

Lost in the Past – Early 1900’s: Another story

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Letter dated 22 March 1920 from the Foreign Office, United Kingdom, to Germany: “There is a reason to believe that, in spite of the efforts of His Majesty’s Government and of the other Governments concerned, morphia produced in the United Kingdom is at present reaching the Far East in quantities largely in excess of the amount required for legitimate purposes, and His Majesty’s Government are therefore of opinion that it is desirable that steps should be taken forthwith to regulate the export to all countries, whether their Governments are parties to the Opium Convention or not, of the drugs specified in the Convention.”

The first article in this series published in the June 2004 issue of the Eastern Horizons described cases of concealed “smuggling” of drugs from Europe into Asia in the 1920’s and 1930’s. At that time, drugs licitly manufactured by pharmaceutical companies were often “diverted” into illicit channels also through what appeared to be proper “exports”. The above-cited letter refers to a remedial measure being taken and notes that an arrangement had been made with the Governments of the United States, France and Japan:

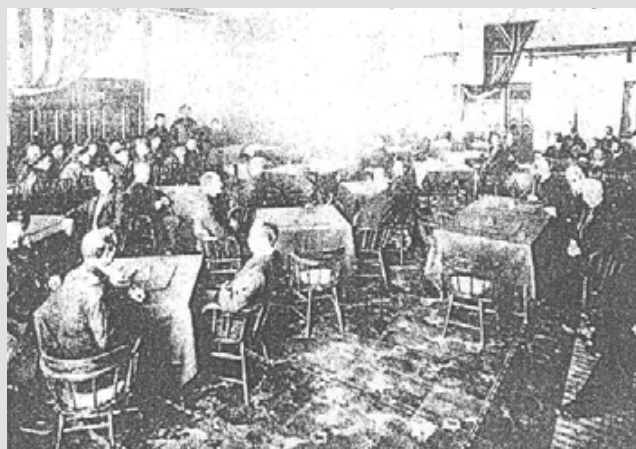
“whereby no consignment of morphia or kindred drugs is allowed to be exported from the United Kingdom to any of the countries in question except on production of a certificate from the Government concerned stating that it is satisfied that the consignment is required exclusively for legitimate medical or scientific purposes and will not be re-exported.”

The letter written in 1920, already clearly stated one of the essential principles of international drug control treaties, later to be incorporated in the 1925 Convention and carried over in the Single Convention on Narcotic Drugs, 1961, still in force today.

At the time the letter was written in the context of the Treaty of Peace with Germany, which provided that those of the High Contracting Parties that had not yet signed or ratified the very first drug control treaty called the Opium Convention of 1912, agreed to bring that Convention into force, and for that purpose to enact the necessary legislation without delay. The world still lacked international and national control mechanisms to prevent effectively “diversion” of controlled drugs into illicit traffic.

Despite efforts of concerned Governments, import certificates were not universally required, and where demanded, they were often easy to obtain. A confidential note, dated 17 January 1923, sent from the British Embassy in Tokyo to the Foreign Office of the United Kingdom, notes, on the basis of local press reports:

“an opium-smuggling gang had conducted operations during the past year between Yokohama, Formosa and China, and has made profits amounting to millions of yen. The organiser of this trade is stated to be one S. S. [author’s note: a Japanese name], a graduate of Yale, and he appears to have acted in conjunction with the H. Pharmaceutical



Shanghai Opium Commission, 1909

Joint Stock Company, whose activities are now being investigated in accordance with [the Foreign Office’s] despatch ...”

“This company bought, in 1920 and 1921, 2000 boxes of opium, valued at 4,000,000 yen, from the R.L.F. Drug Company, New York.”

“The opium was normally consigned to Vladivostok. .. In commenting on the case, the newspapers draw attention to the note which this Embassy addressed to the Imperial Japanese Government, suggesting that the imports of opium into Vladivostok should be restricted. This note arose out of information received from Vladivostok that the [local] Government had granted imported certificates freely.”

At the same time, such efforts of some Governments also drove bogus companies and traffickers away to other countries where controls were lax, as we see today. Another note, dated 26 April 1922, from the British Embassy in Tokyo to the Foreign Office notes:

“a statement [of the Home Office] to the effect that consignees in Japan of opium and dangerous drugs find it practically impossible to obtain special import certificates from the Japanese Government and suggesting that owing to the action of the British authorities in insisting on the production of these certificates, the trade is being driven into other than British channels.”

The world gradually saw the development in international law in drug control, and yet even with a further treaty, the Geneva Convention of 1925, the same issues continued to pose problems after several years. A letter from the “International Anti-Opium Association, Peking” to the Editor of “Peking & Tientsin Times”, entitled “The Shanghai Morphia Scandal” and published on 22 February 1926, notes:

“it must be remembered that the process by which this deplorable importation was made was perfectly legitimate, and fulfils all the demands of the League of Nations System of Importation by certificate. Those familiar with the details of the Geneva Convention of 1925 are aware of the very heated discussion which took place when the British delegation claimed the right to refuse export if they considered that the quantities demanded were excessive, even though the certificate to import was presented in a bona fide manner from the Government of an importing country.”

This issue leads subsequently to the adoption of a new treaty in 1931. The third part of the series will look into further details of those cases of diversion from licit channels.

Author’s Note: Texts in italics were reproduced verbatim. Names of individuals are withheld.