

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

I. SUPPRESSION OF THE ILLICIT TRAFFIC RECOMMENDATIONS FORMULATED BY THE ADVISORY COMMITTEE DURING ITS FIFTEENTH SESSION (APRIL-MAY 1932).

C.L.105.1932.XI.

CIRCULAR LETTER FROM THE SECRETARY-GENERAL TO ALL STATES MEMBERS OF THE LEAGUE OF NATIONS AND TO NON-MEMBER STATES.

Geneva, July 27th, 1932.

In accordance with the instructions given me by the Council at its meeting held on May 18th, 1932¹, during its sixty-seventh session, I have the honour to draw your attention to the importance of close co-operation between the competent authorities, and with the League of Nations, for the suppression of illicit traffic in narcotic drugs, particularly as regards the rapid transmission of information concerning cases of illicit traffic and seizures, as pointed out by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs in the following passage of its report to the Council on the work of its fifteenth session².

“ In the course of the year, a great deal of important information was collected in regard to persons engaged in large-scale illicit traffic transactions. The systematic co-operation which, thanks to the League's activities, is carried on between the authorities of certain countries has done much to achieve this result and has shown the importance of international co-operation in this field. The Committee regretted to note, however, that several important States still do not give all the assistance desirable. The Committee desires to emphasise the importance of the competent authorities communicating with each other in regard to cases of illicit traffic and forwarding reports of seizures as quickly as possible.”

With reference to illicit traffic generally, the Committee adopted a number of recommendations made by its Sub-Committee on Seizures, to which the Council, at the same meeting, asked me to give effect in the following form.

“ 1. To ask Governments to include in their next annual report to the League a full statement as to the regulations applicable to the practice of the profession of pharmacy, the conditions under which the sale of dangerous drugs by pharmacists is permitted and the supervision exercised over the purchase and sale of such drugs. If the sale of dangerous drugs is permitted by persons other than pharmacists or licensed wholesale dealers, Governments should be asked to give full particulars of the regulations applicable to such persons.

“ 2. To draw Governments' attention to the importance of enacting adequate penalties for serious offences against narcotic drugs legislation, and to prepare, in regard to countries which are of special interest from the point of view of the illicit traffic, a statement showing the maximum penalties that can be imposed for offences in connection with the international illicit traffic.

“ 3. To request Governments to consider the possibility of making it an offence for a person within their jurisdiction to procure or to take part as an intermediary or otherwise in procuring dangerous drugs to be supplied in any other country unless authorised to do so by the Government having jurisdiction over such person.

“ 4. To suggest to Governments that, when an alien is deported on the grounds of his being concerned in the illicit traffic, the authorities of the country to which he is sent should be informed of his deportation and of his connection with the illicit traffic.”

In accordance with the Council's instructions, I should be grateful if you would examine the possibility of taking the action suggested by the Advisory Committee and would duly inform me of the results obtained.

¹ See *Official Journal*, July 1932, page 1203.

² See *Official Journal*, July 1932, page 1322.

Lastly, in execution of the Council's decision on the same matter, I have the honour to bring to your notice the following recommendations adopted by the Advisory Committee in regard to co-operation between Governments in the investigation of the transactions and movements of illicit traffickers:

" 4. The Committee would again urge the necessity of the closest co-operation between Governments in the investigation of the transactions and movements of illicit traffickers and in particular would recommend.

" (a) The prompt investigation and communication to the authorities of countries concerned, or likely to be concerned, of the movements, etc., of persons engaged in, or suspected of being engaged in, the illicit traffic;

" (b) The preservation, after a seizure is made, both of the containers (with labels) and of the contents; the communication to the Government of the country from which the drugs appear to have originated of specimens of the original containers and labels and samples of the contents; and the communication to other Governments likely to be concerned of photographs of containers and labels. These measures should, of course, be additional to the communication of full details of the seizure to the Governments concerned and, in due course, of a report to the League.

" The Committee would also urge the importance of establishing in each country a central official organisation charged with the task of watching the application of laws and regulations promulgated in pursuance of the Conventions and of communicating directly to the central official organisations in other countries all information regarding the illicit traffic."

I should be happy to communicate to the Advisory Committee any particulars which your Government may care to send me concerning the action taken on these recommendations.

(Signed) ERIC DRUMMOND,
Secretary-General.

12/8111/770.

REPLY FROM THE GOVERNMENT OF THE UNION OF SOUTH AFRICA.

Pretoria, September 16th, 1932.

I have the honour to refer to your Circular Letter No. 105.1932.XI, of July 27th, 1932, on the above subject, and to state, in regard to clauses 1, 2 and 3 of the second paragraph thereof, that all the information asked for therein is given in the Medical, Dental and Pharmacy Act No. 13 of 1928 and the Regulations regarding habit-forming drugs promulgated thereunder, a copy of which has already been furnished to you in connection with the report for the Union of South Africa on the traffic in opium and other habit-forming drugs during the calendar year 1928. So far as clause 4 of the second paragraph is concerned, Section 22 (a) of the Immigrants Regulation Act No. 22 of 1913 of the Union of South Africa, as amended by Act No. 15 of 1931, makes provision for the deportation of persons, other than those born in the Union, convicted and sentenced to imprisonment for any offence committed by the sale, supply of or dealing in or being in possession of any habit-forming drug in contravention of any law.

It is the practice in all cases of deportation effected under Section 22 of the Act in question for the Commissioner of Police to advise the authorities of the country of origin of the deportee, either direct or through the local consular representatives, that it is proposed to deport the person in question, and particulars of origin as far as are known are furnished, together with photograph, description and criminal record. The authorities concerned are asked to signify their agreement to accepting the deportee and to issue the necessary passport facilities.

When the deportee has left the Union, the Chief of Police of the country to which he is being deported is advised accordingly and furnished with a photograph, a full description and criminal record of the man in question.

It would therefore appear that this procedure complies with the suggestion in the clause in question.

With regard to paragraph 4 (a) and (b) of the recommendations adopted by the Advisory Committee in regard to co-operation between Governments in the investigation of the transactions and movements of illicit traffickers, the Union Government do not see any serious difficulty in complying therewith. I may state, however, that seized packages rarely, if ever, have any distinctive coverings or labels.

In conclusion, I would reiterate the statement contained in my reply of January 28th, 1932, to your Circular Letter No. 294.1931.XI, of November 23rd, 1931, that the Union of South Africa

is comparatively free from traffic in opium and other dangerous drugs and the addicts are rare. No statistics in regard to addicts have been kept, neither are figures available, but the number of persons so addicted can be accepted as negligible.

(Signed) B. HERTZOG,
Minister for External Affairs.

12/1380/618.

REPLY FROM THE BELGIAN GOVERNMENT

[Translation.]

Brussels, January 27th-28th, 1933.

The Department for Foreign Affairs has the honour to inform the League of Nations Secretariat, in reply to its Circular Letter No. 105.1932.XI, of July 27th, 1932, that the Department of Social Welfare and Health will take into account the first recommendation on page 2 of this document in preparing the annual report for 1932 on the traffic in opium and other dangerous drugs.

The other points mentioned in this document are also being considered by the department, which would beg to observe that, up the present, it has always supplied foreign Governments, whenever occasion arose, with all the information it has been able to collect concerning the transactions and movements of illicit traffickers.

Moreover, the Department of Justice, to which the contents of Circular Letter No. 105.1932.XI were communicated, points out that the "recommendations adopted by the Advisory Committee concerning co-operation between Governments in the investigation of the transactions and movements of illicit traffickers" referred to in the last five paragraphs of the document merely endorse, in all their essential parts, the system of international co-operation already applied by Belgium. Furthermore, an arrangement has already been concluded between the United States of America and the Belgian Government.

This Convention provides for the direct exchange between the Treasury Department of the United States of America and the Belgian Central Office (*Police judiciaire du Parquet* of Brussels) of all documentary material, information and investigations concerning the illicit traffic in narcotic drugs.

With regard to the United States of America, therefore, the problem has already been officially solved since July 1928.

But the Central Documentation Office, attached to the *Police judiciaire du Parquet* of Brussels, does not merely exchange documentation with the United States of America.

The recommendations set out in the League of Nations document have been made on the proposal of the International Criminal Police Commission. The National Central Offices represented on this Commission (including the office established by the *Police judiciaire du Parquet* of Brussels) have been co-operating *inter se* since 1923 for the exchange of documentary material and investigations in the domain of international criminal activities, particularly the traffic in narcotic drugs. These central offices also transmit to the International Bureau, provisionally established at Vienna, the documentation they possess concerning international traffickers, in order that this information may be communicated to all the national offices.

Since 1923, the Belgian central office has been applying the semi-official arrangements concluded between the representatives of the criminal police of the various countries, at the present time, all European States are co-operating on the lines laid down in the recommendations.

With regard more particularly to (b) of the League of Nations document, whenever it seems that the narcotic drugs are coming from a foreign country, the central office sends to its correspondent in that country a photograph of the containers and labels, or, if possible, the originals themselves.

The recommendation under (b) slightly extends this system by suggesting that this information might be communicated to other Governments likely to be concerned and that a report might also, in due course, be sent to the League.

The Department of Justice does not foresee any difficulty in accepting these recommendations as worded, and appropriate orders have therefore been issued to the competent authorities.

Finally, the Department of Justice points out that the International Criminal Police Commission has on several occasions suggested that it would be useful if delegates to the League Advisory Committee on Opium and Other Dangerous Drugs were assisted by a representative of the criminal police of each country.

12/25362/770.

REPLY FROM THE CANADIAN GOVERNMENT

Geneva, November 23rd, 1932.

With reference to your Circular Letter No. 105.1932.XI, of July 27th, I am requested by the Under-Secretary of State for External Affairs to transmit to you the following information.

As regards the recommendations of the Advisory Committee with reference to illicit traffic generally.

1. Full details as to the regulations applicable to the practice of the profession of pharmacy, the conditions under which the sale of narcotic drugs by pharmacists is permitted, and the supervision exercised over the purchase and sale of such drugs, will be included in the next annual report of the Government of Canada.

2. The importance of enacting adequate penalties for serious offences against narcotic drug legislation has already been fully recognised in Canada. For all offences involving the illicit import, export, conveyance, manufacture, sale, giving away or distribution of any narcotic drug, or in connection with the manufacture, selling, giving away or distribution of any substance represented or held out to be a narcotic drug, the minimum penalty is six months' imprisonment and a fine of \$200, while the maximum sentence imposable is seven years' imprisonment and a fine of \$1,000, with the imposition of the lash at the discretion of the judge. A further sentence not exceeding twelve months is also provided for non-payment of fines imposed.

3. As the Canadian Opium and Narcotic Drugs Act has only recently been amended in order to bring its provisions into conformity with the 1931 narcotic Convention, the suggestion of the Advisory Committee has been noted for consideration when further changes in the Act are contemplated.

4. Except in the case of Chinese, the Governments of the various countries to which aliens are deported are made aware of the reasons for deportation. In the case of United States citizens, the Canadian Department of Immigration, when applying to the United States Immigration Service for authority to effect return, gives particulars of the conviction. In the case of others (except Chinese), particulars of the conviction are furnished to the consular authorities to whom application is made for a passport. In the case of Chinese, no passports are required, and their deportation is effected immediately upon the conclusion of their sentence.

As regards the recommendation with reference to close co-operation between Governments, such co-operation already exists between the competent Canadian authorities and those of other countries, and information is freely exchanged along the lines suggested by the Advisory Committee. The Narcotic Division of the Department of Pensions and National Health watches the application of laws and regulations promulgated in pursuance of the narcotic Conventions.

(Signed) W. A. RIDDELL,
Canadian Advisory Officer

12/618/618.

REPLY FROM THE CHINESE GOVERNMENT

Geneva, January 11th, 1933.

In accordance with the instructions of my Government and in reference to your Circular Letter No. 105.1932.XI, dated July 27th, 1932, I have the honour to forward to you the following particulars.

My Government has examined the possibility of putting into effect the suggestions of the Advisory Committee and, fully realising the importance of suppressing the illicit traffic in narcotic drugs, will take the necessary steps to ensure a close co-operation with the competent authorities of other countries and with the League of Nations, particularly as regards the rapid transmission of information concerning cases of illicit traffic and seizures.

With regard to the four recommendations relating to illicit traffic generally, my Government begs to submit the following observations

1. Due care will be taken to include in the next annual report to the League a statement as to the regulations applicable to the practice of the profession of pharmacy, and other required details.

2. On account of the existence of consular jurisdiction, no special penal regulations have been enacted for aliens in connection with the international illicit traffic. Illicit traffickers under Chinese jurisdiction are dealt with in accordance with the Opium Suppression Law (providing for a maximum penalty of five years' imprisonment, to which may be added a fine not exceeding five thousand Chinese dollars).

3. On account of consular jurisdiction, no special penal regulations have been provided for aliens acting as intermediaries in illicit traffic. Offenders under Chinese jurisdiction are dealt with in accordance with the Opium Suppression Law

4. Aliens concerned in the illicit traffic who enjoy consular jurisdiction are not deported by the Chinese Government but are handed over to their own consuls for trial and punishment.

With regard to points (a) and (b) contained in the recommendations adopted by the Advisory Committee in regard to the co-operation between Governments in the investigation of the transactions and movements of illicit traffickers, my Government has instructed the various authorities concerned to act accordingly and to communicate their information to the National Opium Suppression Commission.

My Government does not deem it necessary to establish a central official organisation for the purposes mentioned in your letter, since all such functions can be adequately performed by the National Opium Suppression Commission.

I shall be grateful if you will be good enough to communicate to the Advisory Committee the foregoing particulars.

(Signed) Hoo Chi Tsai.

12/8662/770.

REPLY FROM THE COLOMBIAN GOVERNMENT.

Bogota, September 26th, 1932.

With reference to the Circular Letters from the Secretariat Nos. 99.1932.XI and 105.1932.XI, of July 21st and 27th, 1932, and to the note from the Opium Committee, No. 12A/14378/1166, of March 17th, I beg to communicate to you the following letter received from the National Department of Health, dated September 23rd, 1932:

"I have the honour to refer once again to your letter No. 856 to which I replied on the 10th instant, and to send you (as I promised), for the use of the League of Nations Advisory Committee on Opium, a summarised table showing the quantities of potent drugs imported into the country in 1931 and during the period January 1st, 1932, to August 1932.

Further, in accordance with the Advisory Committee's request for information, I am sending you the following documentation:

"A copy of the first volume of the collection of laws, decrees, decisions and resolutions in force relating to hygiene and public health in Colombia, which contains, on page 70, Law No. 11 of 1920 on the importation and sale of drugs of addiction, copy of Decree No. 657 of 1924 containing regulations in execution of Law No. 11, 1920; copy of Law No. 118 of 1928 supplementing the Law of 1920; copy of Decree No. 1377 of 1930 containing regulations in execution of Law No. 118 of 1928, resolution No. 574 prescribing certain provisions relating to the importation and sale of potent drugs and syringes; a copy of No. 2 of the *Health Review*, which contains, on page 51, resolution No. 1 of 1932, prescribing certain measures relating to the scientific treatment of drug addicts and the statistics relating to such addicts, and, finally, a brochure containing Law No. 35 of 1929 and Decree No. 1099 of 1930 regulating the practice of the profession of pharmacist, which information was also asked for by the Secretariat of the League of Nations."

I am also sending to the Secretariat, under separate cover and as an annex to the present note, the above-mentioned documents for the use of the Advisory Committee and of the Permanent Central Opium Board.

For the Minister:

(Signed) Alfouyaley FERNANDEZ,
Secretary.

12/1140/618.

REPLY FROM THE GOVERNMENT OF THE FREE CITY OF DANZIG
(TRANSMITTED BY THE POLISH GOVERNMENT).

[Translation.]

With reference to the recommendations of the League of Nations dated July 27th, 1932 (Circular Letter No. 105.1932.XI), concerning illicit traffic in opium and other dangerous drugs, the Government of the Free City of Danzig has the honour to state as follows:

1. Reports concerning cases of illicit traffic in narcotic drugs and seizures will be communicated immediately to the other Governments in accordance with the procedure suggested.
2. The next annual report to the League of Nations will contain a statement of:
 - (a) The regulations applicable to pharmacists;
 - (b) The conditions under which the sale of dangerous drugs by pharmacists is permitted,
 - (c) The supervision exercised over the purchase and sale of narcotic drugs.

Permission for the sale of narcotic drugs is not granted in the territory of the Free City of Danzig to persons other than pharmacists and wholesale dealers.

3. The judicial authorities have been informed that the Secretary-General of the League of Nations has directed attention to the importance of enacting adequate penalties for serious offences against narcotic drugs legislation.

4. The procuring of dangerous drugs or taking part as an intermediary or otherwise in procuring dangerous drugs, when the person concerned is not authorised to do so by the Government having jurisdiction over such person, can be made an offence under the laws of the Free City of Danzig.

5. When an alien is deported for an offence against the legal provisions concerning narcotic drugs, a complete report of the punishable act is always forwarded to the authorities of the country to which he is sent.

6. The following recommendations are already complied with.

(a) Prompt investigations are carried out concerning the movements of persons engaged in, or suspected of being engaged in, the illicit traffic, information concerning the results of such investigations being promptly communicated to the authorities of the country or countries concerned.

(b) After a seizure is made, both the containers (with labels) and the contents are preserved. Specimens or photographs of the containers and of the contents are communicated to the authorities of the country from which the drugs have originated. They are accompanied by a full report.

7. The State Opium Office is the central official organisation charged by the Government of the Free City with the task of general supervision and the application of laws and regulations concerning import, export and transit permits, and the issue of orders for delivery within the country.

A central office for the campaign against the illicit traffic in narcotic drugs (Landeszentralstelle zur Bekämpfung des unerlaubten Verkehrs mit Betäubungsmitteln) has been set up as the police central office for the whole territory.

12/24691/770.

REPLY FROM THE EGYPTIAN GOVERNMENT.

[*Translation.*]

Cairo, November 21st, 1932.

With reference to my letter No. 135.1/14 (73), of August 13th, 1932, I have the honour to forward herewith a note stating the views of the competent departments of the Egyptian Government on the recommendations adopted by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs regarding the establishment of close co-operation between the competent authorities, and with the League of Nations, for the suppression of illicit traffic in narcotic drugs.

(Signed) Cherif FAHRY,
Minister for Foreign Affairs.

NOTE ON THE ESTABLISHMENT OF CLOSE CO-OPERATION BETWEEN THE COMPETENT AUTHORITIES, AND WITH THE LEAGUE OF NATIONS, FOR THE SUPPRESSION OF ILLICIT TRAFFIC IN NARCOTIC DRUGS.

1. The next annual report of the Egyptian Government, to be framed by the Central Narcotics Intelligence Bureau, will include a full statement as to the regulations applicable to the practice of the profession of pharmacy and the conditions under which the sale of dangerous drugs by pharmacists is permitted.

2. The penalties laid down in the Egyptian laws for offences against narcotic drugs legislation are considered adequate.

3. Under the Egyptian laws any person implicated in any way whatsoever in illicit traffic in narcotic drugs is liable to the penalties laid down.

4. The competent Egyptian authorities have no objection to the authorities of the country to which an alien is deported for having been concerned in the illicit traffic from being informed of his deportation and of his connection with the illicit traffic.

5. The Central Narcotics Intelligence Bureau always communicates to the central authorities of the other Governments any information it may possess concerning persons engaged in, or suspected of being engaged in, illicit traffic in narcotic drugs. It will continue to follow this practice.

6. As regards the recommendation contained in sub-paragraph (b) of paragraph 4 of the Secretary-General's letter, the competent Egyptian authorities will follow the practice laid down, whenever this is possible.

It may be added that the Central Narcotics Intelligence Bureau is the official organisation of the Egyptian Government responsible for all questions relating to the illicit traffic in narcotic drugs. It communicates directly with the central organisations in other countries regarding all matters connected with such questions.

12/27324/770.

REPLY FROM THE GOVERNMENT OF ECUADOR.

[Translation.]

Quito, October 13th, 1932.

With reference to your letters L.N.P.O. 23(a), 12.A/19932/1122 and Circular Letter No. 105.1932.XI, of May 10th, June 28th and July 27th last respectively, I have the honour to bring to your notice the following communication from the Minister of the Interior and of Public Health:

" PUBLIC WELFARE SECTION.

" Quito, October 8th, 1932.

" Your Excellency,

" I beg to inform you, with reference to your letters Nos. 49, 67 and 76, of June 15th, August 15th and September 7th last respectively, that this Ministry, in rectification of the errors noted by the Central Permanent Opium Board at Geneva in the quarterly and annual statistics sent concerning imports, exports, stocks, consumption, etc., of narcotic drugs, has despatched fresh particulars direct to the Board, in order that the statistics for these substances may be established clearly, in furtherance of the League's beneficent intention of prosecuting by all lawful means its campaign against the spread of drug addiction.

(Signed) J. M. LARREA JIJÓN."

(Signed) C. CARDENAS.

12/1066/618.

REPLY FROM THE ESTONIAN GOVERNMENT.

[Translation.]

Tallinn, January 20th, 1933.

In reply to your Circular Letter No. 105.1932.XI, of July 27th, 1932, and with reference to my letter No. 34-R, of August 10th, 1932, I have the honour to inform you as follows:

The Estonian Government fully appreciates the importance of close co-operation between the various countries and with the League of Nations in order to ensure the detection and punishment of illicit drug traffickers, and is at all times prepared to co-operate in every possible way

In Estonia, the lawful consumption of drugs imported for medical and scientific purposes is under the surveillance of the Department of Health and Social Welfare. The latter maintains close contact with the section of the police which combats illicit traffic in drugs outside pharmacies, depots and other similar establishments connected with health work. Whenever any cases of illicit traffic are discovered by these authorities, the names of the traffickers will be immediately communicated to other countries and to the League of Nations. Containers and labels will also be photographed for communication to the authorities of the countries concerned. Fortunately, for the last few years no case of illicit traffic in drugs has been notified in Estonia.

With regard to the recommendations of the Sub-Committee on seizures in the matter of the illicit traffic in general, which you were good enough to communicate to me in your letter, I have the honour to transmit the following information:

I. *Regulations governing the Practice of the Profession of Pharmacy.*

In conformity with Chapter 4 of the law concerning persons engaged in professions connected with public health, published in the *Official Journal*, No. 24, 1932, only persons who have completed their studies in the Pharmaceutical Section of the Faculty of Medicine of the University of Tartu and have served for two years as pharmacists' assistants in a pharmacy of the first category may practice as pharmacists in Estonia. The university course lasts four years or eight semesters.

The question of the opening and conducting of pharmacies is governed by the law concerning the opening of pharmacies for sales to the public (*Official Journal*, No. 149, 1924). Under this law, only a pharmacist who has obtained the necessary authorisation from the Department of Health and Social Welfare (and the authorisation requires confirmation by the Minister of Education and Social Affairs) may open a pharmacy. In issuing permits, preference is given to the candidate who has had the longest experience as a practising pharmacist. One pharmacy may be opened for every 5,000 to 8,000 inhabitants.

The site of any new pharmacy to be opened is fixed by a decision of the State Council of Public Health, and on the basis of the decision the new pharmacy is duly incorporated in the general system of pharmacies. The decision of the Council must be approved by the Minister of Education and Social Affairs. At present there are 207 pharmacies in the territory of the Republic.

troller of Pharmacies. The local supervisory authorities are, in addition to these two officials, the health departments of urban and rural districts, with the medical officer of the town or district.

Every pharmacy must be under the direction of a responsible head pharmacist, authorised to act as such by the Director of the Department of Health and Social Welfare. The conducting of pharmacies is defined in the relevant chapters of the Medical Law. Pharmacies are obliged to keep co-ordinated registers, which are verified on the occasion of the Comptroller's visits. The following co-ordinated registers are kept: medicaments dispensed on a doctor's prescription, medicaments dispensed without a doctor's prescription, poisons and opium and other dangerous drugs dispensed. Opium and other drugs may be dispensed only on a doctor's prescription, and every quantity of narcotic drugs dispensed must be entered in the opium register. Four times a year pharmacies are bound to submit to the Department of Health and Social Welfare reports on the quantities received and dispensed and stocks in hand of narcotic drugs in respect of the previous quarter. At the time of the Comptroller's visit, special attention is paid to the manner in which the opium register is kept and the manner in which narcotic drugs have been dispensed. The registers and prescriptions having been examined and the quantity of narcotic drugs dispensed having been verified, stocks must then be weighed, and the weight of the stocks thus determined must be equal to the amount indicated in the register.

Narcotic drugs are kept in a special cupboard.

2. Penalties for Illicit Drug Traffic Offences.

Under the new criminal Code adopted by the Riigikogu in 1929 and published in the *Official Journal*, No. 56, 1929, drug traffickers may be sentenced to a term of imprisonment not exceeding twelve months. As this new Code has not yet come into force, Sections 104, 104' and 104" of the Criminal Code for Justices of the Peace and Sections 867, 868 and 869 of the Common Criminal Code are applied to illicit traffickers. These sections provide for fine and imprisonment—a fine not exceeding 300 crowns and the term of imprisonment not exceeding eight months. The same paragraphs apply, with the same penalties, to illicit traffickers in poisons.

3. Penalties for procuring Narcotic Drugs.

The above provisions of the law are also applicable to the procuring of narcotic drugs or complicity of any kind in the sale of the same.

4. Information concerning the Expulsion of Illicit Traffickers.

Whenever an illicit trafficker is expelled, the interested countries will be immediately informed of the fact.

For the Minister and by authorisation
(Signed) H. LARETEI,
Director of Political Affairs.

12/8958/770.

REPLY FROM THE FINNISH GOVERNMENT.

[Translation.]

Helsinki, November 17th, 1932.

With reference to your Circular Letter No. 105.1932.XI, of July 27th last, I have the honour to inform you as follows:

As regards the expulsion of persons concerned in illicit drug trafficking, the Finnish Government does not see any difficulty in the matter of informing the authorities of the countries to which these persons are sent of their deportation and of the reason therefor.

The same observation applies to investigations concerning the movements, etc., of persons engaged in, or suspected of being engaged in, the illicit drug traffic, and to the prompt communication of the results of these investigations to the authorities of countries which are or may be concerned.

But as there have up to the present been no such deportations from or movements in this country, the Finnish authorities have not yet found it necessary to take any special steps in this matter.

According to the regulations in force in Finland regarding seizures of drugs, it is possible to supply other interested Governments with all useful information concerning all seizures effected in the country. There have, however, been no seizures in Finland during the last few years.

The Finnish Government will duly include in its next annual report to the League of Nations a complete account of the rules which govern the profession of pharmacy with regard to the sale of narcotic drugs and the supervision of the purchase and sale of these products.

(Signed) A. YRJÖ-KOSKINEN.

REPLY FROM THE GOVERNMENT OF GUATEMALA. 12/28489/770.

[Translation.]

Guatemala, October 27th, 1932.

With reference to your note of July 27th, 1932, I have the honour to transmit to you the following communication.

" DIRECTORATE OF HEALTH.
INSPECTORATE OF PHARMACIES
AND FOR THE TRAFFIC IN OPIUM.

Guatemala, October 21st, 1932.

" The Director-General of Public Health,

" With reference to our previous correspondence, I have the honour to express the opinion that the Government of Guatemala has complied with the provisions of the Hague Convention concluded on January 23rd, 1912, and ratified by the Government of the Republic on May 23rd, 1913, and with the recommendations of the League of Nations in respect of the rules governing the practice of the profession of pharmacist, the conditions and supervision exercised over the purchase and sale of narcotic drugs and investigations concerning the activities of traffickers in these products.

" Definite evidence of this is provided by the laws in force in our country, of which I transmit to you herewith four copies: (1) copy of the Government decision of March 18th, 1922; (2) Health Code of the Republic of Guatemala (Legislative Decree No. 1841), (3) regulations for the importation of, trade in and manufacture, preparation, warehousing and use of medicinal products and narcotic drugs, approved by Government decision of August 12th, 1932; (4) copy of Decree No. 1331, of October 13th, 1932.

" It is to be hoped that, in order to enable the public health authorities of the Republic to obtain still more favourable results in the campaign they have undertaken, the Council of the League of Nations will endeavour by the means at its disposal to secure that the Governments of countries adjacent to Guatemala accede to the above-mentioned Conventions, so that, by joint action, the decisions reached with a view to the restriction of the use of narcotic drugs may produce the desired result, which should constitute a very important measure of social preventive effort.

(Signed) E. ARROYAVE."

(Signed) SKINNER KLEE.

REPLY FROM THE GOVERNMENT OF INDIA. 12/10213/770.

London, September 29th, 1932.

With reference to your Circular Letter No. 105.1932.XI, of July 27th, 1932, I am directed by the Secretary of State for India to communicate the following observations of the Government of India.

1. *Regulations applicable to the Practice of the Profession of Pharmacy.*

In their annual report for 1931, the Government of India are including a typical set of rules governing the conditions under which the sale of dangerous drugs by pharmacists and other licensed dealers is permitted and the supervision exercised over the purchase and sale of such drugs.

2. *Adequate Penalties for Serious Offences.*

The existing penalties for serious offences against narcotic drugs legislation are already adequate.

3. *Unauthorised procuring or helping to procure Dangerous Drugs to be supplied in any Other Country to be penalised.*

Under Sections 9 and 19 of the Indian Dangerous Drugs Act, II of 1930, anyone who engages in or controls any trade whereby a dangerous drug is obtained outside British India and supplied

Pharmacies are under the supervision of the Department for Health and Social Welfare, which possesses two special officials for this purpose—the Inspector in Pharmacy and the Comptroller to any person outside British India without obtaining the licence required for the purpose is liable to be punished with a fine which may extend to one thousand rupees.

4. *Intimation of Deportation to be sent to the Country concerned.*

The Government of India will issue instructions to local governments that, when an alien is deported under the Foreigners Act, 1864, on the ground of his being concerned in the illicit traffic, they should inform the authorities of the country to which he is sent of his deportation and of his connection with the illicit traffic.

5. *Co-operation between Governments in the Investigation of the Transactions and Movements of Traffickers.*

The Government of India is already giving effect to this recommendation. Information regarding the movements, etc., of persons engaged in the illicit traffic, together with the containers (with labels) and samples of the contraband seized is promptly communicated by the Government of India, Finance Department (Central Revenues), or the collectors of Customs either direct or through the usual channel as the urgency of the case requires, to the country from which the drugs appear to have come.

The question of setting up a Central Intelligence Bureau for compilation and dissemination of information relating to the illicit traffic in dangerous drugs has been postponed on account of financial stringency

(Signed) A. DIBDIN.

12/2596/618.

REPLY FROM THE GOVERNMENT OF IRAQ.

Baghdad, February 22nd, 1933.

I have the honour to refer to your Circular Letter No. 105.1932.XI, dated July 27th, 1932, and to inform you with regard to the recommendations made by the Sub-Committee on Seizures of the Advisory Committee on Traffic in Opium that the opium law which is now before the Chamber of Deputies in the Committee stage provides adequate penalties for offences.

As regards paragraph 4 (b), the department concerned has informed me that it has noted the recommendations to which effect can be given, but, regarding contents of packages, it is customary to destroy dangerous drugs seized, on completion of case proceedings, except opium, which is added to Government stock for licit sale. The department is in favour of continuing this practice, as otherwise there may be malpractices, except in rare cases where the nature of the seizure may call for special investigation which would be assisted by retaining samples.

(Signed) A. K. RASTEED,

Minister for Foreign Affairs.

12/3141/770.

REPLY FROM THE ITALIAN GOVERNMENT.

[Translation.]

Rome, November 5th, 1932.

With reference to Circular Letter No. 105.1932.XI, of July 27th last, I have the honour to communicate to you herewith the observations of the competent authorities on this subject:

1. The Royal Ministry of the Interior (Directorate General of Public Health) causes to be communicated promptly to the League of Nations, not only all information and reports on the seizures of narcotic drugs effected in cases of illicit traffic, but also the police records of the persons engaged in the traffic.

2. The practice of the profession of pharmacy is governed by the Law of May 22nd, 1913, No. 465, and by the Regulation relative thereto of July 13th, 1914, No. 829.

3. The Regulation of April 11th, 1929, No. 1086, governs, in greater detail, the dealings of pharmacists in narcotic drugs, as the following provisions show:

(a) The sale of narcotic drugs in doses or in the form of medicine and in conformity with the rules of public health is not subject to any special authorisation (Article 2, paragraph 2).

When a pharmacy is opened, the pharmacist is authorised by law to supply every kind of medicament, including, therefore, narcotic drugs.

(b) Nevertheless, a pharmacist who also engages in the wholesale trade in these substances or who manufactures products having a narcotic effect or patent medicines containing narcotic drugs in order to engage in the wholesale trade must, under the provisions of the same article, paragraph 1, obtain the permit specified in Article 4, like every other trader in or manufacturer of chemical medicinal preparations.

(c) A pharmacist is obliged in every case to keep a register of amounts received and dispensed, and to enter the corresponding transactions regularly in the register (Articles 26 *et seq.*).

(d) In respect of his purchases, he must keep a register of orders (Articles 34 *et seq.*), and these orders may be addressed only to persons or firms which have also been duly licensed to trade in narcotic drugs.

(e) Supervision to ensure the proper keeping of registers and the observance of the other rules concerning the purchase and sale of narcotic drugs is exercised, not only by means of statutory inspections of pharmacies under Article 63 of the Consolidated Health Law and Article 37 of the above-mentioned Regulation of July 13th, 1914, No. 829, concerning the management of pharmacies, but also by extraordinary inspections carried out by the Inspectors-General of the Pharmaceutical Service in accordance with decisions of the Ministry of the Interior.

(f) The sale of narcotic drugs by a pharmacist otherwise than by virtue of a doctor's prescription is punishable under Article 3 of the Law of February 18th, 1923, No. 396, certain aggravating circumstances being specified in Article 4 of the same law. The making up of prescriptions is governed by special rules (Article 5, paragraph 2, of the above-mentioned Law of February 18th, 1923, No. 396, and Articles 28, 37 and 38 of the Regulation of April 11th, 1929, No. 1086), the most important of which are that these prescriptions must be entered in the register and the originals kept, and that copies of them may not be given to the purchaser.

No person not being a pharmacist or licensed wholesale dealer may sell narcotic drugs.

Any infringement of the rules governing the trade in narcotic drugs involves penalties, which have been rendered more severe by the new Criminal Code.

In this connection it is desirable to recall Article 446 of this Code (which replaces the corresponding provision of Article 1 of the Law of February 18th, 1923, No. 396), and Article 447 (which replaces Articles 8 and 10 of the same law and under the terms of which penalties are increased.

The Code also provides (Articles 729 and 730) for certain other offences not covered by the Law of 1923.

With regard to the proposals contained in Nos. 3 and 4 of Circular Letter 105.1932.XI, of July 27th last, arrangements will be made with the competent authorities.

Finally, with regard to the other proposals mentioned in the second part of the said circular, it should be observed.

(a) That investigations into the movements, etc., of persons engaged or suspected of being engaged in illicit traffic in drugs is a matter for the police authorities.

The competent authorities believe that the results of such investigations could without difficulty be communicated to the authorities of countries concerned or likely to be concerned.

(b) The recommendations regarding the preservation of labels and all the other recommendations in (b) of No. 4 can be applied so far as circumstances allow.

As regards the communication of photographs of labels, and the establishment of a central official organisation charged with the task of watching the application of laws and regulations promulgated in pursuance of international conventions and of communicating direct to the central official organisations in other countries information regarding the illicit traffic, the Royal Government proposes to examine these two questions and to communicate the decisions reached in the matter shortly

(Signed) SUVICH.

12/1030/770.

REPLY FROM THE LATVIAN GOVERNMENT.

[Translation.]

Riga, September 9th, 1932.

In reply to your Circular Letter No. 105.1932.XI, of July 27th, 1932, I have the honour to communicate to you the following information received from the Pharmaceutical Administration.

1. The right to practise the profession of pharmacy is granted to persons who have completed their studies at the Faculty of Chemistry (Pharmaceutical Section), the right to direct an ordinary pharmacy can be acquired only after two years' practical work in a pharmacy.

The drug trade is regulated as follows: for the importation of drugs, the pharmacist in possession of a licence is required to obtain a permit from the Pharmaceutical Administration. The exporting firm with which the order is placed applies for the export permit, submitting with its application the import permit issued by the importing country. The exporting country forwards a copy of this permit to the importing country. The Customs clearance of drugs can only be effected with a special authorisation issued by the Pharmaceutical Administration. Each import

of drugs, is notified by the Customs Department to the Pharmaceutical Administration, the quantity imported being indicated.

The regulations applicable to home trade are as follows: on receiving an order, the merchant applies to the Pharmaceutical Administration for authority to supply the quantity in question, the order being attached to the application. A copy of each permit is kept in the archives of the Pharmaceutical Administration. Pharmacists may only supply narcotic drugs on a doctor's prescription.

Concerns engaged in the drug trade are required to communicate to the Pharmaceutical Administration, at the beginning of each year, data with regard to the quantities of each narcotic drug bought or sold during the preceding year, as also with regard to the stocks of such drugs held on January 1st.

As the Pharmaceutical Administration has access to all information with regard to the movement of narcotic drugs in the country, it is in a position at any time to verify the stocks and also the application of the laws and regulations relating to the trade in such drugs.

The Pharmaceutical Administration undertakes to bear these recommendations in mind when compiling its next annual report.

3. It is an offence in Latvia to procure drugs, without the permit of the competent authority, for delivery in another country

4. The recommendation relating to the exchange of information between countries when persons concerned in the illicit traffic are expelled has the entire approval of the Pharmaceutical Administration, which proposes to place itself in touch with the other competent authorities with a view to determining the conditions for the application of this rule.

(a) For several years past, no cases of illicit traffic likely to be of international interest have occurred in Latvia. Nevertheless, due consideration will, if necessary, be given to this recommendation in future.

(b) Although the Pharmaceutical Administration has no objection in principle to this recommendation, it doubts whether it would be possible entirely to carry it out.

In the event of a seizure, the material proofs are laid before the court, and it is for the court to communicate them, if necessary, to the Government of the country concerned. It is, however, improbable that this could be done before the case was terminated.

In Latvia, the Pharmaceutical Administration performs the functions of the official central organisation, with all the duties attaching thereto.

(Signed) G. ALBAT,
Secretary-General.

12/2642/618.

REPLY FROM THE NETHERLANDS GOVERNMENT.

[Translation.]

The Hague, March 3rd, 1933.

In reply to your Circular Letter No. 105.1932.XI, of July 27th, 1932 I have the honour to communicate to you the following information.

As regards co-operation between the authorities concerned, I can assure you that the Netherlands centre for the suppression of the illicit drug traffic is convinced of the need for regular contact with the competent authorities of other countries. Satisfactory results have been obtained in this sphere. Reports of cases of illicit traffic are always sent as soon as possible to the Secretariat through the League of Nations Department of the Ministry for Foreign Affairs. The authorities of the overseas territories also comply with the conditions specified in your circular letter.

The recommendations of the Advisory Committee call for the following observations on the part of the Netherlands Government:

1. There is no objection to the first recommendation, to the effect that Governments should include in their next annual report to the League of Nations a full statement as to the regulations, applicable to the practice of the profession of pharmacy, the conditions under which the sale of dangerous drugs by pharmacists is permitted, and the supervision exercised over the purchase and sale of such drugs. The Netherlands Government will include these details in its next annual report for the Kingdom in Europe and for each of its overseas territories. Doctors keeping a pharmaceutical dispensary, and veterinary surgeons, may also sell drugs retail. They are subject to the same regulations as pharmaceutical chemists.

2. In the opinion of the Netherlands Government, the penalties at present provided under the opium laws both in the Kingdom in Europe and in the overseas territories are sufficiently severe. The laws in question are primarily national in character and have not been expressly drafted with a view to the detection and punishment of international drug traffic, though this does not by any means preclude the possibility that an offence punishable under this law may at the same time be of a distinctly international character. In each individual case the judge will take into account both the seriousness of the offence and, if necessary, the circumstance that the

accused is taking a more or less prominent part in international trafficking. It should be noted that, in assessing the penalty imposable in any given country, account must be taken of the general penal system applied in that country

3. The Netherlands Government is prepared to give favourable consideration to the Committee's third recommendation—namely, that the fact of procuring narcotic drugs or participating as an intermediary or otherwise, in supplying them, in another country shall be subject to authorisation. It is not yet possible, however, to take up a definite position in respect to this recommendation.

4. In the form of an exchange of information among the various countries, action is already being taken along the lines of the fourth recommendation. The literal application of this recommendation might give rise to practical difficulties—*i.e.*, it might amount to disguised extradition.

Finally, as regards the Advisory Committee's recommendation concerning co-operation between Governments in the matter of enquiries concerning the transactions and movements of illicit traffickers, I am in a position to inform you that this recommendation is already followed, in practice, both in the Netherlands and in our overseas territories. Point (b) of this recommendation obviously involves the reservation that the line of conduct recommended should be in keeping with the judicial procedure in the case of legal actions instituted in the Netherlands or in its overseas territories.

A central official organisation such as is suggested at the end of the circular letter exists both in the Netherlands and in the overseas territories.

For the Minister:

(Signed) A. M. SNOUCK HURGRONJE,
Secretary-General.

12/11520/770.

REPLY FROM THE SWISS GOVERNMENT.

[Translation.]

Berne, September 17th, 1932.

In reply to your letter of July 27th, 1932, and after consulting the Federal services concerned, we have the honour to inform you that a new Federal law on narcotic drugs is at present under consideration. Account will be taken therein of the offences covered by the future Convention. Improvements will be made in penal procedure by the creation of a central judicial police office for dealing with offences connected with the illicit traffic in narcotic drugs. Subject to the delegation of particular cases to the criminal authorities of the cantons, criminal cases will be sent direct to the Federal courts unless the Public Prosecutor of the Confederation is, in accordance with the Bill on Federal Penal Procedure now before the Federal Chambers, empowered to carry out investigations when punishable offences have been committed in whole or in part abroad or in more than one canton. Thus, uniformity of procedure will be secured, especially when police investigations and preliminary enquiries are being conducted.

As regards, more particularly, the recommendation concerning the inclusion in the next annual report of a statement as to the regulations applicable to the practice of the profession of pharmacist and the system of the sale of drugs, you will have noted that account has already been taken of this recommendation in the report of the Swiss Government on the traffic in narcotic drugs for 1931 (see Heading 12B, "System applied in Switzerland to Public Pharmacies")

(Signed) Paul DINICHERT,
Federal Political Department.

12/2562/770.

REPLY FROM THE GOVERNMENT OF VENEZUELA.

[Translation.]

Caracas, August 21st, 1932.

I beg to acknowledge receipt of your Circular Letter No. 105.1932.XI, of July 27th last, concerning the illicit traffic in opium and other dangerous drugs, and note with special interest all the particulars it contains. In reply, I beg to inform you that my country is exercising, in the matter of illicit trafficking in drugs, very strict vigilance with reference to the provisions both of the International Opium Convention and of the law on the importation and distribution of narcotic drugs; seizure and discovery would be certain if ever traffickers ventured to carry on their operations in Venezuela, where, moreover, addiction is very rare and certainly not deep-rooted.

(Signed) P ITRIAGO CHACÍN.

II. STATISTICAL METHODS ADOPTED BY GOVERNMENTS IN RECORDING SEIZURES OF DRUGS.¹

12/38086/32672.

REPLY FROM THE UNITED KINGDOM GOVERNMENT CONCERNING SOUTHERN RHODESIA.

London, December 19th, 1932.

With reference to Foreign Office letter No. F 5610/222/87 of July 20th,² regarding the disposal of drugs seized by His Majesty's Government in Newfoundland, I am directed by Secretary Sir John Simon to acquaint you that the following information has now been received regarding the disposal of drugs seized in Southern Rhodesia.

2. Drugs seized in Southern Rhodesia have not been included in the statistics of imports. The quantities seized have been very small, the only seizure in 1931 was that of a small quantity of opium valued at 5s. 6d., and no seizure has been made so far this year. All drugs seized by the police are burnt, in accordance with Section 12 of Proclamation No. 42 of 1923 (Southern Rhodesia Opium and Habit-forming Drugs Regulation Proclamation, 1923), a copy of which is enclosed herein.³

3. No cases of clandestine exports have been reported. In cases where drugs may have been secretly exported from Southern Rhodesia by itinerant natives, these drugs have not been included in the statistics of exports.

4. No drugs subject to the provisions of the Geneva Opium Convention of 1925 are manufactured in Southern Rhodesia, no facilities for their manufacture exist, and no raw materials suitable for their manufacture are imported. The question of recording seizures of illicitly manufactured drugs in statistics of manufacture does not, therefore, arise.

5. Seizures of drugs in Southern Rhodesia have not hitherto been recorded quantitatively for statistical purposes.

(Signed) C. W. ORDE.

III. STUDY INTO DRUG ADDICTION AND THE METHODS OF TREATMENT EMPLOYED⁴

12/626/623.

REPLY FROM THE AUSTRIAN GOVERNMENT.

[Translation.]

Vienna, December 26th, 1932.

With reference to your Circular Letter No. 294.1931.XI, of November 23rd, 1931, I have the honour to inform you that the figure for drug addicts treated in 1931 was the same as in 1930—namely, 163. The number of men making up this figure has, however, considerably decreased, while that of women has correspondingly increased (see Table 1 attached).⁵

Among persons of more than 50 years of age, the only cases recorded have, as in 1930, been morphine addicts. The number of persons addicted exclusively to cocaine has decreased, while the number of persons addicted both to cocaine and to morphine has increased. As will be seen from Table 2 attached,⁵ the distribution of addicts according to occupations has remained the same. There is hardly any abuse of narcotic drugs among the agricultural population, the persons addicted to harmful drugs belong mainly to the liberal and intellectual professions (especially doctors and actresses).

Table 3⁵ shows the frequency of cases in which persons addicted to narcotic drugs have gone to hospitals of their own free will or have been received in hospitals against their will. This list also contains the cases in which addicts have been treated for the first time and those in which addicts have undergone repeated treatment.

¹ See *Official Journal*, April 1932, pages 992 to 1006; June 1932, pages 1129 to 1132; January 1933, pages 161 to 164.

² See *Official Journal*, January 1933, page 162.

³ This document is retained in the archives of the Secretariat.

⁴ See *Official Journal*, April 1932, page 1007; June 1932, pages 1132 to 1138; August 1932, pages 1500 to 1502; January 1933, pages 165 and 166.

⁵ These tables are retained in the archives of the Secretariat.

Table 4 gives particulars of the repeated treatment of addicts. There have been two cases in which persons have undergone twenty treatments. All the cases in which treatment has been repeated more than nine times refer to men. All persons treated more than five times were morphine addicts.

Table 5 shows the intervals between the first and the last treatment. The cases in which this interval was less than one year were fairly frequent, while in four cases there were three treatments in the course of a year. The longest interval was seventeen years from the first treatment.

Table 6 shows the duration of the treatment. In many cases it lasted less than six days. There have, however, been cases in which the treatment lasted more than four months—mainly women, who usually remain much longer in hospitals than men, as shown in Table 7.

The total number of days during which drug addicts received treatment was 6,913. This is a considerable increase as compared with the preceding year, when this figure was 4,863.

The number of persons addicted to narcotic drugs who received no treatment is not known. Consequently, it has not been possible to estimate the approximate amount of narcotic drugs consumed by this category of addicts.

Drug addicts who take medicaments containing morphine are treated in the following ways in Austria.

(1) Intravenous injections of enphyllin twice a day for from two to eight days.

(2) Dämmerschlaf (twilight sleep) induced by pernocton or dial. Both cures are combined with immediate withdrawal of morphine.

Persons addicted to cocaine are not given medicaments, but are isolated and immediately deprived of cocaine.

It is scarcely possible to estimate, even approximately, the quantity of narcotic drugs illegally consumed by persons addicted to drugs, as the drugs used by such persons are generally derived from the illicit traffic.

For the Federal Chancellor:

(Signed) WILDNER.