideration ", implied consideration of the possibility of determining the age of a Chinese immigrant between 21 and 25. As the law stood, the minimum age was 25 for Burmese and 21 for non-Burmese.

M. YATABE (Japan) said that his Government agreed to the principle of the recommendation. Neither in Formosa nor in Kwantung did the law prescribe a minimum age, but in Formosa the practice had been, since 1924, that no person under 30 received a licence, and in Kwantung the age-limit for the issue of licences had been 20 since 1929. At the end of 1928, there were still left on the register the names of only 300 smokers between the ages of 20 and 25. The Japanese Government considered that there was no need for a legal age-limit provided there was an efficient licensing system in force, because sufficiently effective supervision was exercised in the issue of licences.

The PRESIDENT noted that the Conference agreed to the raising of the age-limit to 21 in all territories. In its second paragraph, the recommendation merely proposed careful consideration of the feasibility of raising the age-limit still higher. Did the Conference think that there was a sufficient measure of unanimity to allow of a modification of the 1925 Agreement?

Sir Malcolm DELEVINGNE (United Kingdom) reminded the Conference that he had already submitted a draft amendment to Article I, paragraph 3, and proposed that the new amendment should also be introduced into the 1925 Agreement.

The PRESIDENT suggested that that question should be referred to the Drafting Committee.

This proposal was adopted.

RECOMMENDATION No. 10.

Retailing of Opium for Cash only.

Sir Malcolm DELEVINGNE (United Kingdom) had never heard, so far as the British possessions were concerned, of a practice of retailing opium otherwise than for cash. He therefore approved the recommendation.

Prince VIWAT (Siam) was ready to accept the recommendation, as the system proposed was already in force in his country.

M. VAN WETTUM (Netherlands) could accept the recommendation. The practice in question had existed in the Netherlands Indies for many years. There was, however, no legal provision in the matter, but, if the Conference desired that the system be given the sanction of law, the Netherlands Government would be prepared to take the necessary action.

M. YATABE (Japan) said that in the Japanese possessions the practice had been in force ever since the establishment of the Monopoly.

Mr. MARSHALL (India) said that the Government of Burma accepted the recommendation. The Commission's proposal was already the practice in that country, although there was no specific rule.

M. DE MAGALHÃES (Portugal) said that the recommendation had been the practice in the territory of Macao ever since the institution of the Monopoly.

M. BOURGOIS (France) approved the recommendation.

M. EKSTRAND, Chairman of the Commission of Enquiry, explained that the Commission had found that the practice existed in several territories, but was not everywhere sanctioned by legal provisions. The Commission therefore was merely recommending that the practice should be confirmed by the law in the different countries.

M. YATABE (Japan) thought there was no need for a legal provision. He might, however, be able to accept a resolution recommending legislation.

The PRESIDENT suggested that the principle contained in the recommendation might be embodied in the new agreement. If the Conference approved, the wording of the resolution might be left to the Drafting Committee.

The proposal of the President was adopted.

RECOMMENDATION No. 16.

Cure of Addicts.

M. YATABE (Japan) said that his Government entirely supported the recommendation. He read a statement on the experiments which had been conducted in Formosa with regard to this subject (Annex 4).

Sir Malcolm DELEVINGNE (United Kingdom) said that, in his delegation's opinion, the most pressing question was that mentioned in the last paragraph of the recommendation—namely, what the Commission termed " after-care ". The great difficulty in connection with the cure of addicts was to prevent relapses. It would be very helpful if delegations in whose territories experiments had been carried out in the matter of " after-care " methods could give the Conference the benefit of their knowledge.

M. VAN WETTUM (Netherlands) said that the recommendation referred to the encouragement of private efforts. The Netherlands Indies Government had invariably encouraged private enterprise. Only the previous year an ordinance had been passed providing for grants of money to private associations either for the building of hospitals or for the treatment of addicts. Recently, one private society had opened a special ward in an existing hospital, and the Government had made a grant of 45,000 guilders for the building alone.

The Netherlands Indies Government preferred the system of opium wards in existing hospitals to the building of additional hospitals for addicts. In the Netherlands Indies, the necessary sums for these purposes had been found from the general budget, not from the opium revenue, as suggested by the Commission.

The experience and results obtained were communicated by the Netherlands Government in its annual reports to the League.

As Sir Malcolm Delevingne had said, one of the principal questions was that of " after-care ". Private societies in the Netherlands Indies had provided, in four or five places, homes for the " after-care " of cured smokers. Grants for board and lodging during a period not exceeding two months were given by the Government for each patient receiving " after-care " in these homes.

Finally, the Netherlands Government could not undertake to introduce regulations making the treatment of addicts compulsory.

M. STEINMETZ (Netherlands) supplemented the information given by M. van Wettum. Anti-opium treatment was provided, not only in Government hospitals, but in private institutions also. Any smoker wishing to be cured could receive treatment as opportunity arose and provided

there was a bed vacant. Of the numerous methods of treatment employed, the two principal were: (1) that of drawing blisters on the patient's body and giving him injections of his own serum; and (2) what might be called the " sleeping " method, the patient being kept asleep so as to avoid the serious reactions that might follow the withdrawal of opium. Researches into these two methods were being pushed forward in the Government Central Hospital at Batavia, and also by certain missionary institutions and Chinese doctors. The results of this work were communicated to the League.

In order to give an idea of the numbers undergoing treatment, it might be stated that the Anti-Opium Society at Batavia had treated 260 patients in 1930; the Immanuël Mission hospital at Bandoeng, 250 patients; another mission hospital, 77 patients in 1927, 48 in 1928, and 29 in 1929; a third mission hospital, 193 patients in 1930.

" After-care " had been introduced only a year ago. It was a psychological and social rather than a medical question; hence the decision of the Government to leave the matter to the missions and private organisations. The Anti-Opium Society at Batavia had some months ago opened a home where cured addicts received instruction in the normal ways of life. Relapses could best be prevented by that kind of care. The cured addict felt like an exile in a strange land, and he had to be reintroduced to the normal life of society.

Only a few figures were available for cases of relapse. Out of the 260 patients cured by the Batavia Anti-Opium Society in 1930, 45, or 17 per cent, had relapsed. A relapse was invariably due to the addict's taking up smoking again to ease the suffering caused by a disease which had not been treated or which was incurable.

He might add that the Anti-Opium Society had instituted a medal as a reward to former smokers who, after one year's cure, still resisted the temptation to take up their pernicious habit again. Eight such medals had been awarded, but that was only a beginning. Although there was no need for a resolution on the subject, he suggested that the Governments should consider the desirability of instituting either similar medals or some other award appropriate to local usages and conditions.

Lastly, in the past year, there had been an increasing tendency on the part of addicts to present themselves for treatment. The Batavia Anti-Opium Society had instituted a sort of anti-opium club house, to which cured addicts were admitted; lectures were given and the addicts received a kindly welcome. The object was to prevent them from returning to the opium dens.

The PRESIDENT asked whether the tendency on the part of addicts to come in for treatment was a voluntary one. Was it due to pressure of public opinion?

M. STEINMETZ (Netherlands) replied that there was no compulsion as regarded treatment. Many addicts who came of their own free-will travelled for days and days to reach the hospital.

Sir Malcolm DELEVINGNE (United Kingdom) had listened with great interest to M. Steinmetz's valuable statement. The methods of " after-care " which were being tried in the Netherlands Indies ought to be, and no doubt would be, studied by other Governments. He hoped that, in its reports to the League, the Netherlands Indies Government would give as full information as possible concerning the methods adopted, the experience acquired and the results obtained. He trusted that all the other Governments would follow in the same path.

As to the principle of the Commission's recommendation, it must be supposed that all delegations agreed that provision should be made for the treatment of addicts, though the nature of such provision must depend on circumstances in the respective territories. It was very encouraging to hear from M. Steinmetz that addicts were applying for treatment in increasing numbers. The experience in the British territories had not been altogether happy. The opium wards in the hospitals had too often been used, in times of depression, as a convenient place in which to get a little rest at the public expense.

He would therefore propose a resolution in general terms to the effect that the Conference approved the principle that adequate provision should be made for the treatment of opium addicts and that it recommended the Governments to give special attention to the question of " after-care ".

M. VAN WETTUM (Netherlands) said that his Government was quite prepared to include in its annual reports to the League the information desired by Sir Malcolm Delevingne.

M. DE MAGALHÃES (Portugal) said that the Macao authorities had made some experiments with the treatment of addicts. It was, however, very difficult to induce addicts to undergo treatment. The authorities had accordingly confined their efforts to voluntary patients, sometimes with good results. There was, unfortunately, a marked tendency to relapse. It was proposed to adopt in Macao, so far as possible, the methods of treatment employed in the Netherlands Indies.

The Portuguese delegation, while it approved the principle of the recommendation, could not accept it as an obligation binding its Government, partly on account of the heavy expenditure it would involve, partly, and more especially, because it was impossible to make treatment compulsory. Nevertheless, the Portuguese Government would give the recommendation their most careful attention and would attempt to carry out its provisions.

At the time of the delegation's departure from Macao, there had been only 18 patients undergoing treatment for opium addiction in the private hospitals and only 15 in the Government hospitals. This very small number must be ascribed to the difficulty of inducing addicts to come in for treatment.

Prince VIWAT (Siam) was inclined to agree with Sir Malcolm Delevingne's remark that the prospects of carrying out the Commission's recommendation were not very encouraging. Until the problem of keeping so-called cured addicts from relapsing was more or less solved, he was not prepared to recommend that the Siamese Government should spend any substantial sums on the treatment of smokers, but only that it should study the question carefully.

M. BOURGOIS (France) said that in Indo-China the facilities offered by the public health services were open to all addicts who wished to be cured. Treatment was given in private institutions at Saigon as well. The cost of treatment varied from half a piastre a day in Cochin-China to a quarter of a piastre in Annam. Indigent patients received free treatment.

Mr. MARSHALL (India) agreed with Sir Malcolm Delevingne. In Burma, addicts sentenced to imprisonment were treated in gaol and they were usually cured. After discharge, however, they almost invariably relapsed, owing to the temptation of smuggled opium. He must admit that nothing was done in the way of " after-care " to prevent relapse. The Government of Burma was inclined to think that hospital treatment would meet with disappointing results, but it would not overlook the possibilities afforded by such treatment.

On the proposal of the PRESIDENT, *the Conference decided to ask Sir Malcolm Delevingne to prepare a draft resolution.*

THIRTEENTH MEETING (Public)

Held at Bangkok on Monday, November 23rd, 1931, at 8.45 a.m.

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26. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 9 *(continued).*

Government Monopoly of the Manufacture of Prepared Opium (continuation of the discussion).

M. TOUZET (France), in reply to the question put by Sir Malcolm Delevingne at the eighth meeting, said that, according to a telegram received from his Government, the number of factories at Kwangchow-Wan, formerly thirty-six, was now only three, and these were not working continuously. The delegate of the United Kingdom had also asked for information concerning the containers in which opium was sold. Owing to a mistake, the particulars M. Touzet had received related to the containers used in the manufacture of opium. He was prepared to ask again for details regarding the containers used for sales.

He might add that, according to the information received from his Government, the quantities of raw opium supplied for the local licensed factories had fallen from 7,332 kilogrammes in 1930 to 3,000 kilogrammes for the period January-November 1931.

Sir Malcolm DELEVINGNE (United Kingdom) would be glad to have details regarding the containers used for prepared opium; that was not a purely administrative matter of a domestic character; a knowledge of the types and models of authorised containers facilitated the prevention of smuggling.

M. TOUZET (France) promised to ask for the desired particulars.

27. Illicit Traffic : Consideration of Recommendations Nos. 1, 3, 5, 6, 7 and 8 (continued).

RECOMMENDATION No. 5 *(continuation of the discussion).*

M. YATABE (Japan) reminded the Conference that, at the sixth meeting, he had promised to communicate information as to the number of prosecutions for inducing unlicensed persons to smoke opium. According to a telegram received from the Government of Formosa, the numbers of offences recorded were six in 1927, five in 1928, and six in 1929. The compilation of the figures for 1930 had not yet been completed.

Work of the Preventive Services in the Philippines.

Colonel SWEET (United States of America) read the following statement :

The Commission of Enquiry, in its report, Volume I, pages 107 to 111, and Volume II, pages 467 to 486, has covered enforcement conditions in the Philippines so thoroughly that little remains to be said. If I do not entirely agree with the findings as shown in the last paragraph on page 111 in Volume I, I suppose the differences in opinion are due, no doubt, to different views of the situation.

Our problem in the Philippines is entirely with the Chinese, and the problem under prohibition is quite different from the problem in other places. Our laws to prohibit opium are severe and are applied with sufficient diligence and vigour to guarantee at least that the drug is used with great secrecy. There are about 13,000,000 indigenous inhabitants in the Islands, and many of these will always be ready to inform on opium users and collect the reward for giving the information.

Thirty years ago, there was a large coolie class of Chinese in the Islands. Now there is no coolie class of Chinese in the Philippines. The Chinese are now fairly well off and interested in civic progress and general welfare work. The Chinese community is ever ready with money and efforts to pay and participate in any uplift work and to contribute liberally in cases of disaster from typhoons and earthquakes, of which we have many.

We do not rely entirely on the courts to deal with opium users, dealers or importers. Under paragraph 69 of the Administrative Code, which defines the powers and duties of the Executive, the Governor-General may, after due investigation, deport any undesirable alien from the Philippines. This process is simple, summary and effective. We have had some cases where Chinese have become sufficiently powerful to violate the laws with considerable impunity and have repeatedly escaped conviction in the courts. In these cases, deportation to Amoy is quite adequate, and it costs but six dollars each to send them there.

We have an archipelago twelve hundred miles long, extending practically from Formosa to Borneo—there are seven thousand islands—about 13,000,000 inhabitants, and there is, of course, some smuggling. Some smuggling will continue to take place. But in fairness it must be admitted that opium is at least out of sight and considered in the Philippines as indecent. Few recruits and addicts will be made under a system which tolerates the use of the drug in no form and holds its use as indecent and criminal.

As to difficulties under enforcement, we have demonstrated that they may be overcome. We use the regular machinery of government and our rewards to informers total about $6,000 per annum.

28. Consideration of Any Further Steps that might be taken for Eventual Suppression, Due Regard being had to Existing Conditions (continued).

RECOMMENDATION No. 18 *(continuation of the discussion).*

Centralisation of Information : Establishment of a League of Nations Opium Bureau in the Far East.

M. EKSTRAND, Chairman of the Commission of Enquiry, read the following statement :

In the first place, I should like to point out to the delegates to this Conference that the Commission of Enquiry carried out the task entrusted to it by the League of Nations guided by the same ideals which had inspired the delegates of the First Opium Conference of 1924-25, and which found expression in the Preamble to the Geneva Agreement. That Agreement was, as you all know, concluded under the able chairmanship of that veteran in the campaign against the opium-smoking habit whom this Conference has the honour to have as Vice-President.

I will permit myself to quote here the passage in the Preamble to the Geneva Agreement, by which the parties thereto accepted the moral obligation to bring about the gradual and effective suppression of opium-smoking.

> " *Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay,*" the Powers have decided " *to conclude an agreement supplementary to the* " Hague Convention of 1912.

The Commission of Enquiry, during its task, never for a moment lost sight of these words and it adhered to them as its motto throughout its work. Under the influence of this humanitarian ideal, the Commission endeavoured to suggest to the Governments the acceptance of a system of measures to be introduced by all the Governments concerned in co-operation with each other. The Commission felt confident that, if these measures were applied by the Governments in co-operation, they would be instrumental in reaching the goal described in the passage quoted above, in which the High Contracting Parties to the Geneva Agreement had announced to the world their intentions as regards the suppression of opium-smoking and undertaken solemn obligations for this purpose.

The most important steps in the system elaborated by the Commission were, in its own view, the following : limitation and control of poppy cultivation by international action, measures to combat the demand for opium for smoking purposes and to prevent illicit traffic.

The Commission made on these points certain suggestions which I would term as marking the fundamental steps, and other suggestions which were of a consequential nature.

The Commission intended its suggestions to be taken as part of a system which would lead to concerted action by all the parties concerned and to the further development of co-operation between them. During its enquiry, the Commission found that, wherever collaboration had been

established between the authorities of the various territories, such collaboration had proved useful and led to encouraging results. The Commission hoped that the Conference might adopt its suggestions as they stood, or accept them in principle, introduce such changes and improvements as it deemed necessary and give them such application as it was considered possible under the prevailing circumstances.

The Commission reached the conclusion that a condition *sine qua non* to attain the final suppression of opium-smoking was that all Governments concerned should pursue a similar policy, act in consultation with each other and endeavour to advance concurrently in their policy.

The Commission then thought that this co-operation between Governments would be facilitated if there existed in the Far East an information centre, an organisation possessing expert knowledge on the opium-smoking question and on the work of the League of Nations in connection with the Opium Conventions and Agreements. This information centre, which it is suggested should take the form of a League of Nations Bureau for Opium-smoking Affairs, would be governed by the instructions of the Opium Advisory Committee and work under the direction of the Opium Section in the Secretariat and in close co-operation with it. The Bureau would collect and distribute information on all the activities of the League and of the Governments concerned aiming at the suppression of opium-smoking. It would be in possession of all facts regarding the opium-control system in all territories concerned, and this information would always be available for immediate reference for the Governments and for the League of Nations.

By being on the spot, the Bureau would more efficiently be of assistance to Governments and in more immediate contact with the whole problem than it is possible for the League Secretariat in Geneva to be, notwithstanding all efforts to this end. The Commission of Enquiry considered that decisive progress in the suppression of opium-smoking would require a special organ in the Far East for the purpose of co-ordinating the efforts of and assisting the Governments and their competent authorities. The Commission felt that, although there has been a certain measure of co-operation—as, for instance, in regard to individual cases of illicit traffic—much closer co-operation is now required, and that such co-operation would be facilitated by the existence in the Far East of an organisation which, though co-operating with the authorities in the different territories, was independent of the Governments and had as its sole object to promote the anti-opium work of the League in regard to opium-smoking.

Under Article 23*(c)* of the Covenant, the League has been entrusted with the general supervision and execution of agreements in regard to the traffic in opium and other dangerous drugs. It is under this article that the Opium Advisory Committee works as the League Council's advisory organ. The Commission felt that the League would be placed in a better position to supervise the execution of the agreements as regards opium-smoking if a special bureau, acting under the direction of the League, was created in the Far East. The Commission was also of the opinion that the establishment of the Bureau would assist the Opium Advisory Committee and the Secretariat to follow the development and watch the application of the international opium agreements, as the Bureau would furnish all the necessary information.

I will try to reply to the apprehensions expressed by Sir Malcolm Delevingne at the last meeting with regard to the establishment of such a bureau.

The Commission was not of the opinion that the work of this Bureau would lead to a division of the activities of the League, which would constitute a danger. The plan for the Bureau's work would be drawn up by the Advisory Committee, which could see to it that no such undesirable division took place. This plan would also provide for a suitable control over the Bureau, such as it has been possible to exercise over other existing bureaux of the League.

The home Governments would be able to watch the activities of the Bureau through their membership of the Opium Advisory Committee, as they do in regard to other work of the League undertaken in pursuance of Article 23*(c)* of the Covenant.

The Bureau would not take over the functions of the Advisory Committee or of the League Secretariat. It would carry out the instructions of the Advisory Committee as a branch of the Opium Section working under the direction of the Director of that Section. It would assist the Advisory Committee by collecting and furnishing to the Committee such information as is necessary for it to be in possession of in order to cope successfully with the opium-smoking problem. The Commission of Enquiry felt that this problem now was of such importance, and that the obligations undertaken in this respect by the Governments concerned were of such a decisive character, that the League needed the assistance of a special organ located in the Far East.

The discussions at the present Conference have proved that the situation in each territory is so different and the views of the authorities in the various territories so divergent that increased attention to this problem on the part of the League and the Advisory Committee is essential, in order to establish a closer international co-operation and ensure progress in the suppression of opium-smoking.

In this connection, it might be of interest to the Conference to have a short outline of the probable activity of the Bureau as conceived by the Commission. The Bureau would collect information for all territories in regard to the opium-smoking problem. On the basis of this material, it would study the legislative position in each territory and digest the laws and regulations in force. It would follow the development of the opium-control system and devote a great deal of attention to the activities of the illicit traffic. Other fields of activity would be to study the measures taken to discourage opium-smoking by education and propaganda and the progress of scientific research carried out in the different territories. The Bureau would, through the proper

channels, keep in close touch with the opium Monopolies and with the preventive services, and also be at the disposal of anti-opium societies and any other recognised organisations interested in the anti-opium work in the Far East. The Bureau would submit to the Secretary-General of the League periodical reports which would serve as documentation for the Opium Advisory Committee.

If I understood the delegate of the United Kingdom rightly, I think that, in spite of certain apprehensions, he has some sympathy for the aim underlying this recommendation. If this is correct, I think that it would be useful for him to try and find a suitable method by which to realise the Commission's suggestion. I would also make an appeal to the delegates who have already pronounced against this suggestion to reconsider their position in consultation with their colleagues with the idea of reaching some more favourable conclusion.

The costs involved in the setting up of the Bureau may be estimated in round figures, on the basis of the actual cost of other similar bodies, at an amount not exceeding 45,000 Straits dollars per annum.

The PRESIDENT thought that it would be highly regrettable if the Conference failed to consider very carefully this proposal, to which the Commission of Enquiry attached great importance. As to the recommendation, he might ask whether, instead of taking a decision itself, the Conference would not give the Advisory Committee an opportunity of expressing its opinion.

Sir Malcolm DELEVINGNE (United Kingdom) viewed with sympathy the general idea behind the recommendation, which was the need for co-ordination. At present, the different Monopolies worked in watertight compartments, and the only work of co-ordination was that done at Geneva during the Advisory Committee's examination of the annual reports from Governments. It would be very useful to establish closer contact and a more direct interchange of experiences among the various Monopolies. He was not, however, sure that the best way of reaching this result would be to set up a League of Nations bureau in the Far East. At an earlier meeting, when dealing with the co-ordination of the preventive services, he had emphasised the desirability of periodical meetings of the heads of those services. That suggestion had not met with a very enthusiastic reception, but it had not been turned down, and his modified proposal, by which such meetings would be limited to countries which had similar interests, had been more or less approved. It was by exploring along these lines that the object aimed at by the Commission of Enquiry might perhaps be achieved. The present Conference had demonstrated that it was desirable for the representatives of the Governments, and with them the representatives of the local authorities, to meet and exchange views and experiences. The Conference might therefore, if not recommend, at least suggest, to the Governments that they should consider the utility of periodical meetings between representatives of the different Monopolies at intervals which would not be too close, say, one year, or even more. The heads of the services concerned would thus have a common fund of experiences at their disposal and could discuss among themselves the problems on which they were engaged. A system of that sort would certainly, he thought, be more effective than any work which a League bureau could perform. What was wanted was to bring those directly interested into touch with one another and not to establish contact at second hand through an intermediary.

In his outline of the work which might be performed by the League central bureau, M. Ekstrand had not mentioned the very important problem of obtaining information concerning China. It would be most valuable if a way could be found of obtaining from time to time authoritative information, which would be published by the League, on the Chinese situation. There was already plenty of authoritative information available, but it could not be published. If that could be achieved, Sir Malcolm Delevingne would have been inclined to approve the Commission's recommendation, but he felt doubtful whether it was possible. Two years ago, a proposal had been made in the Advisory Opium Committee with a view to establishing the true facts as regards the drug situation in China by an enquiry to be conducted by representatives of the Chinese Government and of the League or by representatives of the Powers having treaties with China. That proposal, which had been made in the interests of China, had been rejected by the Chinese Government, which was averse from any idea of an investigation made by other than Chinese nationals. There was therefore reason to feel very pessimistic as to the possibility of making any such arrangement. That being so, Sir Malcolm Delevingne preferred his own proposals to the system of the Commission of Enquiry.

The sum of 45,000 Straits dollars was not unreasonable for the expenses of the Bureau, but he doubted whether any increase in credits would be welcomed at Geneva, and he believed the same would be the case if the Governments concerned were asked to contribute. In any case, he had not been empowered by his Government to agree to any increased expenditure either by the League or by the Governments in this respect.

M. BOURGOIS (France), while appreciating M. Ekstrand's arguments, did not regard them as sufficient. His difficulties were the same as those of Sir Malcolm Delevingne. Neither the League nor the Governments would probably be willing to defray the expense involved; he thought too that the cost would exceed 45,000 Straits dollars. Like Sir Malcolm Delevingne, he considered that there were serious objections to setting up another intermediate organisation; he would prefer direct contact between the actual heads of the services, either in the form of very detailed reports or by means of meetings between the heads of services faced with the same problems. It would, however, be quite useless for all the heads of services to attend such meetings. They were not required to thresh out any very general issues, as was done by the delegates at the Conference, but to handle particular points—for instance, a definite case of smuggling; questions of that sort did not arise at dates that could be determined in advance. If it was said that " the meetings should be held as frequently as circumstances demanded ", the proposal might, perhaps,

be accepted by the Governments, for they would know that they were spending their money, not on general discussions, but on the sifting of individual questions which were of special interest to them at one time or another.

The PRESIDENT, with reference to the French delegate's suggestion, drew attention to the wording of Article VIII of the Geneva Agreement. That article, of course, referred only to the case of smuggling, but it could be completed by the addition of other points on which a direct exchange of views might be helpful.

Sir Malcolm DELEVINGNE (United Kingdom) was prepared to alter his proposal and make it more elastic, so as to take into account M. Bourgois's remarks. He himself attached considerable importance to direct personal contact. The French delegate had shown that not all the countries would have the same interest in such meetings, which would entail considerable expenditure for some of the more remote territories. Sir Malcolm Delevingne was not proposing periodical general conferences of all the heads of the preventive services, but he must insist on the need for conferences between those confronted with similar problems. In his proposal, he was not thinking solely of preventive work, but of other matters as well. Recommendation No. 4, for instance, mentioned certain points on which direct exchanges of views and experiences would be invaluable. The desirability of such meetings was proved, for example, by the information given by M. Steinmetz concerning the treatment of addicts and the steps taken to prevent relapses. As to the way in which the different systems worked and the results obtained, there was every advantage in each country's being able to follow what was being done elsewhere.

M. BOURGOIS (France) thought that Sir Malcolm Delevingne's last remarks had somewhat altered the situation. To illustrate his idea, he would give an example of direct contact of the sort he had in mind. Suppose some new industrial or timber works were opened on the border between Siam and Indo-China and new roads were built; some changes would have to be made in the Customs arrangements; the authorities concerned would then have to confer on the subject.

The question could be referred to the Sub-Committee set up to consider the exchange of information regarding contraband. The Sub-Committee had already drawn up a preliminary draft covering more or less the points M. Bourgois had in view. The United Kingdom delegate had made the problem somewhat general and was of opinion that the exchanges of views might be carried further. But, if general questions were to be considered, any suggestions thought desirable could be included in the annual reports to the League, which would be made more complete. For the time being, it would be better to limit the recommendation to concrete issues, more especially those connected with smuggling.

M. TOUZET (France) added that, if Sir Malcolm Delevingne's idea was taken up, the meetings would have to be attended, in the case of Indo-China, not only by the Director of Customs, but by the heads of all the other departments which had some concern, under Recommendation No. 4, with the measures to be adopted to restrict the demand for opium for smoking—namely, the Director of Internal Affairs and the Director of Public Education; another time it might be the Director of the Financial Services. It would accordingly be wiser to limit the measure in view to the heads of the services concerned with opium. The British delegate had prepared a draft resolution with regard to information, on which point the Conference was apparently in agreement. That resolution gave the fullest possible satisfaction to the desires that had been expressed.

On the proposal of the PRESIDENT, *the Conference decided to request Sir Malcolm Delevingne to prepare a draft resolution.*

RECOMMENDATION NO. 19 *(continuation of the discussion).*

Annual Reports to the League of Nations.

M. VAN WETTUM (Netherlands) suggested the following points for inclusion in the annual reports to the League of Nations, in addition to those already proposed by Sir Malcolm Delevingne: [1]

1. All available information concerning anti-opium propaganda and the cure of addicts;
2. The annual opium consumption per head of population and the average annual consumption per smoker to be stated in grammes, if possible, and not in other less familiar measures such as taels or hoons.

M. van Wettum was requested to prepare a draft resolution on this subject.

29. Consideration of Measures that might be taken to discourage the Opium-smoking Habit (continued).

RECOMMENDATIONS NOS. 4 AND 17.

Improvement of Social and Hygienic Conditions: Introduction in Budget of Special Section for Opium Revenue.

Sir Malcolm DELEVINGNE (United Kingdom) said that, so far, the Conference had been dealing with the negative side of the opium-smoking problem. It now came to a different aspect, one that was no less, and perhaps even more, important—namely, the question of the positive measures that could be adopted to eradicate the tendency towards opium addiction.

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[1] See Minutes of the twelfth meeting, page 82.

In so far as the British possessions were concerned, he wished to deal first with two points. One was the question of the percentages which the opium revenue bore to the general revenue. If he might take Malaya and Hong-Kong as the two most important British territories concerned, the figures up to 1930 would be found in Volume II of the Ekstrand Commission's report. The figures of the proportion of net opium revenue to the total revenue for 1930 were :

	Percentage
Straits Settlements	23
Federated Malay States	14.5
Hong-Kong	7.4

Two brief explanations of these figures were required. In the case of the Straits Settlements, the percentages had been 32.3 in 1928 and 15.2 in 1929. The latter year had, however, been exceptional, owing to a windfall accruing to the general revenue; if the windfall was excluded, the percentage would be 23, or the same as in 1930. The considerable difference between the percentages in the Straits Settlements and Malaya was due to the fact that the total revenues raised in the Federated Malay States were much higher than those raised in the colony, owing to the very much greater requirements of the Federated Malay States for development purposes. Malaya, moreover, had been able to rely on export duties—for instance, on rubber and tin—which represented a large proportion of the country's general revenue and which did not exist in the Straits Settlements.

In the case of Hong-Kong, the percentage quoted by Sir Malcolm Delevingne was based on a different calculation from that used by the Commission, because, in the figure he had given, the total revenue included the proceeds of land sales. This was a proper method of calculation, as the land sales were used for revenue purposes and not regarded as coming under the heading of capital account.

In Sir Malcolm Delevingne's view, the important matter was not the percentage which the opium revenue bore to the general revenue, but the use made of the opium revenue. In the British possessions, as would be seen from the Commission's report, the percentages had been steadily falling over a number of years.

The present position in the British possessions with regard to another question—viz., the institution of a replacement fund—was as follows : Replacement funds had been established in the Malay States with one unimportant exception. Some account of the subject would be found in the Commission's report. In the Straits Settlements, the fund stood at 46,500,000 dollars at the end of 1930, the net opium revenue in that year being 7,370,000 dollars. The fund therefore represented six times the present average opium revenue. That position was considered very satisfactory, and the Government had suspended further appropriations to the fund pending the holding of the present Conference. Meanwhile, the fund continued to accumulate at compound interest.

In the Federated Malay States, the fund amounted to 24,500,000 dollars at the end of 1930, while the net opium revenue for the year had been 8,744,000 dollars. Owing to the present difficult financial situation, further contributions had been suspended pending the holding of the Bangkok Conference. The amount was none the less substantial. The position was much the same in the Unfederated Malay States.

No replacement fund had been instituted in Hong-Kong. The proportion of the net opium revenue to the general revenue being much smaller, the Government took the view that there would be no difficulty in replacing this source of revenue when the time came, and hence that a replacement fund was unnecessary. The home Government had accepted that view.

The United Kingdom Government regarded the proposals in the Commission's Recommendation No. 4 as being of the greatest importance and value. It concurred both in the principle on which those proposals were based and in the importance attached to them by the Commission. The causes to which opium addiction was due must be attacked at the root. The practice of opium-smoking could not be driven out merely by restriction and prohibition. Even if the present situation with regard to the illicit traffic did not exist, or existed to a much smaller degree, it would never be possible to suppress addiction entirely unless the causes of addiction were removed. Hence, the causes must be dealt with by measures of a positive character.

The Ekstrand Commission had made some very interesting suggestions on these lines. There was, of course, room for difference of opinion upon matters of detail. Sir Malcolm Delevingne personally was not a very warm partisan of anti-opium propaganda, which, like much other propaganda, was bound to be largely of a negative character.

So far as he could see, the causes of opium addiction were to be found in the conditions of life. Addiction was very often the result of a man's knowing no other way of spending his time or money, the lack of opportunities for amusement or recreation, and ignorance of the first principles of health. Opium was believed by many to be a cure for disease, or at least to bring relief from its effects. If these were to a large degree the causes of addiction, the positive measures to be adopted must be directed against them. The following extracts from notes which had been furnished him by the representatives of the Malayan Governments as to the action taken in that territory gave a striking example of what could be done by Governments to provide people exposed to the danger of addiction with opportunities for recreation and amusement :

> " The very rapid development of Malaya in the last twenty years has had an effect that is not usually realised on the consumption of opium by Chinese in Malaya.

" At the beginning of the century, Malaya, except for the ports of Singapore and Penang, was an undeveloped country covered as to the great mass of it by almost impenetrable jungle; to-day it is a modern country with a good railway system and with very fine roads, so that communications are easy and the cost of travelling is cheap.

" It is the building of the road system and the coming of the cheap motor-car that has revolutionised communications in Malaya and has had such an effect on the manner of life of the population, especially of the Chinese population. Motor-cars in great numbers run on every road, and there are regular runs of hired cars from groups of estates or mines into villages, from one village to another, and from villages into towns. The cost of a seat in a hired car is incredibly cheap, and a coolie can now for a very few cents get into a village or town in a hired car at night where it was out of the question for him to walk the long distance in days gone by. . . . This has had a great effect on the coolie's way of life. Before, there was nothing for him to do at night except stay in his Kongsi-house or coolie-lines, he had no interest and no relaxation was possible to him; . . . he only came into a town once in six months or once in a year; in almost every coolie-line there was an old opium-smoker, and others took to it quite naturally to while away the time at night. But to-day, riding their own bicycles or paying for a seat in a hired car, they make their way into the towns and villages quite often in an evening.

" This great road development has accompanied other developments by which other forms of amusements, recreation and relaxation have become available for the coolie. There are more Chinese theatres, there are cinemas in villages of any size, and there are talkies in every town, and the coolie has begun to take an interest in these amusements. But easy access to centres of population is the great thing; if a coolie can get into a village easily and meet his friends in an evening in a tea-shop or round a hawker's stall, it does much to remove the conditions which predispose him to smoke opium.

" There has spread over Malaya too in the past twenty years a wave of sport, the influence of which has been entirely beneficial in general, and in particular in its effect on the consumption of opium. For it, again, has given to probable smokers other interests, and interests which grip them very keenly. All the sports popular in Great Britain flourish in Malaya, but association football has swept the country and captured the popular interest. Apart from the organised leagues, one sees the game being played in every village and on any waste piece of ground adequate in size, and, although the coolie does not play it, it has taken the fancy of quite a number of them, while the Chinese in urban employment is to-day frequently a football ' fan '.

" The development of the country has had effect on the opium consumption in two other ways, in that Chinese women live in Malaya to-day in far greater numbers (the number of Chinese females per 1,000 males rose from 384.1 in 1921 to 513.6 in 1931) and in that the Chinese population is more settled and a great proportion of it is born in Malaya, and therefore educated in Malaya. (The percentage of non-Malaya-born amongst the total Chinese male population was 85 in 1921 and 76 in 1931 for the whole of Malaya.) The great bulk of our opium-smokers have come from the class of immigrant Chinese, even though, as the British Malaya 1924 Committee concluded, a considerable proportion of them started to smoke opium after they arrived in Malaya. But as the country is more opened up and there is more family life and less coolie-line life, it seems reasonable to suppose that the consumption of opium will gradually fall further from this fact alone.

" These developments have been accompanied by a continuous decrease in the amount of prepared opium consumed, amounting to 30 per cent during the period 1921-1930.

" There has been an increase in the male Chinese population of Malaya and the Straits from 1911 of 185,444, or a percentage increase of over 25.

" That seems to be a very striking result—an increase in the male Chinese population of 25 per cent and a decrease in the chandu sold over the same period of 30 per cent. I regard it, and I think my colleagues will regard it, not only as a justification of the monopoly system (if such justification is needed as long as the production of the poppy in China and Persia is uncontrolled), but also as proof that the use of the net opium revenue in the ordinary budget of a country for the development and modernisation of that country is a right use and does a great deal to reduce the consumption of opium, as was the Commission's aim in the recommendation under consideration."

In Hong-Kong much the same thing was happening, if on more restricted lines.

These notes, Sir Malcolm Delevingne added, seemed to prove that the problem must be attacked on wide lines.

There were, of course, other methods of attacking the causes which had led to opium addiction in the past, but Sir Malcolm Delevingne had merely cited those which came within his Government's experience and which had given very striking results. His Government considered that these methods were entirely in line with the Ekstrand Commission's recommendations.

There was next the medical side. It was necessary to fight the deeply rooted belief that opium was a cure for disease. Smokers felt that they obtained temporary relief from pain. According to modern medical opinion, opium was not a cure for disease, and to seek relief from pain without seeking a cure was thoroughly unsound. In the British territories, much work was being done in this direction, but he would merely give the Conference a brief summary of the action taken.

The British authorities were attempting to deal with this aspect of the problem both by the provision of medical services and by the instruction of the people in the principles of hygiene or personal health. The Malayan Government Medical Service consisted of over one hundred and fifty European medical officers and a very large number of qualified Asiatic doctors. Both in the Straits Settlements and in the Federated Malay States, there was under the Government a State Hygiene Board, consisting of specially qualified officials, and providing hospitals, clinics and dispensaries in every district. There was also a number of travelling dispensaries. The Government paid special attention to instruction in hygiene, which was imparted by social health visitors, by lectures and by the distribution of pamphlets. The large towns and municipalities were working on similar lines.

Again, both town-planning and housing were receiving attention. In Singapore, there was a Town Improvement Trust which was having very considerable effect in the re-laying-out of the city. Similar work was being carried out in every town and village throughout the Malay States, and in Hong-Kong as well.

If the grants made by the Government for these various objects were taken together, it would be found that the British administrations were spending fully the whole of the net opium revenue in this way. They were not, however, content with that. All these matters were continually receiving attention and being developed.

The United Kingdom Government therefore entirely accepted the principle on which Recommendation No. 4 was based, though it did not commit itself to particular details. Broadly speaking, he thought the lines of progress were those he had indicated.

In conclusion, he would propose that the Conference might take a resolution expressing approval of the principles on which Recommendation No. 4 was based and recommending to the Governments that, in their annual budgets of expenditure, appropriations equivalent to at least the net opium revenue should—if not already made—be allocated to the purposes mentioned and that they should continue to develop work on these lines.

As to Recommendation No. 17, the Conference might agree that the Governments be asked to present every year to the League a special opium account showing on one side the gross revenue received from the Monopoly and, on the other side, the amounts expended on the administrative services of the Monopoly, the preventive services and other services connected with opium matters, and the provision made from year to year for social purposes having a direct bearing on the problem. If the Governments took a wide view of these social services, they would, he believed, be spending their money in the manner most likely to secure satisfactory results.

(The discussion was adjourned to the next meeting.)

FOURTEENTH MEETING (Public)

Held at Bangkok on Tuesday, November 24th, 1931, at 8.45 a.m.

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30. Consideration of Measures that might be taken to discourage the Opium-smoking Habit (continued).

RECOMMENDATIONS NOS. 4 AND 17 *(continued)*.

Improvement of Social and Hygienic Conditions: Introduction in Budget of Special Section for Opium Revenue (continuation of the discussion).

M. HOLTKAMP (Netherlands), with reference to the first paragraph of the commentary on Recommendation No. 17, said that in the Netherlands Indies the Monopoly's receipts did not exceed 4 or 5 per cent of the total budget. Even if the fifteen-year period mentioned in the Protocol to the 1925 Agreement began next year and the Government of the Netherlands Indies was obliged to find other substitute revenues during that period, the budget was sufficiently elastic to make this perfectly feasible, because the annual decrease in receipts would not exceed 3 per thousand, which was a comparatively trifling amount. Hence, the opium revenue was not an indispensable item for balancing the Netherlands Indies budget, and the Government had no need to contemplate a revision of the budget to make allowance for the gradual disappearance of the opium revenue.

The third paragraph of the commentary said: "On moral grounds, strong objections are raised to the fact that Governments obtain revenue from opium control. The reasons for these objections would be removed if the opium revenue were increasingly devoted to the campaign against opium-smoking and to social and hygiene development likely to reduce the future demand for opium." It must be admitted that in the Netherlands Indies such objections had much less force than formerly, because public opinion was becoming increasingly alive to the advantage

of the Monopoly system as a method of fighting the evil. From the budgetary point of view, the Government of the Netherlands Indies considered that the opium revenue could not be regarded as a source of funds for financing the opium campaign, but that the opium receipts were justified by the policy of making the Monopoly system serve the ends of the anti-opium campaign. It would be illogical to allocate the opium revenue to particular purposes, as it was liable to fluctuate and destined to decrease gradually. Not only would it be contrary to the budgetary methods of the Netherlands Indies to do so, but it must likewise not be forgotten that, even when the opium revenue was gradually decreasing, the prevention of smuggling would always entail certain expenses, the efforts to improve social and health conditions would continue and the resultant expenditure would still have to be met. Besides, the total social expenditure of the Netherlands Indies exceeded the profits of the Opium Monopoly.

The guiding axiom of the Netherlands Indies budget policy was as follows : regular revenue was used to meet the costs of all branches of the administration; no measure was given preference over the others and all were considered according to their relative utility and urgency. For this reason, no one head of revenue could be earmarked for a particular item of expenditure.

The Netherlands Indies Government could not transfer the gross opium receipts to a special account in the budget in such a way that all expenses connected with opium, among them those of the preventive services, would be entered opposite the opium receipts. There were various reasons to justify this attitude, among them the fact that the proportion of the Customs, police, judicial and other costs incumbent on the Monopoly was unknown and any estimate was bound to be summary and inadequate. Nevertheless, the Netherlands Indies Government would have, on principle, no objection to appending to its annual budget a recapitulation of all the items referring to opium receipts and expenses. It would be better to have an international form for such an appendix, so as to make comparisons possible between the positions of the different countries.

M. Holtkamp was not quite clear what was intended in the Commission's recommendation that the ordinary budget should be made independent of the opium revenue within a given period of time. The first paragraph stated the way in which the net opium revenue was to be computed; the second paragraph said that certain other items of expenditure should still be defrayed from the same receipts; according to the third paragraph, there was yet another solution—namely, to enter the balance in the ordinary budget so as to meet expenses having a social or health purpose —while under the fourth paragraph, the ordinary budget was to be made independent of the opium revenue.

He would like, too, to know why the ordinary budget should be made independent of the opium revenue. Was that measure regarded as a means of bringing pressure to bear on the Governments to accelerate the gradual suppression of the use of prepared opium? As financial considerations had no part in this matter, a measure of that sort would have no effect on his Government's opium policy.

M. VAN WETTUM (Netherlands) held that the words in Recommendation No. 4—" Opium should not be considered as a legitimate commercial product "—involved a modification of the Hague Convention, which in Article 6 and the following articles recognised opium as a legitimate commodity. The Government of the Netherlands Indies could not accept a principle of that kind, seeing that there were about 170,000 smokers using the Monopoly opium.

With reference to the second paragraph, the Government of the Netherlands Indies was making every endeavour to carry out Article VII of the 1925 Agreement, which provided for the distribution of pamphlets, etc., as part of the opium campaign. It was therefore pursuing a policy on all fours with the Commission's recommendation, in so far as the latter urged the same measures as those mentioned in Article VII. Further, in Volume I, pages 29-30, of its report, the Commission of Enquiry had recognised the Netherlands Indies Government's efforts in this direction. The Conference might be interested to know that there existed in the Netherlands Indies a Government bureau for popular literature the task of which was to supply literature to the indigenous population; the same bureau acted as agent for the dissemination of the pamphlets referred to.

As for the rest of Recommendation No. 4, the reasons advanced by Sir Malcolm Delevingne, at the previous meeting, for the decline of opium sales in Malaya were entirely convincing, to M. van Wettum's mind. It was certain that the situation could be vastly improved by raising the social conditions of the classes from which smokers were drawn.

As for the results obtained by anti-opium propaganda, M. van Wettum would point out that anti-drink propaganda had been most effective in the Netherlands.

With regard to the draft resolution outlined by Sir Malcolm Delevingne, M. van Wettum feared that that proposal, if adopted, would not fail to give the impression that there was a connection between opium revenue and the expenses for social purposes. He did not intend to repeat what had been said by M. Holtkamp concerning the financial position; the Netherlands Government had nothing to fear from the publication of the figures for the expenditure under discussion, as this expenditure exceeded the profits of the Opium Monopoly. He wished, however, to protest against any attempt to establish such a connection. As his colleague on the Netherlands delegation had said, the expenses mentioned would continue even after the opium revenue had dried up.

M. TOUZET (France) said that his delegation found it particularly easy to adhere to Recommendation No. 4, because in Indo-China almost all the measures mentioned in it were already applied, as would be seen from the following statement :

Anti-Opium Propaganda in Schools.—There were in Indo-China about 5,000 elementary Government schools with 325,000 pupils, and a certain number of privately-owned schools under

Government supervision. Educational propaganda was given in all schools (elementary, higher elementary and training colleges) to warn children against the dangers to health and morality resulting from the use of opium.

The regulations laid down were as follows : In the case of elementary instruction for French and native children, the Decree of July 7th, 1927, prescribed, as part of the elementary course, lessons on morality (temperance, sobriety, dangers of alcohol and opium) and, as part of the second-year course in the intermediate division, " lessons on duties to the body " (abuses to be avoided for sake of morality and health, drink, opium). In the case of higher elementary instruction for French and native children, the Decree of November 26th, 1924, prescribed, for the second year, " Morality : gross pleasures, alcohol, gambling, opium ", and in the training colleges, for the second year, " Morality : dangerous pleasures, alcohol, opium ".

In addition, the Department of Public Education had published textbooks in the native languages for each division in the educational system, among them a textbook on morality for the elementary French and native schools, which was translated into all the languages used in Indo-China, even into Chinese characters and Pali, and contained a reading on opium and its dangers, the successive stages of opium poisoning, the physical and moral degradation of the opium addict and his final ruin. The text was accompanied by abundant illustrations, to strengthen the impression made on the minds of the young. These various textbooks were published in editions of 5,000,000 and were circulated, not only among school-children and pupils, but among the whole of the people as well. They formed the most important and unquestionably the most effective instruments of propaganda. A diagram depicting the opium danger, for use in schools, was in course of preparation. Propaganda was carried on by means of educational periodicals as well.

Sport as a Deterrent from Opium-smoking.—The development of sport had had the very best effect on the Annamite and Cambodian races, and it might be said that sport was modifying the physique of the inhabitants of both French and protected territory. The French administration had carefully fostered the practice of sport by all the means at their command : they had created sports grounds, they subsidised clubs and awarded prizes, etc. The practice of sports, which had become very widespread in Indo-China, was unquestionably an excellent method of combating opium. At the critical period when opium-smokers were formed, between 18 and 25, the natives belonging to the new generation abstained from smoking for fear of impairing their physical powers and athletic capacity.

General Education in the Service of Anti-Opium Propaganda.—By reason of the social status of the people as a whole, the Government-General of Indo-China had less faith in methods, such as the Press, advertisements or lectures, which would reach only a limited number of persons and the cost of which would bear no relation to the goal in view. It regarded the cinematograph, owing to its circulation capacity, as a more valuable ally, provided, however, the films were neither over-long nor boring, as too often happened with propaganda films. Broadcasting also might be used with good effect. For the moment, the Government-General was not in a position to employ either of these means. It considered that they could best be applied internationally and should be left to the initiative of philanthropic organisations, to which the Government would be prepared to give every help.

Improvement of Living Conditions as a Means of combating Opium.—Although he did not underestimate the methods recommended by the Commission of Enquiry, the French delegate feared that, apart from sport, they would be limited and temporary in effect. The Government-General was inclined to think that surer and more lasting results would be obtained by reducing pauperism, improving generally the conditions of life and promoting the development of Western civilisation. It had been found in Indo-China that Europeans had given up smoking since the introduction of three new factors in their lives : the presence of wives and children in the colony enabled them to lead a family life not appreciably different from life in France; the roads had opened up possibilities for motor drives and shooting; and the hill stations afforded an opportunity for recovery to those run down in health. The European smoker had become the exception. He was a man who had gone off the rails and was looked on with contempt.

The same satisfactory change was taking place among the upper- and middle-class natives. They had practically stopped smoking except in an occasional or casual way at private parties.

As for the masses, the vast majority of the Annamites and Cambodians were comparatively free from the opium vice; 70 per cent of the smokers were Chinese. The Indo-Chinese administration had not abandoned the fight in their case, but it had encountered many more difficulties In the first place, the Chinese communities frequently offered resistance to measures of physical and moral improvement and were not easy for the European administration to handle. Next, for the Chinese coolies whose work was very hard, smoking was, it must be admitted, a relaxation, a relief from bodily fatigue, even—at least they so believed—a sort of tonic, the virtue of which resided in its bringing the human organism into a state in which it could better resist the trials of an unhealthy climate. For the lowest classes, opium was a distraction, their only one. It was the poor man's sole means of escaping in a dream from the hardships of life. If he were suddenly deprived of it, might he not take up other, yet more repulsive, vices—drink, sexual perversion or, worst of all, cocaine? In the people's case, opium must be replaced by something else. That something would result from improved living conditions, better and more abundant food, more comfortable housing, a more normal family life, a less summary education which would make it possible for the poor to read and to practise the arts. For any Government that was bound to be a protracted and often a thankless task, as must, indeed, be any persevering effort the results of which could not be gauged by comparisons.

It was this patient method on which the Government-General had determined. It considered it the only feasible policy in the existing circumstances, unless the League succeeded in tearing

up all the poppies from the earth and preventing their being planted again. It had faith in a persevering and energetic campaign. It was not, however, sure that the campaign was at present being conducted on the right lines. Opium, on the one hand, and morphine, on the other, were fought with different ideas and by different organisations. Was not the world failing to overtake the evil? Were not the methods employed obsolete? Mankind was committing suicide. Did not the League consider that the time had come to show a united front against opium, morphine, cocaine, heroin and the other drugs? If ever, owing to a tactical error, a worse evil took the place of one less malign, Indo-China would be right in saying : " Better the opium pipe than the morphine syringe ".

The Government-General of Indo-China was willing to accept Recommendation No. 17. To the finances of Indo-China, although the opium revenue was not negligible, the matter was not of the same importance as it had been previously in that territory and still was in many other countries. From the statistics on pages 309 *et seq.* of Volume II of the report, M. Touzet would single out two figures. The net opium revenue—that was to say, the balance remaining over after the price of the raw opium and the cost of manufacturing the prepared opium, apart from all administrative expenses, had been deducted—had in ten years fallen from 12,800,000 piastres in 1919 to 7,800,000 in 1929, a decline of about 40 per cent. The ratio of the net opium revenue to the total gross budget revenue had dwindled, in the same period, from 20.12 to 4.70 per cent. That was the lowest percentage recorded by the Commission during its enquiry. Those figures proved how loyally and with how strict a conception of her duties Indo-China had kept her engagements. In the present time of financial stringency, she had difficulty in supporting the consequences of the rigorous policy she had followed since 1917. The Government therefore did not think that at present more importance could be attached to the allocation of the opium revenue than to the proportion which the opium revenue bore to the total revenue.

As for the structure of the budget, the expenses on opium matters were spread out over various chapters. That was inevitable, because such expenses were extremely various (purchasing costs, manufacturing costs, administrative expenses, expenses of the supervisory and preventive services, etc.). Both law and financial practice were strongly opposed to the special budgetary allocation of certain receipts, but an exception to the general rule would not be impossible provided it received the sanction of law. In this connection, the Finance Department had under consideration a draft decree for establishing the ordinary commercial system of accountancy in the fiscal monopolies in Indo-China. That scheme, if approved by the Colonial Office and enforced, would give full effect to Recommendation No. 17.

To revert to the budgetary allocation of the net opium revenue, there was no reason why the Government-General should oppose this, once the legal difficulty was overcome, since health and welfare expenditure, social expenditure and educational expenditure were on an immeasurably higher plane. In the application of such a system, there would be no necessity to include as part of the balance-sheet the sums spent on development—that was, all expenses except debt charges and military and administrative costs. The Government-General had no objection in principle to a replacement fund, although its experience of reserve funds had not been very favourable. Such funds were invariably full in the years of prosperity and empty in the lean years, so that they entirely failed to fulfil the object for which they were established.

There was, however, no need to deal with all these matters in detail. The Conference had apparently taken its stand and it would be ungracious on the part of the Government of Indo-China to insist, because it alone was in a position to accept the full force of Recommendation No. 17. From all that—it should indeed be said, from all the discussions at Bangkok—one conclusion emerged—namely, that the international regulation of opium for smoking had reached a point at which, for the time being, nothing further seemed possible in the way of joint arrangements. Within the limits of Recommendation No. 17, Indo-China was able to go further than other countries were prepared to go. On the contrary, where smuggling was concerned, she was obliged to keep well within a limit which others could easily go beyond.

M. EKSTRAND, Chairman of the Commission of Enquiry, felt the very greatest satisfaction at the statement of the representative of Indo-China concerning Recommendations Nos. 4 and 17. It proved that those recommendations could apparently have been carried out in one country at any rate.

He would next reply to the questions put to him.

Concerning Recommendation No. 17, reference had been made to the sentence : " In the course of time, opium has become a source of income necessary to Governments for the balancing of their budgets ".

The words used in the English version—" necessary to Governments "—made it plain that the Commission were alluding only to some of the Governments. The position was made quite clear by reference to the tables in Volume I, pages 48 to 51, giving the official figures supplied to the Commission, which showed that the net opium revenues varied between 2.72 and 30.15 per cent of the total Government revenues. It was within these limits that the question should be considered, to what extent the different Governments had employed the opium revenue to balance their budgets. The figures might, of course, have changed since the enquiry.

Again, in Recommendation No. 17 the Commission had said : " The opium gross revenue should be transferred to a special section of the budget ". The Commission had been told by experts that such a course was not impossible and, moreover, it had just been stated that it was feasible in certain countries, although others might perhaps meet with difficulties in special circumstances. The Commission had not shut their eyes to that fact. They said : " In case legislative

measures are necessary to introduce this change in the budget accounts, measures for this purpose should be considered in each territory ".

Later in the same recommendation, the Commission said : " Every expense connected with opium, including preventive services, should be charged against that revenue ". The Commission had not forgotten that the expenses mentioned could not be computed exactly in all cases, but at the same time they knew that a sufficiently close estimate could be formed to make this practicable.

The second paragraph in the recommendation showed that, in the Commission's view, there should be deducted from the net opium receipts all expenses connected with administrative and other measures intended to suppress opium addiction, so as to make it possible to determine what might be called the final net revenue.

According to the next paragraph, any surplus was to be earmarked, either in the ordinary or in a special budget, for expenses directly or indirectly connected with the anti-opium campaign. The Commission did not think that there was anything illogical in that. They had considered —and M. Ekstrand believed that Sir Malcolm Delevingne had endorsed this opinion on the previous day—that certain expenses, among them expenditure on health, could be included under this head. The word " or " showed that this was meant as an alternative. The Commission had held that the expenses in question should be incurred for the purposes of the opium campaign; that would square with the principle of the gradual suppression of the opium-smoking habit and the Governments would be less exposed than heretofore to the criticism that they derived funds from the use of opium, since the money would be allotted by them to the suppression of addiction. The Commission fully realised that, if the anti-opium campaign was a success, the opium revenue would steadily decrease, but that the ordinary budget would still have to cover certain social expenses. It had, however, thought that that was not a reason for failing to devote such revenue, so long as it subsisted, to the opium campaign.

With regard to the last paragraph, M. Ekstrand explained that the Governments themselves might find it helpful to know from what time they must be prepared to cease counting on the opium revenue as a source of income to the ordinary budget and to replace that revenue by other. This would meet the legitimate desire of public opinion to know at what time the Governments were proposing to declare their independence from the opium receipts. Public opinion had played a great rôle in the anti-opium campaign, and it was only right that its expectations should be fulfilled.

In Recommendation No. 4, the Netherlands delegate had referred to the words : " Opium should not be considered as a legitimate commercial product ". He took the view that that statement appeared to clash with the Hague Convention. The Commission had never imagined that the stipulations of either international or municipal law held good for ever. They were quite aware that many of their recommendations necessitated changes in international conventions or agreements and in the national systems of law; but they had not hesitated on that account to put them forward, for they were convinced that certain changes were necessary if progress was to be made.

M. TOUZET (France) wished to prevent any misunderstanding of his previous statement. He had said that the Government-General of Indo-China had prepared a draft decree introducing commercial accountancy in the fiscal monopolies. If the Colonial Office in France approved the scheme, it would be put into application at once, irrespective of what the other countries found it possible to do. This qualification as to the need for the Colonial Office's sanction must not be taken as a mere matter of tactics, intended to afford the administration of Indo-China a line of retreat later on. It was an absolute rule in French colonial public law that local regulations concerning financial matters could not be made effective except after approval by decree from the home country. The reason for this was simple : France guaranteed the colony's debts and could not permit their being added to without some control of the situation.

M. EKSTRAND, Chairman of the Commission of Enquiry, said that his attention had been drawn to the use in Recommendation No. 17 of the words " special section of the budget ", whereas in the outline prepared by M. Gérard another phrase was used : " special opium account " (see Volume II, pages 489 *et seq.*). He did not think that any importance need be attached to this slight difference of phraseology. The essential thing was to adhere to the principles set forth by M. Gérard in his outline. The adoption of some such system would fully meet the Commission's wishes.

Prince VIWAT (Siam) thought that the remarks of the Chairman of the Commission of Enquiry with regard to the budgetary part of Recommendation No. 17 had removed the Siamese delegation's financial objections to that recommendation. As to the moral part of the recommendation, urging that opium revenue should be spent on anti-opium measures, it was the Siamese Government's practice to credit all receipts to general revenues and to debit all expenditures to general expenditure. That was in accordance with the fundamental principles of public finance.

With regard to prevention, the ordinary police and Customs officers must always be the chief force in fighting the illicit traffic. The percentage of the opium revenue spent in Siam on all the preventive services could not therefore be stated exactly, but the Government was spending substantial sums on education (both physical and mental), hospitals, etc. The total amount expended on such social services represented 52 per cent of the net opium revenue in 1930 and

71 per cent in the current year. If to this amount were added the sums incurred for economic development—the building of roads and railways, irrigation, etc.—the aggregate total would be far higher than the whole of the net opium revenue.

Prince Viwat agreed to the proposal to draw up annually an " opium account " on the lines suggested by M. Gérard in Volume II of the Commission's report.

Mr. MARSHALL (India) read the following statement :

The Government of Burma accepts the view that opium should not be considered as a legitimate commercial product and the existing demand for it should be regarded as illegitimate except for medical and scientific purposes. The Burma Government's policy is now ultimate suppression of all opium consumption except for medical and scientific purposes. The Government of India also accepts this suggestion of the Commission of Enquiry on the understanding that it refers only to opium for smoking. This appears to be the case, as the paragraph is headed " Measures to combat the Demand for Opium for Smoking Purposes ". The Government of India have already shown by their action in restricting exports, which will cease in 1935, that they are prepared to accept the view that opium should not be considered a legitimate commercial product in international markets.

I am not sure, however, that my view of the meaning of this suggestion coincides with that of M. van Wettum. I do not regard the suggestion as meaning that the sale of opium by a Government monopoly to addicts should be regarded as illegitimate.

As regards the Shan States, I have already explained the present position. Opium has long been grown on the hills east of the Salween, and the growing and selling of it is regarded as a perfectly legitimate operation. These areas are very remote and are largely covered with jungle, and for practical reasons it would be difficult for the Government to assume strict control of cultivation and sale at present. If, however, Burma is separated from India, it may be possible to obtain the supplies of opium which Burma requires from the Shan States instead of from India. In that case, it may be possible to exercise much stricter control over cultivation and sale without materially affecting the economic conditions of the cultivators in these areas, for a legitimate outlet will then be provided for the opium which the Shan peoples are accustomed to cultivate.

The Government of Burma agrees that an improvement in social and hygienic conditions would reduce the illegitimate demand for opium. Of course, like all other civilised Governments, it is already bringing about improvements in social and hygienic conditions, quite independently of its opium policy. It is probable that these improvements are largely responsible for the very great decrease in opium-smoking which has undoubtedly occurred in the last twenty-five years. As regards propaganda, however, the Government of Burma is strongly opposed to the cancellation of the exception to Article VII of the Geneva Opium Agreement. Conditions in Burma are quite different from those described for Indo-China by M. Touzet. Most of the Chinese and Indian consumers in Burma are immigrants who would not be touched by propaganda in schools in Burma. Most of the other consumers belong to classes which receive only very elementary education in Buddhist monasteries. Abstinence from intoxicants and narcotics is already taught, along with other Buddhist precepts in these monasteries. Such propaganda against opium-smoking in organised schools under the Education Department would merely advertise the vice of opium-smoking.

As regards revenue, although the Government of Burma has agreed to the suppression of opium consumption as the ultimate goal, it cannot agree, so long as the period of fifteen years contemplated in Article II of the Protocol to the Geneva Agreement has not begun to run, to a definite limit of time within which its opium revenue should disappear. The question depends mainly on the success of the measures adopted for preventing the recruitment of new addicts. Unless illicit opium can be effectively prohibited, the cessation of the sale of opium by Government would merely result in increased profits for smugglers, and it is too early to say when measures for suppressing the illicit traffic will be successful.

Moreover, there are constitutional difficulties in the way of the proposal of the Commission of Enquiry. According to Section 72 D of the Government of India Act, the estimated annual revenue and expenditure of the province has to be laid before the Legislative Council each year. While a *pro forma* account showing the receipts and expenditure from opium revenue could be incorporated in the budget, it would not without legislation be possible to secure that opium revenue should be entirely devoted to the classes of expenditure contemplated. It would always be open to the Legislative Council to refuse to vote expenditure which Government proposes to finance from opium revenue, and it is not considered to be practical politics to restrict the power of the Legislative Council in this direction. Moreover, it will be difficult to find schemes in the present annual expenditure of the province which could be properly debited to the full extent of the surplus against opium revenue.

The idea behind the suggestion that public opinion objects to the Governments' obtaining revenues from opium control appears to be that, so long as expenditure from the opium revenue is included in the general budget, the opium policies of the Governments are likely to be influenced

by revenue considerations. There is no foundation for this idea, at least so far as Burma is concerned. The opium revenue of Burma is only a very small percentage of the total revenue of the province, even less than the figure quoted by M. Touzet for Indo-China, and it is steadily decreasing. The Government of Burma recognises that its restrictive policy necessarily involves that opium is a decreasing source of revenue. This decrease, however, has been counterbalanced by increases in other sources of revenue, and no financial problem is raised at present by the decrease in opium revenue. When the period of fifteen years contemplated under the Protocol to the Geneva Agreement begins to run, it may be necessary to look for other sources of revenue, but it is quite likely that before this period begins to run our opium revenue may be quite negligible.

During the last twenty-five years, the sale of licit opium in Burma has decreased from 78,000 seers (or about 72 tons) to 22,322 seers (or about 20 tons), and the decrease is continuing. It is absurd to suggest that a Government which, by its restrictive policy, has brought about this enormous decrease in licit consumption has been influenced in the slightest degree by revenue considerations. Incidentally, I may say that, although in the same period the consumption of illicit opium has probably increased, the amount of smuggled opium consumed cannot be anything like thirty tons (the most reliable estimate is about fifteen tons), so that the total consumption of opium, licit and illicit, has really decreased to a very great extent.

The truth is that, without any separate opium section in the budget, the consumption of Government opium is decreasing rapidly, with a corresponding decrease in opium revenue, and my Government is therefore unable to agree that there is sufficient justification for this recommendation of the Commission of Enquiry.

Sir Malcolm Delevingne's draft resolution is not open to the same objection, but I did not take it in exactly the same sense as M. van Wettum has done, and I should like to see it in writing before voting for its adoption.

M. EKSTRAND, Chairman of the Commission of Enquiry, said that Prince Viwat's statement was in accord with the spirit of the Commission's recommendation, and with the President's remark that public opinion must receive adequate and up-to-date information as to the opium-smoking problem. In the Commission's view, public opinion was to be regarded as perhaps the strongest force which the Governments could employ in the opium campaign. One of the ideas behind Recommendation No. 17 was the need for satisfying the legitimate desire of public opinion to be informed as to the real situation in regard to the opium revenues—both their amount and their use. M. Ekstrand thought that, if the Conference could agree to recommend to the Governments Recommendation No. 17 together with the plan of an opium account drawn up and explained by M. Gérard, this would assist in giving public opinion accurate information on the subject.

M. DE MAGALHÃES (Portugal) observed that at a previous meeting the Portuguese delegation had stated that it supported the greater part of Recommendation No. 4. In his view, the best results would be achieved by applying in practice the spirit of that recommendation. The education of the present and future generations was a matter of supreme importance. Close attention was paid to the subject in Macao. All Chinese of both sexes and all ages who came to Macao were tobacco-smokers, but the habit disappeared among the children as soon as they began to attend school. There were at present 7,000 pupils in the schools in Macao, and none of them smoked. The European population did not smoke opium. There were 123 special schools for Chinese, and the instruction given in them was so effective that it was rare to find an illiterate among those who had been to school. It had been stated, in reply to the Commission of Enquiry, that 60 per cent of the population were illiterate. That statement had been based on the results of an enquiry held a long time ago on the order of the Minister for Colonies, when the population had been very small, only 50,000 to 55,000, and the enquiry had related only to the Portuguese language. At a later enquiry, in which all available sources of information had been used, it had been found that the entire European population both read and wrote Portuguese, and that not more than 2 per cent of the Chinese population were unable to read and write Chinese. The whole educational system was closely supervised by the Government. There had been a great development in sports and physical education among the present generation of school-children. Indeed, the Portuguese Government had made it a practice to subsidise sports and physical education even before the Commission's recommendation was published. It had therefore anticipated the Commission's suggestion. In addition, the class-room walls were adorned with drawings and with porcelain figures, manufactured by the Macao porcelain factory, showing the effects of opium-smoking.

It would be true to say that, within a few years, opium-smoking would have been stamped out among the fixed population. Among the floating population, on the contrary, that was almost impossible. There was a constant stream of visitors to and fro, and over them the Government had no control. Nevertheless, it would see what could be done even for this section of the population.

With regard to Recommendation No. 17, M. de Magalhães would leave it to M. Lobo to give particulars as to the budgetary situation. It must, however, be remembered that the resources of the Macao Government were small. The Portuguese delegation could not, therefore, agree to Recommendation No. 17, but the Government would do everything it could to deal with budgetary matters on the right lines. The system of public accounting in force presented certain difficulties. The position in that respect was very different in Macao from that prevailing in the other territories.

The Portuguese delegation accepted the form suggested for an opium revenue account on pages 492 to 495 of Volume II of the Commission's report. It approved that part of the recommendation.

M. LOBO (Portugal) reminded the Conference that a proposal on the lines of that made by the Commission of Enquiry regarding the opening of a special chapter for opium revenue and expenditure in the budget had been put before the 1924-25 Conference. The Portuguese representative at that time had stated that, under the existing budgetary system in the Portuguese colonies, no such scheme could be accepted. The position had not changed since then. The Portuguese Government was anxious to find a way of meeting the Commission's desires, but Recommendation No. 17 suggested also that, in cases where there was as yet no provision for the budgetary system contemplated, the law would have to be amended, or new legislation introduced, to attain the end in view. The Portuguese Government had arrived at the conclusion that it would not be sound finance to saddle the Government with the liability for certain fixed expenses against an instable revenue which might prove insufficient. It had not therefore felt that it would be justified in adopting such a recommendation. Under the present system, the opium revenue was credited to the ordinary budget, and the expenses for the prevention of the illicit traffic, anti-opium propaganda, etc., were taken from the ordinary budget.

The Macao Government was giving favourable consideration to the recommendation in the third paragraph of No. 17. It was doing its best to see whether it would be possible to constitute a replacement fund from the Opium Monopoly receipts, somewhat on the lines of that established in the Straits Settlements. On account of difficulties in the budgetary system which precluded the appropriation of a fixed sum from the opium revenue, it was thought that the best method would be to appropriate a certain sum from the surplus remaining over from the whole budget at the end of the year.

M. YATABE (Japan) observed that the Japanese Government's comments on Recommendations Nos. 4 and 17 had been circulated to delegates.[1] In Formosa, the net opium revenue for 1928 had been 2,800,000 yen. The net revenue was obtained by deducting from the gross opium revenue the cost of the Monopoly services. It represented less than 3 per cent of the Formosa Government's total revenue.

In the Kwantung Leased Territory, the net opium revenue calculated on the same basis was 1,300,000 yen, or 6 per cent of the total revenue.

These revenues were earmarked for the preventive services, the cure of addicts, anti-opium instruction in schools and other propaganda, medical services and other public works. The total expenses of these services far exceeded the revenue derived from opium. The Japanese Government was determined that the finances of the Governments of both Formosa and Kwantung should be independent of the opium revenue.

M. Yatabe entirely agreed that, for the suppression of opium, the fundamental problem was to eradicate the opium-smoking habit. The Japanese Government accordingly supported the principle underlying Recommendation No. 4. There could be no doubt that all the Governments were using their best efforts and spending large sums of money in order to achieve the aim in view, but, owing to the financial organisation of the country and the system on which the administration was based, it was difficult, indeed almost impossible, to keep a separate account of the expenses incurred for opium control. The essential point, in the Japanese delegation's view, was not the keeping of a separate account, but the principle that financial stability should not be contingent upon the opium revenue. It appeared that the members of the Conference were agreed that the present policy with regard to the suppression of opium-smoking had no connection with financial considerations. That had been stated to be the case by the delegates of the Netherlands and India and, M. Yatabe believed, by Sir Malcolm Delevingne as well, in his remarks on the previous day. Hence, the Conference should take a resolution approving the principle of Recommendation No. 4 and urging that in all the territories concerned the financial situation should become less and less dependent on the opium revenue. Finally, he had no objection to M. Gérard's scheme on page 494 of Volume II of the Commission's report.

The PRESIDENT suggested that the discussion on Recommendations Nos. 4 and 17 might be closed by referring the following draft resolution to the Drafting Committee :

" 1. The Conference,

" Considering that the causes which lead to the adoption of the practice of opium-smoking are to be found chiefly *(a)* in the conditions of life of the classes from which opium-smokers are mainly drawn and *(b)* in the belief that the practice is a remedy for or alleviation of disease;

" Recognising also that, while important progress has already been made in the improvement of those conditions and in the extension of medical and hygienic services in the Far-Eastern territories of the Powers and encouraging results have been obtained, much remains to be done in developing and extending work on these lines:

" Recommends that such development and extension should be treated as an important part of the opium policy of all the Governments concerned.

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[1] See Annex 3 : Observations by the Japanese and Siamese Governments on the Conclusions and Suggestions of the Commission of Enquiry into the Control of Opium-smoking in the Far East.

" 2. The Conference recommends that a special opium account, on the lines suggested on page 494 of Volume II of the report of the League of Nations Commission, should be prepared annually, and that this account should be annexed to the annual budget of the territory and to the annual report submitted by the Government of the territory to the League of Nations."

The draft resolution proposed by the President was referred to the Drafting Committee.

31. Illicit Traffic (continuation of the discussion).

RECOMMENDATION No. 1.

Necessity for Concurrent Measures.

M. EKSTRAND, Chairman of the Commission of Enquiry, explained that by this recommendation the Commission intended to propose that the different Governments should, so far as possible, keep step with each other in introducing the various measures in question, so as to avoid intervals of, say, five or even ten years between the times when the same measure was adopted in the different territories. The reason for this proposal was that the Commission had endeavoured to build up a uniform scheme for all countries, so far as that was feasible. It had, of course, appreciated, no less than the delegates at the Conference, the differences in the conditions in the various territories, but had considered that this should not prevent the Governments from trying to proceed on the same lines at about the same time. The Commission had contemplated such intimate collaboration between the Governments that they would even communicate to each other any plans they might be considering for new measures to combat opium-smoking. It was not the Commission's intention that a Government which thought that it had hit upon a useful idea should not try out that idea. It merely wished that Government to communicate its idea to the others, with the object of enabling them to try it out at about the same time. As to the expression, in the recommendation, " all measures ", that, needless to say, meant all useful or suitable measures.

Sir Malcolm DELEVINGNE (United Kingdom) thought that the Commission's object in this recommendation was covered by the following draft resolution, which he had prepared after the discussion on the previous day :

" The Conference,

" Recommends that the arrangements contemplated by Article VIII of the Geneva Agreement of 1925 for the exchange of information and views in regard to the illicit traffic should be extended to cover all matters of common interest in connection with the suppression of the practice of opium-smoking, including particularly the remedial measures that may be taken for removing the causes which lead to the practice, and the treatment and after-care of opium addicts. It also considers that it would be valuable, especially in the case of territories where the conditions are similar, if conferences could take place from time to time between the representatives of the services concerned to discuss the measures to be taken for the purposes mentioned."

M. EKSTRAND, Chairman of the Commission of Enquiry, thought that the draft resolution would cover the recommendation completely if a sentence were added to indicate that the measures in question should be taken concurrently in time.

M. VAN WETTUM (Netherlands) believed that he could agree to Sir Malcolm Delevingne's draft resolution, but hoped that the term " concurrently " or " at the same time " would be avoided. It would plainly be impossible for all the Governments to introduce all measures concurrently.

He took it that, in using the words in the last paragraph in the commentary preceding Recommendation No. 1, the Commission had not had the Netherlands Government in mind, because, whenever that Government had adopted measures with regard to opium, it had invariably taken into account the situation as a whole.

The Conference decided to refer Sir Malcolm Delevingne's draft resolution to the Drafting Committee.

32. Revision of the Hague International Opium Convention (1912) and the Geneva Opium Agreement (1925).

RECOMMENDATION No. 20.

The PRESIDENT observed that the question raised under this heading depended on the result of the present Conference.

FIFTEENTH MEETING (Public)

Held at Bangkok on Thursday, November, 26th 1931, at 8.45 a.m.

33. Credentials of the French Delegation.

The PRESIDENT read the following letter from M. Maugras, first French delegate :

" I have the honour to inform Your Excellency that, according to a telegram which I have received to-day and a copy of which is enclosed herewith, I and M. Bourgois are authorised by the French Government to sign any agreement that may be concluded between the Powers represented at the Bangkok Conference for the Control of Opium-smoking in the Far East. I shall receive full powers by the next diplomatic valise and will transmit them to the Secretariat of the Conference as soon as they have reached me.

" *(Signed)* Roger MAUGRAS."

The telegram from the French Minister for Foreign Affairs to the French Minister at Bangkok was as follows :

" Paris, November 23rd, 1931. You and M. Bourgois are authorised sign agreement on control opium-smoking in Far East. You will receive full powers by next valise."

The President observed that all delegates to the Conference were now in possession of full powers.

34. Consideration of Draft Articles of a New Agreement.[1]

I. AMENDMENT TO ARTICLE I, PARAGRAPH *3(a)*, OF THE GENEVA OPIUM AGREEMENT OF 1925 proposed by the British Delegate, as approved by the Drafting Committee.

The PRESIDENT, on behalf of the Drafting Committee, submitted the following draft article for incorporation in the new agreement :

" The retail sale and distribution of opium shall take place only from Government shops —that is, shops owned and managed by the Government—or, where the local circumstances make the establishment of a Government shop difficult, from shops managed, under Government supervision, by persons appointed by the Government for the purpose and remunerated by a fixed payment only and not by a commission on sales.

" The foregoing provision need not be applied if a system of licensing and rationing of smokers is in force, which affords equivalent or more effective guarantees."

Prince VIWAT (Siam) desired to emphasise the moral danger which, under the Siamese system of prohibiting smoking except in public smoking-establishments, would follow from an attempt to convert the shops which were managed by licence-holders into Government shops. The existence of corruption in a single important branch of the administration could not fail to have a bad effect on the other departments. It was plain that no country could progress if a large number of its civil servants were open to corruption. Siam had only recently entered the modern world. She was endeavouring to build up a modern, efficient and honest administration. That was a task which in other countries had demanded years of patience and tradition. Siam could not, at the very outset, expose herself to the possibility of a serious relapse. Whatever the possible benefits of the system of retail selling in Government shops, the material and moral dangers to which Prince Viwat had drawn attention were of far greater importance. For these reasons, His Majesty's Government was not prepared to accept without a reservation the draft article in the form submitted to the Conference.

M. VAN WETTUM (Netherlands), on behalf of his delegation, accepted the draft article on the understanding that the practice in the Netherlands Indies of distributing opium, as an exceptional measure, through licence-holders, as explained by himself at the ninth meeting, was fully covered by the text proposed.

Mr. MARSHALL (India) said that, not only was there a complete licensing and rationing system in Burma, but the shops also had recently been converted into Government shops. The Government of Burma therefore had no difficulty in agreeing to the proposed article. It could not, however, accept it on behalf of the Shan States. The Government of the Shan States was at present considering the possibility of substituting official shops for private shops, but was not

[1] For text of Agreement and Final Act adopted by the Conference, see document C.70.M.36.1932.XI.

prepared for the time being to introduce the licensing and rationing system. For this reason, he could not accept on behalf of the Shan States an agreement which required the immediate introduction of the measure in question.

As to the other provinces of India, he understood that Article XIII of the Geneva Agreement and the new Agreement applied only to the countries east of Burma, including Burma, but not to the provinces west of Burma.

M. BOURGOIS (France) submitted the following addition, in order to obviate the necessity of entering a reservation with regard to the three factories in Kwangchow-Wan : " or during the continuance, as a strictly temporary measure, of selling-establishments controlled by the Monopoly ". This control consisted of a special form of supervision existing in the French administration, as, for instance, that governing alcohol; at any time of the day or night, the Monopoly, and not only the police, could enter the premises, demand to be shown the books, take copies of them, and supervise very closely the entire transactions of the " controlled " establishment. This method represented a half-way house between the running of the establishment by the administration and the ordinary method of control. M. Bourgois reminded the Conference of the special situation of the territory of Kwangchow-Wan and its inhabitants.

Sir Malcolm DELEVINGNE (United Kingdom) felt sure that the Conference would have learned with keen satisfaction that the number of non-Government factories in Kwangchow-Wan had already been reduced to the very small number of three. He took note of the French delegate's assurance that this figure would be reduced to nil as soon as possible. That being so, he thought that the Conference might agree to the French request for a temporary arrangement, pending the final introduction of a complete system of Government monopoly.

The addition proposed by the French delegation was approved.

The draft article, with the foregoing amendment was adopted subject to the reservation made by the Siamese delegation and that made by the delegate of India with regard to the Shan States.

II. PROHIBITION AGAINST THE SMOKING OF OPIUM BY MINORS.

The PRESIDENT, on behalf of the Drafting Committee, submitted the following text :

" Persons under twenty-one years of age shall be prohibited from smoking opium and from entering any smoking-establishment."

The text prepared by the Drafting Committee was adopted.

III. PROHIBITION AGAINST THE SALE OF PREPARED OPIUM EXCEPT FOR CASH.

The PRESIDENT, on behalf of the Drafting Committee, submitted the following text :

" The High Contracting Parties agree to give a legal basis to the practice, already generally in operation, of selling prepared opium for cash only."

The text prepared by the Drafting Committee was adopted.

IV. CONCENTRATION OF THE MANUFACTURE OF PREPARED OPIUM IN DIFFERENT TERRITORIES BELONGING TO THE SAME POWER.

(Article VI, paragraph 1, of the 1925 Geneva Opium Agreement).

Sir Malcolm DELEVINGNE (United Kingdom) reminded the Conference that he had suggested that it would be desirable to allow the Hong-Kong Monopoly to be supplied with prepared opium, in the same way as the Malay States, Sarawak and North Borneo, from the Singapore factory. If the Conference accepted the general principle that it was desirable to concentrate manufacture of prepared opium in one of the different territories belonging to the same Power, a reservation on the following lines might be appended to Article VI of the Geneva Agreement :

" Nevertheless, for the purpose of rendering stricter the control of the manufacture of prepared opium, it shall be permissible for a Government Monopoly to be supplied with prepared opium from the factory of a Government Monopoly in another territory of the same Power."

The PRESIDENT observed that Sir Malcolm Delevingne's proposal was in conformity with an arrangement which had been sanctioned by the 1924-25 Conference.

It was decided that the text proposed by Sir Malcolm Delevingne would be embodied in the new Agreement.

V. FORMAL CLAUSES OF THE NEW AGREEMENT.

Sir Malcolm DELEVINGNE (United Kingdom) pointed out that the Conference had not yet discussed the formal clauses of the new Agreement. The Conference should not omit to include a provision corresponding to that contained in Article XIII of the Geneva Agreement.

M. VAN WETTUM (Netherlands) said that stipulations corresponding to those in Articles XIV and XV must likewise be inserted.

The PRESIDENT added that the clauses referred to were purely formal and were generally incorporated in such Agreements.

The suggestions of Sir Malcolm Delevingne and M. van Wettum were adopted.

35. Consideration of Draft Recommendations submitted by the Drafting Committee.[1]

ILLICIT TRAFFIC.

Prince VIWAT (Siam) asked whether the word " opium ", in the first paragraph, covered dross as well.

The PRESIDENT thought that, in the intention of the Drafting Committee, the word referred to both opium and dross.

M. YATABE (Japan) said that his delegation was obliged to reserve its decision concerning this recommendation, for the following reasons :

The purpose of the draft resolution was to bring about effective control of the illicit traffic by the infliction of severe penalties on all persons infringing the regulations. From the point of view of principle, the Japanese delegation approved the intention of the resolution.

The Government of Formosa had recently revised the regulations on the control of opium for smoking, which prescribed a heavy penalty for illicit traffickers, who might be sentenced to imprisonment for a term not exceeding five years or to a fine not exceeding 5,000 yen. This regulation made it possible to award a sufficiently severe penalty for all serious cases of smuggling. The new revised regulations had given satisfactory results since their enforcement. If, however, the present regulations were found inadequate in any respect, the Government of Formosa would not hesitate to consider the adoption of still more drastic measures.

For this reason, the Japanese delegation could not for the moment involve the Government of Formosa in an obligation to revise the regulations in force in accordance with the terms of the draft recommendation.

In this connection, M. Yatabe pointed out that the reservation applied only to Formosa. In the Leased Territory of Kwantung, the only penalty prescribed for smuggling was that of imprisonment.

The draft recommendation was adopted subject to the Japanese delegation's reservation.

PENALTIES FOR INDUCING MINORS TO SMOKE OPIUM.

The PRESIDENT, on behalf of the Drafting Committee, submitted the following text :

> " Any person inducing a person under twenty-one years of age to smoke opium or to enter an opium-smoking establishment or to procure opium, or facilitating any such act on the part of such a person, shall be guilty of an offence, for which severe penalties, including a term of imprisonment, shall be provided."

On the motion of the President, *the Conference decided that this text would be embodied in the new Agreement as paragraph 2 of Article II.*

The texts concerning the subjects mentioned below, proposed by the Drafting Committee, were adopted :

Limitation of Poppy Cultivation;
Introduction of the Licensing and Rationing System;
Measures for combating the Demand for Opium for Smoking and Opium Revenue;
Control of Dross;
Scientific Research;
Treatment of Addicts;
Annual Reports to the League of Nations;
Co-operation between Governments;
Registration of Smokers and Sales of Prepared Opium.

36. Exchange of Information between Heads of Preventive Services.

The Conference took note of the "arrangement for the exchange of information as to opium-smuggling between administrations" drawn up by the heads of the preventive services[2] *and decided that mention should be made of the arrangement in the Final Act.*

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[1] For text of the draft recommendations, all of which were adopted without change, see Final Act.
[2] See Annex 5.

37. Declaration in regard to the Illicit Traffic in Opium.[1]

The text submitted by the Drafting Committee was adopted.

M. BOURGOIS (France) wished to draw attention to one of the conclusions which had been arrived at by certain delegates during the discussions on the illicit traffic—namely, that, by reason of its extent, the illicit traffic could no longer be put a stop to by simple measures of Customs control or police supervision. In that state of affairs, as noted and recorded by the Conference, the most effective solution would be to direct into the channels of the licit traffic the contraband opium which constituted a disquieting factor making for disorder and demoralisation in certain territories adjacent to districts where the poppy was grown. The authorities of the administrations concerned would confer on this subject.

SIXTEENTH MEETING (Public)

Held at Bangkok on Friday, November 27th, 1931, at 5 p.m.

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38. Adoption of Draft Agreement and Draft Final Act.[2]

The PRESIDENT submitted the draft Agreement and draft Final Act as revised by the Drafting Committee.

The draft Agreement and draft Final Act as revised by the Drafting Committee were adopted.

39. Signature of Agreement and Final Act.

The following delegations signed the Agreement and Final Act: United Kingdom, France, India, Japan, Netherlands, Portugal, Siam.

The PRESIDENT observed that the Agreement and Final Act had been signed by all the countries represented at the Conference.

40. Close of the Conference.

The PRESIDENT pronounced the following speech:

We have now come to the end of our labours. It behoves me to say something about the work we have accomplished.

We have met at a time when circumstances are anything but favourable. The situation in regard to smuggling has not improved since 1925. There has been a general economic depression which has affected every part of the world. This has been followed by the sterling crisis, which has upset the financial stability of many countries. It is important therefore that the real purpose of the Conference should be clearly understood.

I wish once more to repeat that this Conference was convened by virtue of Article XII of the Geneva Agreement of 1925. The real object of the Conference was to enable the parties to that Agreement to review jointly the situation in regard to the application of Chapter II of the Hague Convention and of the Geneva Agreement. In doing so, we were able to compare the situation as it exists do-day with that which existed in 1925 and to consider the possibility of adopting any further measures for the suppression of the opium habit. The conclusion of a new agreement must depend upon the progress made since 1925.

What, then, is the result of this Conference?

It is of extreme importance that the public opinion of the world should be based upon an accurate knowledge of what is happening in the various territories and of the difficulties with which the Governments concerned are faced in carrying out their international engagements. Every country represented here has had an opportunity of describing its present situation. There has been a free and frank discussion of the various matters that have come before the Conference. A certain amount of misunderstanding has been cleared up, and the Conference has been able to place on record the nature and the extent of the difficulties with which each country has had to contend.

The Conference has carefully considered the report and the recommendations of the Commission of Enquiry set up by the League Council. A new Agreement and a Final Act embodying various resolutions of the Conference have been adopted by all delegations participating in the Conference.

The new Agreement has four main articles. The first article refers to the system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium. It provides that the experimental stage permitted under Article I, paragraph 3*(a)*, of the Geneva Agreement shall be done away with. Article II prohibits persons under the age of 21 from smoking opium and from entering a smoking-establishment, and makes it possible

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[1] See Annex 6.

[2] For text of Agreement and Final Act adopted by the Conference, see document C.70.M.36.1932.XI.

to impose a severe penalty on those who induce such persons to smoke, to enter a smoking-establishment or to procure opium. Article III makes it compulsory to make legal provision for the practice, already in general operation, of selling prepared opium for cash only. Article IV aims at reducing the number of opium factories in the territories of any one Power.

The Final Act contains eleven recommendations. These recommendations cover a wide range. They deal with the limitation of the production of opium; the registration, licensing and rationing of smokers; the improvement of the social conditions of the classes from which smokers are drawn; the punishment of the principals engaged in illicit traffic; the control of dross; direct contact between the heads of the services; the cure of addicts and the " after-care " of those who have been cured; the subject-matters of scientific research and the particular information to be given in the annual reports.

How does the result of this Conference compare with that obtained in 1925 ? There can only be one answer. The review of the situation in the Far-Eastern Territories has clearly shown that there has been a marked improvement in the measures that have been taken to carry out the international obligations. The Conference has also been able to conclude a new agreement and to adopt many recommendations of an important character. Although the achievement is but a modest one, yet, bearing in mind the circumstances under which we met and the short interval of time which has elapsed since the last Conference, we can justly say that we have done all that it was possible to do in the existing conditions.

It now remains for me to thank you all for the sympathy and consideration which you have displayed towards myself.

M. VAN WETTUM (Netherlands), Sir Malcolm DELEVINGNE (United Kingdom), M. MAUGRAS (France), Mr. MARSHALL (India), M. YATABE (Japan), M. DE MAGALHÃES (Portugal), on behalf of their respective delegations, and M. EKSTRAND, on behalf of the members of the League of Nations Secretariat, requested the President to convey to His Majesty the King of Siam and his Government their deepest thanks for the cordial and kindly hospitality extended to them during their visit to Siam and their appreciation of the arrangements made for the comfort of the Conference. They expressed their gratitude to the President personally for the tact, skill and impartiality with which he had conducted the proceedings of the Conference.

Sir Malcolm DELEVINGNE (United Kingdom) said that the results of the Conference had been admirably summed up by the President. Nothing sensational had been achieved, but no one had expected anything very striking in the circumstances. Though the Chairman of the Commission of Enquiry might perhaps feel a little disappointed, there was no reason for him to do so. From his long official experience, he must realise that his Commission's report had met with a speedier consideration and a larger measure of adoption than were usual with most Committees' reports. He must look to the course of time for further results. The present Conference had broken fresh ground in the series of resolutions adopted. It had opened up a new field and indicated lines of advance along which the Advisory Opium Committee could push forward at Geneva. Sir Malcolm Delevingne believed that, in a few years, M. Ekstrand would see a measure of progress which would fully satisfy his desires and expectations. After all, it was given to few to witness the fulfilment of all their hopes and desires. Something was done if the right spirit was kept alive and the torch handed on to the succeeding generation. The present Conference had no need to apologise for its inability to do more.

M. VAN WETTUM (Netherlands) felt unable to improve on Sir Malcolm Delevingne's remarks. His most lasting memory of Siam would be a remembrance of the friendliness and kindliness displayed by everyone in that country.

M. MAUGRAS (France) said that the discussions had been held in an atmosphere of tranquil confidence. This was due to the fact that each delegate realised the complete good faith by which his colleagues were guided. If the Conference had been unable to go further than it had done in the new Agreement, that was because, owing to certain circumstances over which those present, notwithstanding their good will, had no control, it had in actual fact been impossible to impose new joint obligations; it did not, however, follow that some of the countries might not be able to progress in regard to their own control measures or restrictions. From that point of view, the recommendations adopted by the Conference clearly pointed out the aim to be pursued, and it was for each to make all possible arrangements compatible with its own situation. Once again a step forward had been taken in man's progress towards a better and happier future.

M. YATABE (Japan) observed that it must be remembered that since the Shanghai Commission of 1909 this was the first international conference called to discuss the problem of opium-smoking in this part of the world where the practice still existed. That fact alone was of significance in appreciating the present Conference's results. The Agreement which the delegates had signed did not embody all the improvements which had been hoped for. M. Yatabe was, however, convinced—and he was sure that all other delegates were equally so—that the Conference had done the best it could in the circumstances. He assured his colleagues that the Japanese Government was resolved to make every endeavour, in collaboration with the other Governments concerned, to accomplish the final aim—the suppression of the habit of smoking opium.

M. DE MAGALHÃES (Portugal) said that the Portuguese delegates, representing only a very exiguous territory, realised the difficulties of the opium-smoking problem. The Conference had brought out certain important points; more especially it had proved that opium addiction could only be cured by constant effort. From that point of view, a great advance had been made, and he felt sure that something could be done in this respect. There could, nevertheless, be no doubt that, so long as the opium poppy was cultivated, it would be impossible completely to stamp out the consumption of the drug. In the countries where opium was smoked, education was the only remedy, and from that standpoint the present Conference had taken a great step forward.

M. EKSTRAND (Secretary-General of the Conference), in expressing the appreciation felt by himself and the members of the Secretariat, desired especially to emphasise the great services rendered to the Conference by the Siamese delegation, which had proved that the spirit of international co-operation—so often referred to as the League spirit—was not confined to Geneva, but was found also in this country so far away from the seat of the League.

The PRESIDENT said that he would not fail to convey the Conference's message to His Majesty the King and the members of the Government, who would certainly appreciate it very highly.

He declared the Conference closed.

ANNEX 1.

Conf.O.F.B.2(1).

RULES OF PROCEDURE.

ARTICLE 1.

The Conference consists of the delegations appointed by the Governments invited to the Conference.

ARTICLE 2.

The President opens, suspends and closes the meetings; he submits to the Conference all communications the importance of which appears to require it; ensures the observation of the rules of procedure, accords the right to address the Conference, pronounces the closure of discussions, puts questions to the vote and announces the result of the vote.

ARTICLE 3.

The Conference may, at any time, decide to sit in plenary conference or committee or set up special committees.

ARTICLE 4.

All meetings of the Conference shall be public, unless a decision is taken to the contrary.

ARTICLE 5.

No delegate may address the Conference without having previously obtained the authorisation of the President. The President may withdraw the permission to speak if the delegate's remarks are not relevant to the subject of the debate.

In the course of the discussion of any question, any delegate may raise a point of order, which shall immediately be decided.

The technical advisers accompanying the delegates may be allowed to speak under the same conditions as the delegates.

ARTICLE 6.

Speeches in French shall be interpreted in English, and *vice versa*, by an interpreter belonging to the Secretariat.

ARTICLE 7.

No draft resolution, amendment or motion shall be discussed or voted upon at any meeting, of which copies have not been communicated to the delegates before the meeting, except in the following cases :

(1) The Conference may decide at any meeting, by unanimous vote, to allow a draft resolution or motion proposed at the meeting to be discussed and voted upon;

(2) The President may, during the debate on any resolution or motion, allow any amendment to the resolution or motion which may be proposed during the debate to be discussed and voted upon, if the text of the amendment is communicated to him in writing.

ARTICLE 8.

A delegate may, at any time, move that the debate be closed. The President shall take the opinion of the Conference upon the motion of closure. If the majority of the Conference approves the motion, the President shall declare the closure of the debate.

ARTICLE 9.

Each Government represented shall have one vote.

Voting on resolutions to be taken by the Conference shall be taken by raising of hands unless a roll-call be requested by a delegation, in which case the delegations shall be called in the French alphabetical order of the names of the Governments represented.

All elections shall be made by a secret ballot unless they are made by acclamation.

ARTICLE 10.

At the conclusion of each meeting, Minutes shall be prepared by the Secretariat and circulated to the delegates as soon after as possible.

The Minutes of the meeting shall become final forty-eight hours after circulation.

ANNEX 2.

Conf.O.F.B.12.

PROGRAMME OF WORK.

A. Illicit traffic : nature and extent of contraband trade; concerted action to combat it. (Recommendations of the Commission of Enquiry, Nos. 1, 3, 5, 6, 7, and 8.)

B. Consideration of any further steps that might be taken for eventual suppression, due regard being had to existing conditions :

1. Complete Government Monopoly of retail distribution (Recommendation No. 9);
2. System of registration, licensing and rationing (Recommendation No. 11);
3. Compulsory smoking in public smoking-establishments (Recommendations Nos. 13 and 14);
4. Collection of dross (Recommendation No. 15);
5. Scientific research (Recommendation No. 2);
6. Centralisation of information (Recommendations Nos. 18 and 19).

C. Consideration of measures that might be taken to discourage the opium-smoking habit :

1. Improvement of social and hygienic conditions (Recommendation No. 4);
2. Introduction of special section in the budget for opium revenue (Recommendation No. 17);
3. Prohibition against smoking by minors (Recommendation No. 12);
4. Retailing of opium for cash only (Recommendation No. 10);
5. Cure of opium-smokers (Recommendation No. 16).

D. Other questions.

ANNEX 3.

C.653.M.265.1931.XI.
Geneva, October 2nd, 1931.

OBSERVATIONS BY THE JAPANESE AND SIAMESE GOVERNMENTS ON THE CONCLUSIONS AND SUGGESTIONS OF THE COMMISSION OF ENQUIRY INTO THE CONTROL OF OPIUM-SMOKING IN THE FAR EAST.

Note by the Secretary-General :

The Secretary-General has the honour to communicate herewith to the Parties to the Geneva Opium Agreement of February 11th, 1925, to the Governments invited to the Conference on Opium-smoking to be held in Bangkok in November 1931, to the States Members and non-members of the League of Nations, as well as to the Members of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, the attached two documents containing the observations of the Japanese and Siamese Governments on the conclusions and suggestions formulated by the Commission of Enquiry in its report to the Council (document C.635.M.254.1930.XI, Volume I).

I. OBSERVATIONS BY THE JAPANESE GOVERNMENT ON THE CONCLUSIONS AND SUGGESTIONS CONTAINED IN THE REPORT OF THE COMMISSION OF ENQUIRY INTO THE CONTROL OF OPIUM-SMOKING IN THE FAR EAST.

1. Necessity for Concurrent Measures.

The policy adopted by the Japanese Government for the control of opium-smoking in their possessions has been based upon a definite policy of absolute prohibition by means of gradual suppression. In order to attain absolute prohibition, measures of registration and licensing of addicts, and rationing of the quantity of opium which is permitted to be smoked by the addicts, have been in force in those territories where opium-smoking is permitted. The Japanese Government therefore agree, in principle, to the opinion expressed by the Commission, as to the necessity for concurrent measures to be pursued in order to achieve the policy of progressive suppression of opium-smoking in the territories where opium-smoking is permitted at present.

2. Scientific Research on the Opium-smoking Problem.

The Japanese authorities have taken steps to make scientific investigations into the question of opium-smoking. In Formosa, this investigation has been carried on for some time, especially as regards the curing of addicts and their rehabilitation. This question of treatment of addicts has also been considered by the authorities of the Kwantung Leased Territory. For these reasons, the Japanese Government find no objection to the principle expressed by the Commission in this conclusion.

3. Limitation and Control of Poppy Cultivation by International Action.

The Japanese Government have no objection to the fundamental idea on which this suggestion is based. But the question of limitation of the production of raw opium is closely related to the question of supply of the raw materials for manufacturing drugs, and not only the producing countries but also the countries which consume those materials have an interest in this matter. Before any international measures are adopted, all the questions relating to prices and methods of distribution should be carefully studied.

4. Measures to combat the Demand for Opium for Smoking Purposes.

The Japanese Government have no observation to make regarding this suggestion.

5. Measures to prevent Illicit Traffic.

The measures to suppress illicit traffic should be planned so as to allow the authorities to adopt the best methods suitable to the local conditions.

6. Measures to identify Government-prepared Opium.

The Japanese Government have no objection to this suggestion, but, in practice, it may be found difficult, and the measures should be carefully studied before it is adopted for general application.

7. Control of International Trade.

The Japanese Government have already enacted legislation for the purpose of preventing illicit traffic in opium, in accordance with the international opium Conventions.

8. Reduction of Retail Prices of Government Opium.

The policy of the Government has been to fix the prices of opium by taking various factors which prevail in the territories into consideration. In the opinion of the authorities, this policy meets fully the conclusion of the Commission.

9. Complete Opium Monopoly for Retail Distribution.

Since the present system of retail distribution which exists in the Japanese territories has worked satisfactorily under the present administrative system, the Japanese authorities deem it unnecessary to change the actual system.

10. Retailing of Opium for Cash only.

In the Japanese territories, opium is sold only for cash payment.

11. Measure to control Individual Consumption.

In the Japanese territories, individual consumption is controlled under registration with licensing and rationing. The Japanese authorities are of opinion that there is room for improvement of the standard method of medical examination by which is determined the quantity for rationing.

12. Prohibition for Minors to smoke Opium.

In the Japanese territories, minors are prohibited by law to smoke opium.

13. Smoking-Establishments.

The question of compulsory smoking in establishments owned and managed by the Government should be decided in accordance with local conditions. For this reason, the Japanese Government reserve their decision for the moment.

14. Control and Disinfection of Opium Pipes.

The Japanese authorities find no objection in this conclusion.

15. Control of Dross.

According to the experience of the Japanese authorities, the effective control of dross is extremely difficult. For this reason, this question should be given careful consideration before any general policy is adopted. The question of the harmful effects of dross must further be studied.

16. Cure of Opium-smokers.

In Japan, scientific research in regard to the treatment of addicts has been in progress for some years, and the authorities consider that the method used is effective. However, the question whether to apply compulsory treatment depends largely on local conditions. It must therefore be left to the local authorities to decide—taking into consideration the local conditions—whether to enforce compulsory treatment of opium smokers.

17. Opium Revenue.

In general principle, it may appear feasible to devote the opium revenue to the expenses connected with the campaign against opium-smoking. However, under the present budgetary system in use in Japan, it will be found difficult, if not impossible, to transfer the opium revenue to a special section of the budget or to make the ordinary budget independent of the opium revenue.

18. League of Nations Bureau in the Far East for Opium-smoking Affairs.

The control of opium affairs can best be arranged by the direct contact between the interested Governments, and the Japanese authorities deem it unnecessary to establish a special organ of the League for this purpose in the Far East.

19. Annual Report to the League of Nations.

The Japanese authorities have no objection to this suggestion.

20. Revision of the Convention (the Geneva Opium Agreement of 1925).

Ad *Article I, paragraph* 3.

The Japanese Government have no objection, in revising this paragraph, if in the revised agreement the exceptional clause to clause *(a)* is retained.

Ad *Articles II and III.*

No observations.

Ad *Article IV.*

The suggested revision presupposes the establishment of Government retail shops and smoking-divans; for this reason, the Japanese Government reserve their decision for the present.

Ad *Article V.*

The question of a revision of this article must depend upon the conclusions of scientific research regarding the harmful effects of the dross on smokers. The practical difficulty of effective control of the use of dross should also be taken into consideration.

Ad *Article VI.*

The Japanese Government are ready to consider this question as regards diversion of opium.

Ad *Article VII.*

There is no objection to cancelling the exceptional clause.

Ad *Article VIII.*

The Government have no objection in agreeing to extend the exchange of information with further details, but for the reasons given under No. 18 this exchange should be carried on through the League's Secretariat at Geneva.

Ad *Article IX.*

This suggestion raises one of the fundamental legal questions relating to the Penal Code. The Japanese authorities at present in the process of the revision of the Penal Code are giving serious consideration to this and allied questions. It is not possible at present to give a definite opinion as regards the revision of this article, as has been suggested by the Commission.

Ad *Article X.*

No observation.

II. OBSERVATIONS BY THE SIAMESE GOVERNMENT ON THE REPORT OF THE LEAGUE OF NATIONS' COMMISSION OF ENQUIRY INTO THE CONTROL OF OPIUM-SMOKING IN THE FAR EAST.

The Secretary-General of the League of Nations, in his letter No. 12/11288/6245, dated February 28th, 1931, addressed to the Siamese Minister for Foreign Affairs, has requested His Majesty's Government to communicate to the League its observations on the report submitted to the Council by the League of Nations' Commission of Enquiry into the Control of Opium-smoking in the Far East.

This report deals with the various systems of opium-control in force in the territories visited by the Commission and the situation at present obtaining in those territories; it ends up with a certain number of suggestions to the Governments concerned and to the League of Nations. The report is a testimony both to the ability of the Commissioners in the performance of their difficult task and also to the impartiality and thoroughness with which that task was performed.

In regard to the earlier parts of the report, the Commission has correctly described the system and the situation at present obtaining in Siam, and attention need only be drawn to the comparative statement shown on page 153, column 6, where the words " anybody except persons under 18 years of age " should be substituted for " anybody ".

The suggestions embodied in Part IV of the report may now be dealt with.

Ad SUGGESTION No. 1.

His Majesty's Government agrees with this statement of general principle.

Ad SUGGESTION No. 2.

The desirability of scientific research is undeniable. Research work should not, however, be undertaken by the different Governments along independent lines, but should be carried out upon a common and concerted plan, so that the results obtained in one country may easily be compared with, or checked by, those obtained in other countries. The Bureau visualised under Suggestion No. 18 may perhaps be entrusted with the duty of drawing up such a plan, in consultation, naturally, with the scientific and medical authorities of the different Governments. This Bureau should also be the central body for the collection and distribution of information.

Ad SUGGESTION No. 3.

Uncontrolled poppy-growing is the crux of the whole opium problem, and His Majesty's Government welcomes any step that may be taken towards the achievement of effective control. The establishment of control in the countries already producing opium will not, however, be sufficient; some guarantee should be secured to the effect that countries which do not as yet produce opium should not commence production, or at least uncontrolled production.

His Majesty's Government agrees with the principle of co-operation in the purchase of raw opium.

The suggestion that steps against opium-smoking should be based upon the limitation and control of poppy-cultivation is eminently sound; such steps, however, should be taken *pari passu* in the different, or at least in the contiguous, territories. Otherwise, licit opium in one territory may flow into another as illicit opium.

Ad SUGGESTION No. 4.

This suggestion is sound; but, in carrying it out, regard must be had to the varying conditions —political, social, etc.—of the different countries.

Ad SUGGESTION No. 5.

His Majesty's Government agrees with the principle of co-operation set forth in this suggestion. It should be left to the different Governments to work out plans for co-operation.

The suggestions that sufficient funds for the preventive services should be allotted from the opium revenue and that offences having the character of illicit traffic should be punishable with both fines and imprisonment will be given favourable consideration by His Majesty's Government.

Ad SUGGESTION No. 6.

This method of identifying Government opium is necessary in the case where such opium is not packed in secure and identifiable receptacles. In Siam, where prepared opium is packed in secure and identifiable tubes, which, once opened, cannot be used again, difficulty in regard to identification has not arisen; for opium not contained in Government tubes is *ipso facto* illegal opium. It thus appears that there are at least two methods for identifying Government opium, and the adoption of either method should be sufficient.

Ad SUGGESTION No. 7.

His Majesty's Government agrees with this suggestion.

Ad SUGGESTION No. 8.

Reduction in the price of Government opium may result in one of two things—namely :

1. Reduction in the profits of the illicit traffic in opium, with the consequent reduction of the illicit article, and a corresponding increase in the sales of Government chandu;

2. The cost price of illicit raw opium being extraordinarily low, a non-drastic reduction in the profits of the illicit trade will not appreciably reduce the illicit article; while sales of Government opium will increase owing to the reduction in price.

If the policy of price-reduction results in 1, then, from the opium-suppression point of view, that policy will be justified; for it will divert opium-smoking from the use of the illicit article to that of the licit. But if the policy results in 2, then, from the suppression point of view, the situation will become worse, for there will then be a real increase in the consumption of opium.

Reduction in price of Government opium is, therefore, a double-edged weapon and can be used only after careful and thorough consideration.

In this connection, two general principles may be stated—namely :

1. If the policy of price-reduction be adopted, it should be undertaken gradually, so that its effects may be carefully studied.

2. Prices in the contiguous territories should be more or less on the same level, while the opium placed on sale in these territories should be of the same quality. Otherwise, licit opium in one country will enter another as illicit opium.

Ad SUGGESTION No. 9.

The principle embodied in this suggestion is satisfactory; it has, in fact, been carried out in Siam for some years. There are no " retail shops " in the sense used by the Commission; the process of turning licensed into Government owned and managed establishments is enforced, administrative considerations being the only reason which prevents rapid progress.

Ad SUGGESTION No. 10.

His Majesty's Government agrees with this system, which already obtains in Siam.

Ad SUGGESTION No. 11.

His Majesty's Government is in agreement with the principle underlying the Commission's suggestion. The enforcement of the system, however, should be subject to the general proviso that similar steps be taken simultaneously in the contiguous territories; otherwise, the country which puts this system in force will be exposing itself to an undue influx of illicit opium from those where there is no licensing and rationing.

Ad SUGGESTION No. 12.

His Majesty's Government is in sympathy with this suggestion.

Ad SUGGESTION No. 13.

The system suggested here is one of the features of opium-control peculiar only to Siam. His Majesty's Government is glad to note that the Commission has shown absolute agreement with the system by completely adopting it as one of the Commission's suggestions.

Ad SUGGESTION No. 14.

His Majesty's Government agrees with the first paragraph of this suggestion.

As regards the second paragraph, His Majesty's Government also notes with satisfaction that the suggestion is an adoption of the principle obtaining in Siam.

Ad SUGGESTION No. 15.

This suggestion is again an adoption of the system peculiar to Siam alone; and the remarks made under Suggestion No. 13 also apply.

Ad SUGGESTION No. 16.

His Majesty's Government is of opinion that cure of opium addiction, unless made experimentally, appears to be a step which will probably not give results corresponding to the undertaking. Although, generally speaking, addiction may be cured, the success of the cure depends largely upon the will of the smoker. So long as there is no system of registration, licensing and rationing, with the register finally closed, cure of opium addiction on a grand scale will probably not produce corresponding results; for the cured smoker not possessed of the will to leave off opium will again take up the habit; prevention of relapse will not be practicable when the number of smokers is considerable. Cure of addiction on a grand scale seems therefore to be a step that should only be taken simultaneously with the closing of the licensing register.

Ad SUGGESTION No. 17.

At present, a portion of opium revenue is set aside for purposes other than ordinary expenditure. The Commission's suggestion will be given favourable consideration.

Ad SUGGESTION No. 18.

His Majesty's Government agrees with this suggestion.

Ad SUGGESTION No. 19.

His Majesty's Government is also agreeable to this suggestion.

Ad SUGGESTION No. 20.

In view of the present situation and circumstances, His Majesty's Government agrees that amendments to the Hague Opium Convention of 1912 and the Geneva Convention of 1925 are desirable.

ANNEX 4.

Conf.O.F.B.22.

COMPULSORY TREATMENT OF OPIUM-ADDICTS IN FORMOSA.

STATEMENT BY THE FIRST JAPANESE DELEGATE AT THE TWELFTH MEETING OF THE CONFERENCE.

In my opening statement, I explained the general plan of the measures for compulsory treatment adopted in Formosa. As this is the first attempt to treat habitual opium-smokers on a large scale, I should like to take this opportunity to present to the Conference a more detailed explanation of the system employed.

The system for the control of opium-smoking in Formosa is based on three principal measures which have been adopted as offering the most effective method of carrying out the policy of gradual suppression in the Island. The first is the Government Monopoly for the manufacture and distribution of prepared opium; the second, the complete and effective system for the registration, licensing and rationing of addicts; and the third is the measure adopted to prevent the recruiting of new addicts. These preventive measures include, on the one hand, a heavy penalty to act as a warning against acquiring the opium-smoking habit, coupled with vigorous police supervision, including chemical tests, for the detection of secret smokers, and, on the other hand, a system of compulsory treatment of all smokers who upon medical examination are found to be curable. The reason for which the Formosan Government adopted these preventive measures is a simple one.

In the opinion of the Formosan authorities, it would not be in conformity with the spirit of the policy aiming at the gradual suppression of the opium habit to keep the registers always open and to allow new smokers to be licensed at any time. To achieve the object of suppressing the evil habit of opium-smoking and to impress people with the dangers of consuming opium, certain radical measures were found indispensable. Hence, the Opium Ordinance of Formosa, now in force, adheres strictly to the principle that there must be no fresh recruits to the habit. This principle is laid down in Article 2 of the Opium Ordinance of 1929, which reads :

" No opium shall be smoked; nevertheless, an opium addict, who contracted the habit previous to the coming into force of the Ordinance and who has obtained special authorisation from the Governor-General, may smoke opium sold by the Government-General. If, however, in spite of the very strict control exercised and the warnings issued against smoking, a person is found smoking opium, he is liable to a penalty of imprisonment and must also undergo compulsory treatment at a Government hospital."

The same Ordinance provides, in Article 14 :

" Any person, not being a licensed opium-smoker, who smokes opium shall be liable to imprisonment with hard labour for a term not exceeding three years ";

and in Article 10 :

" The Governor-General of Formosa may adopt the necessary measures for the purpose of curing the habit of opium-smoking.

" The expenses necessary for enforcing the measures provided for under the foregoing clause shall be defrayed in accordance with the orders of the Governor-General."

The Government therefore are determined to take positive steps to accelerate the attainment of the final goal—the total prohibition of the opium habit among the inhabitants. Indeed, the compulsory treatment of opium-smokers constitutes the essential and most important part of the whole system of opium control in Formosa.

When the new ordinance was enforced in January 1929, the authorities had to face the existence of a considerable number of secret smokers. The Government considered that it would be both reasonable and humane to make a last issue of new licences to smokers who were found to be confirmed addicts and at the same time to subject all other secret smokers to compulsory treatment. In this way, all the secret smokers would be rounded up and it would be possible effectively to enforce the policy adopted in the revised ordinance.

Upon the proclamation of the decision inviting non-licensed smokers to apply for a licence to smoke, 25,527 applications were received by the Government. All applicants were forced to undergo a rigorous examination, which kept the authorities occupied for over eight months, the first consideration of the authorities being to determine the extent to which licences should be issued. During the test, applicants were questioned and consulted by both the police and the medical authorities. The police authorities ascertained the causes and motives of secret smoking, the quantities of opium smoked, etc., while the medical examination was directed to establishing the facts in regard to the smoker's physical condition, degree of addiction, withdrawal symptoms, physical defects, diseases, etc. After these tests had been repeated twice, applicants were classified in the three categories which I described to the Conference in my previous statement, and the authorities issued to those allotted to the category of smokers required to undergo the compulsory treatment, to the number of 13,584 persons, a temporary permit to smoke opium pending an order from the local governor to appear before the hospital authorities of a designated hospital at a certain date for treatment. The authorities found it necessary to extend the same measure to smokers already in possession of a licence at that time, and, as the result of an examination, they decided to withdraw the licences from 1,235 smokers and to require 3,884 to undergo compulsory treatment. Thus, the total number of smokers required to receive compulsory treatment in the Government hospitals was 17,468. On the recommendation of the local authorities, travelling expenses and hospital fees may be defrayed wholly or in part by the Government, according to the financial standing of the smokers.

In my previous statement, I referred to hospital equipment and accommodation. About 5,500 smokers can be treated each year.

The Government has already spent 400,000 yen in the year 1930-31. This includes cost of building, etc. Expenditure for the fiscal year 1931-32 is estimated at 150,000 yen. The Government hospital charges 60 yen per head per day for treatment in hospital in the case of all smokers in a position to bear the full cost. About 80 per cent of the addicts treated pay no hospital charges, and their travelling expenses are defrayed by the Government.

The following method of treatment has been generally adopted in Formosa, and particularly in the Kosei-In hospital in Taihoku. Addicts are isolated during the treatment. Further, the experts decided to suppress the use of opium outright. In order to minimise suffering produced by the withdrawal of the narcotic effect of opium-smoking, various medicaments are administered. These also expedite the treatment. I shall submit to the Conference a separate note on the method adopted in this treatment.

Compulsory treatment was first started in January 1930, at the Kosei-In hospital at Taihoku, which was established exclusively for the treatment of opium addicts. Later in the year, it was extended to each of the twelve provincial hospitals. During a period of twenty months, from January 1930 to August 1931, altogether 6,036 addicts were treated. Of these, 5,647 were cured and discharged from hospital. It was further reported that during the above-mentioned period only 35 addicts in all left hospital before being completely cured. These addicts were permitted to leave hospital prematurely owing to the development of illness.

Investigations made by Dr. K. Shimojo, the Superintendent of the Kosei-In hospital of Taihoku, and his colleagues as to the result of this treatment of addicts show that about 75 per cent of those treated asserted that they have not taken up smoking again, and expressed their determination not to do so. About 20 per cent said that they have not yet started to smoke again, but would not promise to keep entirely away from opium in future if they fell ill. The small proportion of about 5 per cent of all those cured and discharged from hospital confessed that, owing to their suffering from illness, they have occasionally smoked opium since they were discharged. These investigations were made personally and without any interference by the police. Patients in the first category, representing about 75 per cent of all the addicts treated, have thoroughly grasped the Government policy for suppressing the opium evil and are firmly determined not to take up smoking again. They all looked much healthier than before the treatment. They had increased in weight and all appeared to be happy and contented. Furthermore, the financial circumstances of their families were much improved and, in many cases, they expressed their gratitude. Those in the second and third categories, representing respectively 20 per cent and 5 per cent, were mentally weak and did not yet understand the real object of the treatment. Some of them wrongly believed in the curative effects of opium-smoking in cases of illness. The authorities are determined to take all possible steps to prevent cured addicts from resuming the opium habit. The police authorities are instructed to pay frequent visits to cured addicts in their districts, and any suspects of smoking are ordered to undergo compulsory examination by the medical authorities. The latter are able, by applying a chemical test on which I have submitted a separate statement to be recorded in the Minutes of the Conference, to ascertain whether smoking has occurred. Those are the results so far obtained from twenty months' experience of compulsory treatment in Formosa. The authorities of the Government of Formosa are looking forward to further results from this work.

Appendix I.

QUESTIONNAIRE No. 1.

(To be completed by the administrative authorities, in the case of addicts.)

1. Motive for smoking opium.
2. When did smoking begin?
3. Amount smoked at one time.
4. Number of times opium was smoked in a day.
5. Was opium smoked or eaten?
6. When did suffering begin?
7. Exact description of suffering.
8. Illness or disease.
9. Has the smoker been punished before for illicit smoking or illegal possession of opium?
10. Is he suspected of illicit smoking?
11. Other observations.

Signed by the police officer in charge of investigation in the district of . . ., in the prefecture . . .

QUESTIONNAIRE No. 2.

(Record of medical examination.)

No. :

Signed by the Doctor :

Date :

Name : Sex : Decisions reached :

Occupation : Age :

Where born :

Permanent address :

Present address :

I. Present physical condition :

1. Nutrition :
   Face : Skin : Colour :
2. Pulse :
3. Blood-pressure :
4. Pupil :
5. Reflex :
6. Urine :
   Albumen : Sugar :
7. Sexual desire :

II. Withdrawal symptoms :

1. Digestive system :
   Appetite : Secretion of saliva : Yawning :
   Vomiting : Bowels, etc. :
2. Nervous system :
   Feeling of discomfort and uneasiness :
   Headache :
   Sleep : Dizziness :
   Hallucination :
   Sense of perception :
   Neurosis :
   Speech :
   Hearing :
   Gait, etc. :

III. Illness and other diseases :

IV. Result of treatment :

Appendix II.

METHOD EMPLOYED FOR THE TREATMENT OF OPIUM ADDICTION IN FORMOSA.

In recent years, many reports have been published, both in Europe and in America, in regard to the treatment of narcotic addiction. Japanese specialists have devoted careful attention to this question and have done much experimental work on the subject. In general, these studies have been concerned with treatment of chronic intoxication brought about by the injection of morphine and its preparations. They are, therefore, not entirely applicable to the treatment of opium addicts whose condition is due to the use of prepared opium. In Formosa, most cases of narcotic addiction are the result of opium-smoking. Accordingly, certain modifications were necessary in order to provide effective treatment for opium-smokers.

The fundamental principle of the treatment of opium addiction is the decrease or total suppression of the withdrawal or inhibition symptoms. In applying this principle, two methods of treatment have been used : the first is the " abrupt " treatment of opium addiction; the second is the " gradual " treatment.

The chief object of the " abrupt " treatment is to suppress addiction within a limited time. But, with this treatment, the inhibition symptoms are too severe, with the result that the addicts are not able to endure the pain. Some even collapse if they are suffering from heart trouble, senility or general weakness.

With the " gradual " treatment, there are very few, if any, inhibition symptoms. But this method requires prolonged treatment, and unexpected troubles frequently arise before the treatment is complete.

The medical authorities of the Kosei-In hospital have adopted the method of " abrupt " suppression of opium, but have, at the same time, attempted to minimise the suffering connected with the withdrawal symptoms by administering various medicaments.

When an addict is admitted to the Kosei-In hospital, he has to give up outright the smoking or eating of opium as the case may be. He is given a preparation composed chiefly of morphine hydrochloride and *pulvis coseinii* No. 6 for one or two days. In this way, the degree of addiction

is ascertained. According to our experience, it is possible to substitute 2.7 grammes of prepared opium by 0.06 gramme of morphine hydrochloride, 5.4 grammes of prepared opium by 0.11 gramme of morphine hydrochloride, 8.1 grammes of prepared opium by 0.16 gramme of morphine hydrochloride, and 10.8 grammes of prepared opium by 0.21 gramme of morphine hydrochloride. For those who eat opium, we multiply the amount of morphine hydrochloride by four.

After the degree of addiction is determined, the dose of morphine hydrochloride is reduced every other day, first by 0.03 to 0.05 gramme and next by 0.02 gramme. When the amount of morphine reaches 0.04 gramme, it is decreased by 0.01 gramme. In addition to morphine, the addict will be given at the same time or two hours later *pulvis coseinii* Nos. 1, 2 or 3, usually No. 2 (see Annex). Sometimes addicts are given *pulvis coseinii* No. 4 or No. 5 on the second or third day. When treated in this way, no patient has complained of any trouble. Those who suffer very much from inhibition symptoms, such as severe indisposition or lumbago, are given 10 to 20 cubic centimetres of *liquor coseinii* Nos. 1-5 (Annex) once or twice a day. This relieves them immediately. In connection with this treatment, addicts are given alternately such medicaments as arsenic and iod preparation in liquid form, while for insomnia, especially towards the final stage of the treatment, hypnotics and sedatives might be given according to the condition of the addict.

By the decreasing method, the chief ingredient—morphine—is stopped when the amount of the morphine is reduced to 0.04 gramme, or more usually to 0.02 gramme. It is important that this suppression of morphine should be kept secret from the addict. Instead, he is given *pulvis coseinii* Nos. 1-5 for two to three days, and No. 6 for several days. Then the patient is discharged on the total disappearance of the inhibition symptoms.

Appendix III.

METHOD OF DETECTING OPIUM ADDICTION BY THE MECONIC ACID TEST IN THE URINE OF OPIUM ADDICTS.

RESULT OF AN EXPERIMENT PERFORMED BY THE EXPERTS OF THE KOSEI-IN HOSPITAL, TAIHOKU, FORMOSA, UNDER THE DIRECTION OF DR. SHIMOJO AND PROFESSOR SOMEI-TO, 1931.

1. The purpose of the present experiment is to afford proof as to secret opium-smoking by non-licensed smokers, so as to enable effective supervision to be established over individual smokers in Formosa. Hitherto, the authorities have found difficulty in detecting opium-smokers, unless the latter were caught in the act of smoking or evidence was forthcoming from witnesses. There was no scientific and objective method for testing opium-smokers. This has led the medical experts, acting under the direction of Dr. Shimojo and Professor Somei To, of the Formosan Government, to investigate the method of examining a component part of prepared opium found in the urine of smokers.

Meconic acid is a specific component of opium, and it has been found in the gastric juice of a person of homicidal tendencies. There is, however, no known practical method of determining the presence of meconic acid. According to the literature on the subject, Mai and Autenrieth claimed to have found meconic acid in the urine of a patient who used an opium preparation, but Anna Tuschnow-Philippoff asserted that meconic acid was oxidised in the body of animals; hence it was almost impossible to prove its presence in the urine.

At the Kosei-In hospital at Taihoku, which was specially established for the treatment of opium addicts, the experts have found that a specific reaction of meconic acid may be obtained with perchlorate of iron in the urine of an opium addict. The same reaction was found in the urine of the experimental animals to which meconic acid was administered. Although the tests have not yet been completed, the experimental results obtained so far are as follows:

2. *Method of Examination.*—A certain amount of urine, usually 200 cubic centimetres, is mixed with a saturated solution of hydroxide of calcium by shaking, when a white sediment is produced.

The amount of hydroxide of calcium to be used in the mixture should be just so much as to produce no further sediment; the mixture is then left for about twenty minutes. When filtrated, the sediment is washed once with cold water. It is next dissolved with about 5 cubic centimetres of a mixture of 30 per cent of solution of citric acid and 0.2 per cent solution of perchlorate of iron. If meconic acid is present, the specific colour reaction—*i.e.*, a light blood-red to dark-red tint—will be observed.

3. *Animal Tests.*—The water solution of a certain amount of meconic acid (Merck), neutralised with a 30 per cent solution of carbonic soda, was administered to a rabbit in the stomach

by means of Nelaton's catheter. The urine was collected every day and the meconic acid reaction investigated.

Rabbit No. 1; female; body weight, 2,050 grammes; July 3rd, 1931.

1st day—1 gramme of meconic acid given in the stomach.
2nd day—No urine.
3rd day—Meconic acid test ++
4th day—Urine-container broken.
5th day—Meconic acid test ++
6th day—Meconic acid text ++
7th day—Urine-container broken.
8th day—Meconic acid test ++
9th day—Meconic acid test ++
10th day—Meconic acid test +
11th day—Meconic acid test ±
12th day—Meconic acid test ±
13th day—Meconic acid test —

Rabbit No. 2; male; weight, 2,550 grammes; July 11th, 1931.

1st day—0.2 gramme of meconic acid given in the stomach.
2nd day—Meconic acid test ++
3rd day—Meconic acid test ±
4th day—Meconic acid test ±
5th day—Meconic acid test —

Rabbit No. 3; female; weight, 2,000 grammes; July 17th, 1931.

1st day—0.1 gramme of meconic acid given in the stomach.
2nd day—Meconic acid test —
3rd day—Meconic acid test —

According to these experiments, it is proved that the meconic acid reaction is positive on the day following the test, provided more than 0.1 gramme of meconic acid is administered to the rabbit.

4. *Experiment with the Urine of Ordinary Opium Addicts.*—The experts examined the urine of 17 licensed opium addicts, and took observations of the meconic acid test. The opium ration allowed ranged from 2.16 grammes to 4.0 grammes; the quantity of each smoker's urine examined was more than 50 and less than 100 cubic centimetres. In the case of 14 of these 17 addicts, there was a positive reaction; in that of 2, the reaction was indeterminate, while one gave a negative reaction.

5. *Experiment performed on Persons of Normal Urine.*—For the purpose of checking these results, the experts examined 108 cadet police officers, 20 in-patients in the internal diseases ward in the Red Cross Hospital, 50 members of the Taihoku Kosei-In hospital and others, making a total of 178 persons. The results in every case were negative.

6. *Experiment upon Addicts admitted to the Kosei-In Hospital.*—Each day after admittance, 300 opium addicts admitted to the Taihoku Kosei-In hospital were examined for the meconic acid test; 288 gave a positive reaction and only 12 a negative one. The 288 positive cases became negative during their course of treatment in the hospital.

The detailed results are as follows :

5 were negative on the third day after the admittance, 16 on the fourth, 17 on the fifth, 29 on the sixth, 31 on the seventh, 30 on the eighth, 7 on the ninth, 25 on the tenth, 28 on the eleventh, 15 on the twelfth, 13 on the thirteenth, 18 on the fourteenth, 10 on the fifteenth, 11 on the sixteenth, 2 on the seventeenth, 9 on the eighteenth, 3 on the nineteenth, 3 on the twentieth, 1 on the twenty-second, 2 on the twenty-third, 1 on the twenty-fifth, 2 on the twenty-sixth, 1 on the twenty-eighth, and 1 on the twenty-ninth day.

Summary.—It is possible to prove the presence of meconic acid in the urine of a rabbit when the animal has been given a certain amount of meconic acid.

The meconic acid test gives almost invariably a positive reaction in the urine of licensed opium addicts.

It gives a negative reaction in the urine of healthy persons.

The urine of almost all the addicts admitted to the Taihoku Kosei-In hospital gave a positive reaction, but this changed to a negative reaction in the course of time.

It should be observed that the experts are continuing their investigations into the causes of the negative reaction in the case of a few of the addicts examined.

Supplement to Appendix III.

PREPARATIONS USED IN THE KOSEI-IN HOSPITAL.

I. *Pulvis coseinii.*

No. 1.—℞ :

Extracti scopoliæ	0.15
Radici gentianæ	0.5
Ephedrini hydrochlorici	0.05
Chinini hydrochlorici	0.5
Antipyrini	1.5
Calcii lactici	0.6
Magnesii carbonici	0.3
Natrii bicarbonici	1.4

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

No. 2.—℞ :

Extracti scopoliæ	0.075
Radici gentianæ	0.5
Ephedrini hydrochlorici	0.05
Chinini hydrochlorici	0.5
Antipyrini	1.5
Calcii lactici	0.6
Magnesii bicarbonici	0.3
Natrii bicarbonici	1.475

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

No. 3.—℞ :

Extracti scopoliæ	0.05
Radici gentianæ	0.5
Ephedrini hydrochlorici	0.05
Chinini hydrochlorici	0.5
Antipyrini	1.5
Calcii lactici	0.6
Magnesii carbonici	0.3
Natrii bicarbonici	1.41

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

No. 4.—℞ :

Extracti scopoliæ	0.05
Radici gentianæ	0.5
Calcii lactici	0.6
Rhizomæ coptidisi	0.4
Magnesii carbonici	0.3
Natrii bicarbonici	3.15

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

No. 5.—℞ :

Antipyrini	1.5
Chinini hydrochlorici	0.5
Calcii lactici	0.6
Radici gentianæ	0.5
Magnesii carbonici	0.3
Natrii bicarbonici	1.6

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

No. 6.—℞ :

Radici gentianæ	0.5
Rhizomæ coptidisi	0.4
Rhizomæ Pheii	0.4
Calcii lactici	0.6
Magnesii carbonici	0.3
Natrii bicarbonici	2.8

M. f. pulv. Divid. in partes æquales No. III. S. three times a day.

II. *Liquori coseinii.*

No. 1 A.—5 per cent calcium chloratum solution.
No. 1 B.—3 per cent calcium chloratum solution.
No. 2.—50 per cent glucose solution.
No. 3.—Mixture of 3 per cent calcium chloratum and 5 per cent glucose solution.
No. 4.—10 per cent magnesium sulfuricum solution.
No. 5.—Mixture of 10 per cent magnesium sulfuricum and 20 per cent glucose solution.

Appendix IV.

METHOD EMPLOYED IN FORMOSA FOR DETERMINING THE DEGREE OF ADDICTION IN OPIUM-SMOKING.

The Government medical authorities in Formosa are of opinion that it is difficult to determine the degree of addiction in an opium-smoker with absolute accuracy, unless he is subjected to prolonged observation by medical experts. As, however, was shown in 1930, on the occasion of the last applications for smoking-licences, this method will not yield satisfactory results if followed only over a brief period of eight months. For this reason, the Formosan authorities devised a method under which the withdrawal symptoms are observed. With this method, the first step taken was the collection by the administrative authorities of all the necessary particulars concerning the smokers under observation on the basis of the questionnaire reproduced in Appendix I. Once in possession of the result of these preliminary enquiries, the medical experts proceeded to examine the addicts, who were ordered to assemble at an appointed place for a specified number of hours, the examination lasting usually from 14 to 18 hours. During this examination, the withdrawal symptoms and the periods at which they occurred were carefully noted; smokers were examined individually for diseases, whether genuine or feigned, particular note being taken of each patient's age.

The system by which examination was conducted may be described as follows:

Each province is divided into a number of districts, and these were taken as the basis of the medical examination. Between one hundred and two hundred smokers were assembled from each district, assigned in batches of about fifty to a medical officer employed by the Government-General. No private medical practitioners were employed in this work. The smokers were ordered to appear at a stated place at six o'clock in the morning. They were forbidden to bring with them opium or any other drug or to smoke before coming. At one o'clock in the afternoon, the examining officers proceeded to a preliminary individual examination, which lasted about five hours. The second examination began usually at seven o'clock in the evening. Ordinarily, it was found necessary to require the majority of the addicts to undergo the second examination, though a few could be determined at the first.

The degree of addiction was determined by the various symptoms present in the addict, and their relative severity was the determining factor in deciding the degree of addiction for the purpose of classifying the addicts in the three categories which I have already described (see Questionnaire No. 2).

ANNEX 5.

ARRANGEMENT FOR THE EXCHANGE OF INFORMATION BETWEEN ADMINISTRATIONS CONCERNING OPIUM-SMUGGLING.

I. Information will be exchanged direct or through the Consuls or Consuls-General of the countries concerned by mutual arrangement between Administrations confronted with identical and similar problems in respect of the illicit traffic in opium.

II. Such information will normally be in the form of returns giving, as far as possible, the following particulars:

1. Sales of licit opium.
2. Number and weight of seizures of illicit raw and prepared opium and dross.
3. Number of prosecutions for smuggling raw and prepared opium and dross.
4. Particulars of important seizures giving:

   (a) Amount seized;
   (b) Place of seizure;
   (c) Details of interest as to persons concerned and methods employed.

Seizures of raw opium should be distinguished from seizures of prepared opium and dross and place of origin should be given where possible.

5. Prices of illicit opium at selected places.
6. Any information as to new smuggling devices.
7. Any other points on which the Governments concerned mutually agree to exchange information.

III. The returns mentioned in II may be exchanged at such intervals as may be determined by arrangement between any two Administrations concerned. (Suggested by French delegation : " In no case shall such interval exceed twelve months ".)

IV. This exchange of information will be supplemented, as far as may be practicable, by personal contact between the Heads of the preventive services of the Administrations concerned.

V. Nothing in this Agreement is intended to prevent direct and urgent communication between the Administrations concerned in individual cases.

ANNEX 6.

DECLARATION IN REGARD TO THE ILLICIT TRAFFIC IN OPIUM.

(See printed document Conf.O.F.B.35, annex to Council Minutes, sixty-sixth session, January 1932 : *Official Journal*, thirteenth year, No. 3, Part II, March 1932, pages 783 to 786.)

ANNEX 7.

RECOMMENDATIONS OF THE COMMISSION OF ENQUIRY INTO THE CONTROL OF OPIUM-SMOKING IN THE FAR EAST.

(Extract from the report of the Commission to the Council, Volume I : document C.635.M.254.1930.XI.)

Recommendation No. 1 : Necessity for Concurrent Measures.

It is essential that all measures aiming at gradual suppression of opium-smoking should be taken concurrently and applied as progressively as circumstances permit.

Recommendation No. 2 : Scientific Research on the Opium-smoking Problem.

Scientific research in regard to the opium problem in all its phases should be undertaken in all territories with the support of Governments and on an international basis. It is of great importance that the result of scientific research should be made the common property of all authorities in the Far East. Measures should also be taken to make this knowledge available to scientists in other parts of the world.

Recommendation No. 3 : Limitation and Control of Poppy-Cultivation by International Action.

Steps should be taken to secure international co-operation for the gradual limitation and control of poppy-cultivation in all countries where it is possible for the Governments to enforce such control. Plans to this end should take into account the possibilities of replacing poppy-cultivation by other agricultural production, which would place the economic life of these countries on a sounder basis. Limitation of poppy-cultivation and its replacement by other production might in some countries require extraordinary measures, including financial assistance on an international basis.

The League of Nations should invite the Governments concerned to meet in conference to investigate the possibilities of limitation and control of poppy-cultivation.

In view of the influence that the provisioning of raw opium to the Government Opium Monopolies has on the demand for raw opium and on poppy-cultivation, the purchases of raw opium by Governments should be made by the Monopolies in co-operation with each other, even before limitation and control of poppy-cultivation has been instituted. This would avoid the demand for raw opium affecting measures taken for the limitation and control of poppy-cultivation.

Doubts as to whether it will be feasible, within a short or long period, to carry out control and limitation of poppy-cultivation should not be allowed to prevent or defer the taking of positive steps against the opium-smoking habit. But these steps should be based on the limitation and control of poppy-cultivation, which alone will assure the total suppression of opium-smoking.

Recommendation No. 4 : Measures to combat the Demand for Opium for Smoking Purposes.

Opium should not be considered as a legitimate commercial product, and the existing demand for it should be regarded as illegitimate except for medical and scientific purposes. In spite of all efforts to exterminate this illegitimate demand, it still exists as a result of circumstances which can be changed only by an improvement in social and hygienic conditions.

The demand for opium for smoking purposes should be combated by organised public opinion and systematic propaganda, by education, sports and physical training. In this work, Governments should co-operate with the Press and other organs by which public opinion is formed. Anti-opium societies, sport and physical training should be steadily encouraged by the Governments, by special grants given for these purposes and also by grants to Red Cross Societies and corresponding organisations for social welfare. For anti-opium education, which is of the utmost importance for the ultimate success of the campaign against opium-smoking, it is essential to instruct the teachers, who should make use of every opportunity, in accordance with local conditions, to impress upon their pupils the evils and dangers of opium-smoking.

Recommendation No. 5 : Measures to prevent Illicit Traffic.

The different Governments should organise on a common plan the existing national preventive services, increase the personnel and provide additional equipment, such as fast motor-launches and coast-guard steamers. Special preventive " flying squadrons " would offer the advantage of quick action. To ensure close co-operation in preventive work, it should be directed by a single central intelligence bureau in every territory. Preventive services in all the territories in the Far East should keep in constant touch and exchange information regarding illicit traffic. Sufficient funds for the preventive services should be allotted from the opium revenue.

Both fines and terms of imprisonment should be the punishment for offences having the character of illicit traffic. An attempt to induce a minor to smoke opium should be made an offence punishable with a heavy penalty. It is desirable that the same severity should be applied in all Far-Eastern territories in regard to penalties for opium offences.

Recommendation No. 6 : Measures to identify Government-prepared Opium.

Several Governments have introduced with success methods of identifying Government opium by chemical analysis. These measures should be applied wherever possible.

All Government-prepared opium should be mixed with a tasteless secret substance, the absence of which in any seized opium would prove that it is illicit opium. If there is reason to suspect that seized opium is manufactured by an Opium Monopoly in another territory, a sample should be sent to the Monopoly of that territory for analysis.

Recommendation No. 7 : Control of International Trade.

It is of great importance for the prevention of illicit traffic that import, export, transit and transhipment of raw and prepared opium should be strictly controlled in accordance with the Hague Opium Convention, the Geneva Opium-Agreement and the Geneva Opium Convention.

Legislation in this respect should in all territories be made to conform strictly to these international obligations.

Recommendation No. 8 : Reduction of Retail Prices of Government Opium.

Governments should, in co-operation with each other, arrange for the reduction of prices of Government opium to a level sufficiently low to make smuggling unprofitable and incapable of sustaining repeated losses through efficiency of the preventive services. The principle of making opium a luxury should not, however, be overlooked when smuggling has ceased to be a danger.

Recommendation No. 9 : Complete Opium Monopoly for Retail Distribution.

The principle that Governments should have contact with smokers only through Government officials or employees should be applied everywhere, as soon as possible, to every transaction connected with distribution of opium to smokers. The first step in this direction should be the abolition of all licensed retail shops and their replacement by Government shops managed by employees of the Opium Monopoly and subjected to constant and rigorous inspection by the Monopoly itself, as well as by other Government officials in the districts. The second step should be the gradual merging of these Government retail shops into Government-owned and Government-managed smoking establishments.

Recommendation No. 10 : Retailing of Opium for Cash only.

Opium should be sold to consumers for cash only and amendments to this effect be introduced in the opium legislation in all territories where it does not already exist.

Recommendation No. 11 : Measures to control Individual Consumption.

In all territories, registration with licensing and rationing should be put into effect; where special preparations are necessary, these should be made immediately. The issue of licences and the rationing of smokers should not be left to subordinate officials but to the civil service or Monopoly officials in the administrative districts. The daily rations should be calculated on the individual smoker's minimum requirement. Both licensing and rationing should be based on a medical certificate wherever there are a sufficient number of qualified physicians.

Smoking licences should not be issued unless the licensing authority has received satisfactory evidence by medical certificate, trustworthy witnesses or otherwise that the applicant is a confirmed opium addict. Wherever registration systems already exist, but the registers have been closed, they should be reopened for the licensing of certified addicts. Thereafter, all licensing registers should be kept open or reopened at regular intervals.

Recommendation No. 12 : Prohibition for Minors to smoke Opium.

Smoking should by law be prohibited to anyone under 21 years of age.

As it is desirable to protect the growing generation as long as possible from acquiring the smoking habit, the question whether the minimum age for legal smoking could not be still further raised—for instance, to 25 years—should be given serious consideration.

Recommendation No. 13 : Smoking Establishments.

It is recommended that the system of compulsory smoking in public smoking establishments be introduced everywhere, in spite of the fact that public opinion, due to insufficient knowledge of the problem, may oppose opening of public smoking establishments. The policy of limiting as much as possible the number of smoking establishments mentioned in Article IV of the General Opium Agreement should be abandoned. The policy suggested by the Commission would involve the opening of a sufficient number of smoking establishments to accommodate the authorised smokers.

To ensure effective control of public smoking establishments, they should be owned and managed by the Governments. The retail shops also owned and managed by the Governments should be merged into the smoking establishments as soon as practicable. Only such smokers who, for special reasons, are permitted to smoke in their homes or in other clearly defined places should be allowed to smoke outside the Government smoking establishments. Special permits for these persons should be an exception and the holders subjected to rigorous control. The taking away of opium or dross from smoking establishments should be prohibited and be made a penal offence. Holders of special smoking permits should not be allowed to purchase new supplies of opium until they have returned the stipulated quantity of dross.

Such smoking establishments require considerable financial outlay by the Governments. When opium-smoking disappears, the smoking establishments will no longer be required as such. They should therefore be planned in such a way that they may later be used for other public and social purposes.

Recommendation No. 14 : Control and Disinfection of Opium Pipes.

In public smoking establishments, the opium pipes should be sterilised by a scientific method after use by each smoker. Sterilisation in boiling water cannot be considered satisfactory. Other smoking paraphernalia and couches should be kept in hygienic condition.

The only persons who would require to have opium pipes in their possession would be those smokers who are specially licensed to smoke outside smoking establishments. No one shoud be allowed to possess a pipe without a licence from the Government, and licensed possessors of pipes should be subjected to periodical control, including inspection of the hygienic condition of the pipes.

Recommendation No. 15 : Control of Dross.

The dross produced in smoking establishments should be collected on the spot. Smokers licensed to smoke outside the Government smoking establishments should not be allowed to purchase opium except on the delivery of dross in a quantity corresponding to that produced from the smoking of the opium obtained at the last purchase. Effective measures should be taken to ensure that dross is not adulterated.

Recommendation No. 16 : Cure of Opium-Smokers.

Increased and systematic attention should be given to the cure of opium addiction. The Governments should take the lead in this question and give their encouragement to private efforts. Special opium wards should be attached to existing hospitals and additional hospitals built which might, when no longer necessary for the cure of opium addicts, be turned into general hospitals. Funds for these purposes should be made available from the opium revenue.

The experience and results obtained, in relation to the cure of addiction to opium, by medical authorities should be communicated to the medical authorities of other territories.

There should be after-care of cured addicts, in order to prevent relapse. Compulsory cure should be tried as soon as possible in special districts, in order to gain experience for the purpose of gradually curing all addicts.

Recommendation No. 17 : Opium Revenue.

The opium gross revenue should be transferred to a special section of the budget. In case legislative measures are necessary to introduce this change in the budget accounts, measures for this purpose should be considered in each territory. Every expense connected with opium, including preventive services, should be charged against that revenue. If any item cannot be exactly determined, an approximate amount should be charged.

The net opium revenue being thus arrived at, the available balance should be first applied to cover the expenses connected with the campaign against illicit traffic in opium, education propaganda, cure of addicts, scientific research and so on, such items being also charged against the opium revenue account.

The balance, if any, should be applied to the creation or increase of any form of Opium Revenue Replacement Fund or transferred, either to the ordinary budget, with a view to meeting expenditure for social or sanitary purposes, or to the extraordinary budget, to meet expenditure on public works directly or indirectly connected with the campaign against opium-smoking.

At the Conference to be called under Article XII of the Geneva Opium Agreement, the Governments should agree to fix a definite period by which they will have taken the necessary steps to make their ordinary budgets independent of the opium revenue.

Recommendation No. 18 : League of Nations Central Bureau in the Far East for Opium-smoking Affairs.

The League of Nations should establish in the Far East, as a part of the Opium Section of the Secretariat, a central Bureau for the opium-smoking problem. This Bureau should distribute information from the League of Nations; receive and distribute information from the Governments on all opium-smoking questions, including education, propaganda, scientific research and illicit traffic; facilitate co-operation between Governments, the Opium Monopolies, other departments and officials; and arrange meetings of representatives of the Governments concerned for the purpose of exchanging views, discussing suggestions and reaching agreements on further control measures.

Recommendation No. 19 : Annual Reports to the League of Nations.

In order to fulfil its task in connection with the campaign against opium-smoking, the League of Nations should be given detailed information regarding the situation in each territory. For this purpose, Governments should furnish the League with special annual reports on control of opium-smoking, in accordance with a form to be agreed upon.

Recommendation No. 20 : Revision of the Hague International Opium Convention and the Geneva Opium Agreement.

Government measures to control and suppress opium-smoking have been guided by the stipulations of the second chapter of the Hague Opium Convention and the Geneva Opium

Agreement. The Commission's conclusions and suggestions point to a revision of some of the stipulations of these international pacts. The Commission leaves aside the question of the additional stipulations to be embodied in a future international agreement regarding suppression of opium-smoking.

The Commission indicates below the main character of some of the international stipulations and the principal changes in the present Conventions that would be required.

1. *The Hague Convention of* 1912, *Chapter II.*

Article 6 contains a declaration by the Governments that they will take measures for the gradual and effective suppression of the manufacture of and internal trade in and use of prepared opium. It imposes no specific obligation, except to take undefined measures for this purpose, and further subjects such measures to the varying circumstances of each country concerned. Article 6 has been amplified by the obligations contained in most of the articles of the Geneva Opium Agreement.

Article 7 carries the obligation to prohibit the import and export of prepared opium, with the exception that those Powers which are not ready to prohibit immediately the export of prepared opium shall prohibit it as soon as possible. This article has been superseded by Articles I and VI of the Geneva Agreement, which entirely prohibit export of prepared opium and make it compulsory that all import of opium shall be a Government monopoly.

It should be noted that the Hague Opium Convention is also in force in regard to other Powers than those which have adhered to the Geneva Agreement.

Article 8 contains only special regulations for those Powers which are not yet ready to prohibit immediately the export of prepared opium. This article has been superseded by Article VI of the Geneva Agreement.

2. *The Geneva Opium Agreement of* 1925.

Article I, paragraph 3, concerns retail sales and stipulates that the system of employing persons on a fixed salary without a commission shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities, and that elsewhere retail sales shall be conducted only by persons licensed by the Government. It further stipulates that the system of employing persons paid by fixed salary need not be applied if a system of licensing and rationing of smokers is in force that affords equivalent or more effective guarantees.

This experimental stage should be abandoned and be replaced by a complete Government monopoly of retail sales of opium, which should be enforced independently of any licensing or rationing system.

Under Article II, the sale of opium to minors must be prohibited and, further, all possible steps must be taken to prevent the spread of the habit of opium-smoking among minors.

The steps to be taken are not defined in any way, but are left to the Contracting Powers themselves. Further, the fact that the term " minors " in different territories has a different legal interpretation has resulted in a variation in different territories of the age of majority from 18 to 21 years. A definite minimum age should be stipulated.

Article III prohibits minors to enter smoking-divans. The remark about the varying age of majority applies also to this article. In one territory, the minimum age in this case has been set as low as 16 years.

Article IV contains the principle that the number of retail shops and smoking establishments shall be limited as much as possible. The idea was apparently that less opportunity to purchase Government opium would tend to reduce the opium-smoking habit.

This principle should be abandoned. It is essential that all legal consumers shall be adequately served by the Opium Monopoly, in order to compete with the illicit traffic.

Article V forbids the purchase and sale of dross except when sold to the Monopoly.

This article does not take into consideration the necessity of withdrawing the dross from the market. It does not carry the obligation for the Governments to purchase dross. This article should be radically revised in accordance with the Commission's suggestions.

Article VI prohibits without exception the export of raw and prepared opium and the transit and transhipment of prepared opium to possessions or territories into which opium is imported for smoking purposes.

The article further regulates the transit and transhipment of raw opium, which may only take place against an import certificate. It does not take into account the question of diversion, as provided for in Article 15 of the Geneva Opium Convention. In fact, complete regulations in accordance with the Geneva Convention are in force in the two territories where transit or transhipment of opium alone occurs to any extent—namely, the Straits Settlements and Hong-Kong.

Article VII makes it an obligation for Governments to undertake education and propaganda —" use their utmost efforts "—except where a Government considers such measures to be undesirable under the conditions existing in its territory. Several Governments have made use of this exception and are not systematically undertaking educational propaganda against opium-smoking.

This exception should be cancelled. In a few cases education and propaganda may, through curiosity, lead to opium-smoking, but education and propaganda are a vital necessity for its suppression. In time, when, through education and other means, the general standard of the Far-Eastern peoples has been raised, special anti-opium education will undoubtedly become unnecessary, but this is not yet the case.

Article VIII binds the Governments to assist each other in the suppression of illicit traffic by direct exchange of information and views. This is already practised in most territories, but is usually limited to the exchange of information on illicit traffic. The Commission suggests that this exchange of information should be greatly extended, and that it should be the duty of the proposed League of Nations Far-Eastern Bureau to promote this exchange.

Article IX carries no specific obligation but to consider in a most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing within their territories. It has been applied in some territories. In the future, it should be made a definite obligation.

Article X obliges all Powers to furnish, for publication, information to the League of Nations regarding the number of opium-smokers. This information is not limited to legal consumers. In all cases where legal consumers are known, this information is given to the League of Nations. It has not been the general practice to estimate the total number of smokers—licit and illicit. Whenever possible, such estimates should in future be given.

Articles XI to XV do not carry any obligations and do not give rise to any comments by the Commission. They limit the application of the Agreement to opium for purposes other than medical and scientific, provide for conferences between the Contracting Powers, define the territories in which the Agreement shall be enforced and finally deal with ratifications and denunciations.