

KOREA
Mr. Kim, Mr. Sung

PRESENTATION

1. THE CURRENT SITUATION OF DRUG CASES

KOREA (MR. KIM):

The Ministry of Health and Social Affairs is the leading Government Agency governing all affairs pertaining to drug control through its Narcotics Division, Bureau of Drug and Food Affairs. The Narcotics Division consists of two sections, the Narcotic Section and the Investigation Section. The Narcotics Section is mainly in charge of general administration relating to drug control, including the import, distribution, and management of narcotic and psychotropic drugs, scientific usage of drugs, and the treatment and rehabilitation of drug addicts. The Investigation Section is responsible for drug surveillance. Their leading function is to investigate and eliminate smuggling activities, uncover the cultivation or manufacturing, and illicit transactions of narcotic drugs, psychotropic drugs and marijuana.

RELATED AGENCIES

A. District Prosecutors' Office, Ministry of Justice:

Each District Prosecutors' Office, under the control of the Ministry of Justice has responsibility for health affairs, and is manned by competent special agents from professional agencies such as the Ministry of Health and Social Affairs. Each District Prosecutors' Office is responsible for investigations to suppress crimes pertaining to narcotic drugs, psychotropic drugs and marijuana by utilizing special agents as well as its own investigate components.

B. National Police Headquarters and Health Centers, Ministry of Home Affairs:

National Police Headquarters has 13 provincial police bureaus throughout Korea performing suppression efforts over narcotic related crimes in addition to their general criminal investigations.

Local Health Centers of the Ministry of Home Affairs are placed under the direct control of the Bureau of Health and Social Affairs of major local administrations such as provinces and special cities. Local Health Centers are also manned by professional investigators, and are charged with the responsibility of suppressing crimes related to illicit medicine.

C. Office of Customs, Ministry of Treasury:

The Office of Customs, whose primary duty is to govern export and import of all goods, is concurrently exerting suppressing efforts on trade of illicit drugs through organizational coordination with the Ministry of Health and Social Affairs.

2. DRUG CONTROL STRUCTURE AS WELL AS RELEVANT LAWS AND REGULATIONS

A. Structure:

Bureau of Drug and Food Affairs, Ministry of Health & Social Affairs: Narcotics Division; Narcotics Section and Investigation Section. The Investigation Section control eight area offices.

B. Indictment Flow Chart:

The reference is the Code of Criminal Procedures. Apprehension of Criminals: Case initiation - - the Working Prosecutor will determine whether criminals will be confined or not. Lawyers are selected. If to be confined, the case to be remanded to the prosecutors' office in ten days. If not to be confined, the case to be remanded to the prosecutors' office in 90 days or three months. The arresting agency will remand the case to the District Prosecutors. Then indictment by prosecutors. Indictment must be made within the first ten days but can be deferred twice by ten days each time. Then the trial.

3. DRUG PROBLEMS TO BE TACKLED

A. Current Standing:

Rarely are narcotic crimes seen in Korea today. As for the year 1981, no illicit transactions involving heroin, cocaine, or codeine were found. Strictly for the purpose of home use, however, secret cultivation of poppies are often seen in areas deep in the rugged mountains. This has resulted in the discovery and seizure of raw opium.

As for the illicit use of narcotics, only a few cases of stolen narcotic ampules for injection purposes were reported. It has been determined that the users of these ampules were not seriously affected and were not determined to be addicted.

The illegal importation and exportation of marijuana has not been a major problem. However, trafficking of wild marijuana on a small scale has been observed near foreign military installations and in other crime conducive areas.

At this point, the existence of any large organized group involved with the trafficking of illegal marijuana is doubtful.

The number of methamphetamine related crimes has increased in recent years. Methamphetamine produced in Korea is principally smuggled to Japan by means of overseas trading ships, fishing vessels, and international tourists. This is due to the fact that there are few methamphetamine users in Korea, and that this trafficking is not considered profitable. Methamphetamine cheaply produced in Korea can be sold in Japan at a greater profit. In order to eliminate such crimes, it is imperative that we suppress the supply of raw materials from sources outside Korea, thereby limiting production and resale capabilities.

1) Means of Crimes

Many criminal rings consisting of suppliers, manufacturers and those making deliveries are said to be vertically controlled and are presumably related to local groups of underground violence.

Illicit manufacturing locations are typical in less frequented areas of towns and cities and at the top of high rise buildings. It has also been revealed that labs are set up in vehicles in which manufacturing occurs while vehicles are mobile, lessening the chance of discovery.

Illicit smuggling of methamphetamine is allegedly accomplished through the use of false compartments in the decks or floors of engine rooms and cabins in ships. Food containers, frozen foods, and fuel tanks of ships are also used to conceal the illicit drug. Another means of smuggling methamphetamine is by the use of air transportation. By this means, clothes cabinets, wardrobes and picture frames all with secret compartments built during their manufacture are used. With smuggling means becoming more elaborate, there are recently reported incidents of fishing boats on the high seas trafficking smuggled Japanese-made products in return for methamphetamine as a form of financial settlement.

COUNTERMEASURES:

- 1) Intensified publicity:
Movie production and showing. Preparation and distribution of posters and pamphlets. Special training, directed at counselors and high school teachers, subsequently enabling them to better inform their students.
- 2) Payment and rewards to informants.
- 3) Intensified suppressive efforts:
To set up a special suppression week in combined efforts with extensive concern to the crime conductive areas adjacent to military installations.
To identify repeated offenders and place them under continuous surveillance.
To encourage the exchange of information among related agencies such as police and customs.
- 4) Continuous training for surveillance or investigative agents.
Ladies and gentlemen, thank you very much for your attention and for enduring my poor English. The rest of our country report will be presented by Mr. Sung. Thank you.

KOREA (MR. SUNG):

4. STATISTICS OF DRUG CRIMES:

Page 9, Table 1: There appears on Table 1 that the illegal trafficking of narcotic drugs have significantly decreased since 1970. In 1970 the arrested cases are 822 and persons 904. Since 1970, 1971, 1972 to 1980 and 1981 are decreasing. The reason for this decrease is the strict control and education. Table 5, page 15, Situation of Narcotics Offenders, Psychotropic Drugs Offenders and Marijuana Offenders (1970-1981): First the narcotics offenders. Prior to 1950 we did not have narcotic problems in Korea. It began developing just after the Korean War during the period 1950-1953. In our country the abuse of drugs is mostly reported of prostitutes and foreign soldiers stationed here. There were a few cases in the past of the TV talents and singers using drugs before performance. But that is almost non-existent in Korea now. Marijuana offenders: Pick a time 1975-76-77, in 1970s our country has made remarkable economic growth and people became more affluent in material sense. They tend to seek now new ways of self-satisfaction. One of the easiest way is the abuse of narcotics and dangerous drugs. In 1977 our government enacted a very strong drug control. According to Table 5, in general, the control measures implemented during past decade ie our country show a tendency of decrease of offenses involving narcotics, psychotropic drugs and marijuana. Although we may experience some social problems caused by the used of benzene and other hallucinogen, it would not be a serious one, because most people understand that these things will cause damage to nervous and cerebral membranes. As a result of our indictment campaigns and educational efforts, I expect that a number of people who use these kinds of drugs will decrease.

5. CRIMINAL CODE CONCERNING DRUG OFFENCES

Special laws to govern narcotic drugs, psychotropic drugs and marijuana, are summarized as follows:

A. Narcotic Drug Law:

- 1) (Art. 1) This law was enacted on April 23, 1957. The purpose of this law is to confine

the usage of narcotic drugs to appropriate medical and scientific purposes and to govern competent handling of narcotic drugs, in order to prevent harms and vices of narcotic drugs.

2) This law contains extensive provisions in relations with restriction of narcotic drug handling, prohibition of handling, licenses, handlers, addicts, and subsequent supervision and suppression.

3) Extracted Penalty:

Illicit smuggling or manufacture – life imprisonment or no less than seven years.
Illicit smuggling or manufacture for profit or repeated smuggling and manufacture – life imprisonment or death. Illicit trafficking – life imprisonment or no less than seven years.

B. Psychotropic Drug Control Law:

The psychotropic Drug Control Law was enacted on August 7, 1970 to prevent the abuse and illicit transaction of psychotropic substances such as hallucinogen and singular LSD, cannabis, amphetamines, etc.

1) Purpose This law is to contribute to the betterment of national health by eradicating any possible hazards, which may be caused by misuse or abuse, to hygiene and health through appropriate control.

2) This law contains extensive provisions to govern the restriction of handling, prohibition of handling, and nomination of wholesalers and handlers, manufacture and sales, addicts, and supervision or suppression.

3) Extracted Penalty:

Illicit smuggling and manufacture – life imprisonment or no less than seven years.
Illicit smuggling and manufacture for profit or repeated smuggling and manufacture – life imprisonment or death. And by the law of special kinds the penalty is death. And the purpose of this special law raising the penalty is to eradicate the social evils in our country including narcotic offenders and their smuggling. Illicit trafficking – Imprisonment of no more than 10 years or a fine of 2 million won or less.

C. Marijuana Control Law

1) (Art. 1) The Marijuana Control Law is to enhance the standard of national hygiene and health through prevention of diversion and appropriate control of marijuana.

2) This law governs restriction of handling, prohibition of handling, and license.

3) Penalty:

Illicit smuggling or manufacture – life imprisonment or no less than seven years.
Illicit smuggling or manufacture for profit or repeated smuggling and manufacture – life imprisonment or death. Illicit cultivation – imprisonment of one year or more. Now, in Korea there is no cultivation of opium and other dangerous drugs prohibited by laws. Illicit trafficking – imprisonment of one year or more.

D. As for the related laws in addition to the above, there are such special laws as the Pharmaceutic Affairs Law and Medical Treatment Law and specially enacted regulations to suppress related health crimes.

6. CRIMINAL PROCEDURE LAW

Same as other countries, we have modern criminal procedure laws. But provisions of the Code of Criminal Procedure are rarely applied to the restriction or suppression efforts of narcotic drugs. Drug criminals are dealt with in accordance with special laws such as the Narcotics Control Law, Psychotropic Drugs Control Law, Pharmaceutical Affairs Law and

the Marijuana Control Law. The Code of Criminal Procedure is used only when processing criminal cases, as stated in B, paragraph 2, of the foregoing.

CONCLUSION

As we conclude our summary of direct problems in Korea, we would like to emphasize the need of the prohibition law enforcement and the close cooperation and understanding between all nations concerned. The world in which we live is getting smaller every day. The problems in the world area now are faced by all of us. And organized international effort is of utmost importance in expelling the evidence of drug abuse from the society.

DISCUSSION

CHAIRMAN: Thank you, Do you have any question?

BURMA: I would like to know, Mr. Sung, if there is any treatment and rehabilitation program for the drug addicts.

KOREA: The rehabilitation program in Korea is to identify the offenders and place them under continuous surveillance in the hospital. But in Korea the problem of addicts is not serious.

AUSTRALIA: In your report, you mentioned the labs set up in vehicles. How many times did that happen and how big are the vehicles?

KOREA: Smugglers and/or manufacturers have trucks of various sizes and they wonder all over the country.

AUSTRALIA: Is that used often?

KOREA: Yes, sir.

AUSTRALIA: How big is the vehicle, by the way, a big truck or a small

KOREA: Special trucks.

SRI LANKA: Mr. Kim, may I draw your attention to page 4 of your report, Indictment Flow Chart? Apprehension of criminals. You say that a working prosecutor will determine whether criminals will be confined or not. Is it on the responsibility of the investigating officer or the detecting officer to decide whether he is to arrest the accused who has committed drug offense?

KOREA: At first we arrest the agents and we interrogate.

SRI LANKA: Question the suspect?

KOREA: Secondly we put him in the National Police's hands.

SRI LANKA: So, the one who decides whether to arrest the accused or not, the suspect or not, is the working prosecutor. But the detecting officer has no decision to be made whether to arrest or not, How does he bring the man to the police station? I mean, when you are bringing a man from the road to the police station, you are confining him. So, that is an arrest as far as the legal term is concerned. Now, once the detection is made of a drug offender, for a police statement to be recorded he has to be arrested and brought to the police station and you confine him there. You won't permit him to go here and there. To take him along with you to the police station, you are confining his activity. That is an arrest. So, why do you say that the working prosecutor decides whether to arrest or not? As far as the legal term of arrest goes, when you confine a man and you don't allow him to go here and there, you are arresting him or arresting his activities.

KOREA (MR. SUNG): At first the working prosecutor decides and secondly a judge. In general, a judge determines whether a criminal will be confined or not.

SRI LANKA: So, what you mean is "confinement" is whether he is to be detained or not.

BANGLADESH: The question is who makes the decision, whether it is the police or not.

KOREA: That is just the prosecutor.

SINGAPORE: Who arrests the man first?

KOREA: Police and the special police like Mr. Kim. This country report was prepared jointly by the Ministry of Health and Social Affairs and the Korean National Police. The Ministry of Health and Social Affairs has special police, special criminal investigation. (Then he draws an organization chart of the Ministry of Health and Social Affairs.) Under the Minister of Social Affairs is a Vice Minister, under him a General Director, and here are policemen. Under the General Director are four Departments. Under the 3rd Department are the following Divisions: Division of Investigation I and II, Division of Identification, and Division of Foreign Affairs. We are now acting under the Division of Investigation II Headquarters. The General Director also is in charge of 13 provincial bureaus, equivalent to the prefectural bureau in Japan. Each provincial bureau has some 20 police stations and under each police station are 15-30 police boxes like in Japan. This is the Korean National Police. But this country report was made by the Ministry of Health and Welfare.

SRI LANKA: According to your flow chart there, where does the working prosecutor come inside?

KOREA (MR. SUNG): In Korea, this is the police. The prosecutor is separate. We receive the order in the course of criminal investigation. We have the order from the prosecutor.

SRI LANKA: The meaning of the working prosecutor, is he a judge or a magistrate?

KOREA (MR. SUNG): At first the working prosecutor judges. The police arrests a criminal offender at first. He has the order of the prosecutor. The prosecutor will determine at first, and then the judge finally defines charges whether the offender will be confined or not. I understand that the Japanese police does not have to receive an order from the prosecutor but we have to receive the order from the prosecutor. This is the special point to understand this country report.

MALAYSIA: What action do you take against juveniles consuming drugs?

KOREA (MR. SUNG): I draw your attention to page 15. In 1970s our country had experienced remarkable economic growth. Therefore, the juveniles, prostitutes, foreign soldiers, TV talents or singers offended stimulant drugs. But the juvenile problem is not serious now in Korea. We made an effort to stop the rising of juvenile drug offenses, especially we have more cared about the juvenile.

MALAYSIA: I would like to refer to your report on page 5. You did mention that the trafficking of wild marijuana had been observed among the foreign military installations. Can you specifically mention who are or what are the foreign military installations?

KOREA (MR. SUNG): As you know, in Korea there was the Korean War from 1950 to 1953. Many foreign military came to Korea - - - I think you Malaysia, too - - to help us. At present, the foreign military installations are chiefly U.S. Army's. In these foreign military installations there are many foreign military soldiers and they offend drug stimulants.

MALAYSIA: So far, Mr. Sung, in your course of suppression of drug offenders, how many foreign military personnel are involve? And what did you do with them?

KOREA (MR. SUNG): Around the end of August 1980, for example, about 35 kilograms of marijuana which were grown and destroyed after use as the material for textile by cultivators in Kaundo Province, were sent to Chosen Waltum and then to other military servicemen for 11,150 dollars. August 1980.

BANGLADESH: Can you arrest these foreign military personnel for offending?

KOREA (MR. SUNG): Mr. Kim is the Senior Inspector for investigating marijuana. In some cases we arrest.

CHILE: What is the procedure in your country with minors concerning drug abuses? The

minors about 15 years old. Do they have any criminal responsibility in order to be punished? What is the procedure in your country with the minors concerning drug abuses, the minors about 15 years old, juveniles but about 15 years old? Do they have any criminal responsibility in order to be punished? May they be punished?

KOREA (MR. SUNG): If he is the one who conducted the drug offences, we will confine him to special place. But no criminal responsibility.

CHILE: Do parents have any responsibility?

KOREA (MR. SUNG): They have no legal responsibility but the prosecutor or the policeman will call the parents and explain to them how dangerous this is.

CANADA: Americans do have a large number of people in South Korea. They have their own military police. Do they also have their own narcotic police working on bases?

KOREA (MR. SUNG): The CID's special agents are working.

CANADA: Do they work in cooperation with your people?

KOREA (MR. SUNG): Yes, sir.

CANADA: The DEA members also?

KOREA (MR. SUNG): The DEA also.

CANADA: Yes, thank you.

SRI LANKA: Mr. Sung, I am a bit confused about this working prosecutor and the role of the police and the role of the judge. Normally, when a suspect is taken into custody, he is remanded to physical custody. Now, here in the indictment flow chart, you say that he is remanded to the prosecutor's office. Now, who does the investigation? Is it the local police who investigates the case and puts him before the local prosecutor who ultimately decided whether to be remanded or not?

KOREA (MR. SUNG): It is the Korean National Police in the local and central governments. The units of police station for criminal investigation sent the report to the prosecutor. The prosecutor decides whether the offender will be confined or not. The prosecutor then sends the report to the judge, who will make the judgement. At first and second (interrogations) he is not confined. But the prosecutor may decide to confine him and the judge may also decide to confine him. Then the judge okays it and the man will be confined. Maybe you thought that the prosecutor would take the role of the judge.

SRI LANKA: No, the prosecutor takes a roles of either an attorney general of the area or go through the work under the attorney general's department, like a state council.

KOREA (MR. SUNG): Generally speaking, prosecutors have destined areas. The prosecutors have another organization, provisional organizations. I can explain it to you later.

CANADA: Perhaps I can help you in some way. I cover South Korea from Tokyo and I know their police system fairly well. I think this is a technicality that you are getting at it. When a person is detained, he is technically under arrest and in custody.

SRI LANKA: Then, in whose custody in police custody during that time?

CANADA: He is then taken to the prosecutor, and he submits or explains to the prosecutor the circumstances. The prosecutor can either confine him or release him. And then it is taken to the judge. The judge can overturn the decision either to confine or to release.

BRAZIL: How many powers do you have in your government? Judiciary power, executive power, legislative power, okay?

KOREA (MR. SUNG): Judicial, administrative, and National Assembly, separate. I will explain about our governmental organization on some other occasion.

Another example is of the drug called Philopon. The raw material is smuggled in from overseas. We arrested and seized 700 kilograms.

CANADA: Did that come in by ship?

KOREA (MR. SUNG): By ship. Because by the air the quantity is small.

CANADA: I was thinking of international airport as cargo, like Kimpo Airport.

KOREA (MR. SUNG): In Korea there are many ports and it is cheaper by ship. Out country is a peninsula and have many sea ports like Pusan, Mokpo, Inchon, Ulsan - many sea ports. Geographically we are close to Japan, Taiwan and Southeast Asia. So, the smuggling is done by fishery ships and other ships.

HONG KONG: The raw material smuggled in, from which country do they usually come from?

KOREA (MR. SUNG): I can only say they come from overseas. In private I will give you the name of the country. (Laughter.)

SRI LANKA: I remember, Mr. Tamai, when you spoke about the Japanese drug problem, you indicated that there was a lot of inflow of drugs or narcotic drugs from Korea to Japan.

CHAIRMAN: Mostly amphetamine.

SRI LANKA: It is most surprising that Korea had done only 48 detections for the whole of 1981.

CHAIRMAN: I think Korea is working very hard to control the drug problems. We and Korea have been coordinating and cooperating closely.

KOREA (MR. SUNG): Geographically we are close, so it is not difficult. Although the number of drug offenses is decreasing in Korea, it is becoming more difficult to control. Criminal organizations are becoming more intelligent.

KOREA (MR. SUNG): The offender organization is secretly divided into party systems. Each organization is separate distinctly and they have no knowledge of one another's equipment.

AUSTRALIA: According to the statistics, you see the arrests go down but the amounts of the amphetamine seized going up. Does that mean that you are getting less arrests but bigger seizures?

KOREA (MR. SUNG): I think it is the growth of quantity of raw material from overseas. In Korea we are confronted with North Communists and we have much tension. So, the social background is not like other country.

Morning Session II
Oct. 5, 1982

PAPUA NEW GUINEA
Mr. Gusa

PRESENTATION

Papua New Guinea does not have a serious drug problem as compared to its neighboring countries, Australia, New Zealand and South East Asian countries.

Intelligence indicate that there are completely no hard drugs such as heroin, morphine, opium, LSD, etc., being used or consumed in the country by abusers. The main drug of abuse in Papua New Guinea in the past has been mainly cannabis.

Even in this area, only a small group of people, mainly expatriates, use cannabis. However, there have been reports that visiting foreign yachtsmen have approached people in remote coastal areas to cultivate cannabis on a large scale for sale and export.

Climatic conditions are favorable for cultivating cannabis, in which law enforcement agencies have in the past detected a number of illicit cultivation. These cannabis plantations were masterminded by the expatriates.

The rugged terrain and sparseness of the population would enable cannabis to be illicitly cultivated without detection on a large scale.

Accurate information on the bause of cannabis in PNG is difficult to assemble and coverage can never be complete. The transitional period to self government in the early 1970s was the period we started to see a number of foreigners charged with either cultivating or possession of cannabis. From information available to us we are able to estimate the present number of abusers. These estimated figures might not be accurate as those who limit themselves to cannabis usually keep to their own circles, and there is always the unknown number of secret abusers.

At present there appears to be comparatively little in country trafficking of cannabis for profit and that little is mostly unorganized and on an individual basis. The younger users in particular share what they have on the understanding that the recipients return the favor later.

COUNTRY FOR TRANSIT:

Papua New Guinea is also concerned, due to its geographical location in that we have been used in the past as a transit point for illicit drugs passing through lucrative markets outside PNG.

As the country opened up its door to international trading both by air and sea, illicit organizers will take an advantage of trying to arrange illicit drug movements through Papua New Guinea.

As law enforcement agencies lacked sophisticated equipment for detection and surveillance, whereas its neighboring countries are noted to be effective in these areas, illicit drug organizers are more likely to use a country like PNG for transit purposes.

At the end of July 1980, officers from the National Drug Squad - - that is the PNG have the National Drug Squad there - - and the Customs Narcotic Branch seized four suitcases after a controlled delivery was made.

This resulted in the arrest of two persons, one was an Australian of Lebanese origin and the other an Arab holding a Jordanian passport. The four suitcases were found to contain a total of 101.3 kilograms of cannabis resin (hashish) of Lebanese origin.

Our investigations found that the four suitcases came through several countries including Australia even though the hashish was for the Australian markets. As the suitcases were consigned as unaccompanied baggage, the original plan was that the suitcases were consigned for Port Moresby and was to be then forwarded to Fiji where arrangements were to be made for final delivery to Australia. This is a classic example where PNG and other small Pacific countries are being used for transit purposes.

Very recently four suitcases containing a total of 26 kilograms of cannabis resin (oil) were seized in Port Moresby. That was a system where the flying passenger took the plane from Port Moresby to the Philippines and from the Philippines to Japan without the suitcase. Two persons were arrested, one was an Australian of Lebanese origin and the other was a New Zealander. They attempted to import into Australia via Papua New Guinea cannabis oil which originated from Lebanon. Both subjects were convicted and now serving prison sentences in PNG. This is another method where syndicate members have tried unsuccessfully to import drugs through neighboring countries to Australia.

In the Royal Commission into Drug trafficking chaired by the Honorable Mr. Justice Woodward, evidence was presented in relation to the "Milligan Group". (Gentlemen, I would like to ask you to delete that part. It doesn't mean anything. It must have been put in by mistake.)

LEGISLATION:

The Police National Drug Squad and the Customs Narcotic Branch are the two main bodies responsible for the implementation of the Dangerous Drugs Act and the Customs Act. The Dangerous Drugs Act was enacted during the colonial administration and most of the penalties that are included in the Act are of very little deterrent to offenders who are charged under this Act. Penalties under the Customs Act are also not severe, to cause deterrent on offenders. The maximum for an importation charge under the Customs Act is only ten years and under the Drugs Act is only two years.

A lot of offenders charged under the Dangerous Drugs Act knew too well that all they will get is a fine or a good behavior bond. The courts seem to have a more sympathetic attitude towards the drug offenders. That is seen in PNG. They know the penalties on the drug offenders are not really strict enough. Therefore, they know that if they pay for it or if they are asked to go in the case like that, they will be out of most of the time they won't be going to the prison. This attitude might be taken due to the non-prevalent of offenders charged under this act.

STATISTICS:

Since the reformation of the Police Drug Squad in 1978 after it was disbanded in 1976, the squad seized a total of 7.8 kilograms of cannabis and arrested and charged seven persons mainly for possession of cannabis. The amount of cannabis seized in 1979 was 55 kilograms with nine persons charged. In 1980 the squad had a total seizure of over 130 kilograms of cannabis, 101.4 kilograms imported into the country. A total of sixteen persons were arrested and charged. In 1981, the squad seized over 40 kilograms of cannabis, 25 kilograms was imported and the remainder was from local cultivation. A total of fifteen people were arrested and charged for these seizures. The Police Drug Squad also engaged the services of two drug detector dogs. They are used to check all international flights, domestic flights and used also at various post offices and the main wharf area. With the assistance of the Australian Government we will be having an extra four drug detector dogs to add on to the two we have at present.

ENFORCEMENT AND LIAISON

Although the task of the Police National Drug Squad and the Customs Narcotic Branch is national enforcement of drug laws, a most important element is liaison with its counterparts overseas. Any law enforcement organization is greatly dependent on the quality of its operational information, and in our case much of this comes from overseas. Information received enables us to forecast the development of illicit traffic and formulation of our strategies.

As part of the network, we exchange information on regular basis, to various countries, most commonly Australia and New Zealand. This information exchange covers such matters as offenders movements, methods of concealment, movements of vessels and other crafts, drug pirates and availability of drugs in the illicit market.

Cooperation ranges much further than information exchange. In the operational area, we work closely with our counterparts especially with Australia and New Zealand. In 1979 upon information received from the Brisbane State Police Drug Squad officers, the National Drug Squad kept surveillance of a light aircraft which came in from the gold coast. The aircraft picked up a consignment of drugs and was about to clear customs when it was intercepted and searched. A large consignment of cannabis was found concealed in a life-

raft container.

In 1980, as a result of the seizure of 101.4 kilograms of cannabis resin (hashish) two of our officers travelled to Sydney for further enquiries and two others with the cooperation of various law enforcement agencies travelled to Singapore and Lebanon for further investigations.

In this attached sheet, you can see a proposed diagram of a setup which maybe we are going to have within one year or two years time. "Proposed Establishment for a National Narcotics Bureau (Phase I)"

Commissioner of Police and Deputy Commissioner of Police; Commander of CID (Criminal Investigation Department); next there is the Officer-in-Charge on Special Projects and Surveillance; a term of seven men/officers comprising one sergeant, one first constable, and five constables; transports will be two motor cars and two motor cycles.

Officer-in-Charge of Intelligence; Registry (2 clerks); store; training unit one sergeant. Deployment of sniffer dogs; dogs named LAE, POM (Port Moresby), KIETA (a regional town), and RABAUL (another town). I might indicate them on the map. Here is a small map. This is PNG. Port Moresby is here. That is our city or our main city. Lae is just here. Keita and Rabaul are on this island here on the Solomon Sea. And Kieta is here somewhere and Rabaul is out there. (Explanation on the map.)

In that diagram it says one dog, three dogs, one dog, one dog. Those are the police dogs. In future they plan to train these dogs to work with the Narcotic Bureau at the Customs, working with the police at the Customs, and several places where they need dogs to find the drugs. At the moment we have sent two dogs down to Australia. Two of our members went there, and they have already finished training and went back to PNG.

That is the proposal you can see on Appendix I.

That is the Papua New Guinea's country report. Thank you very much.

DISCUSSION

INDIA: Mr. Gusa, you have mentioned that the expatriates were mainly promoting drug use. Do you know who the expatriates are?

PAPUA NEW GUINEA (PNG): I would say most of the expatriates are the Australians and some New Zealanders and something like that.

MALAYSIA: It seems, Mr. Gusa, that your police department is in the situation of expansion especially in the field of suppressing drugs, narcotics. Do you have any intention of reinstating drug laws? As you said just now, in case of any offense committed, the penalties are not that stiff.

PNG: Well, that's a good question. See, the police will feel very sad. You arrest the drug offender and proceed before the court and you are there and the penalty is given to the offender there who has not very high penalty. It can be said that in Papua New Guinea you are fined up to 200 kina and when you pay for that you will go out free. Most of the time you are not sent to the jail. Therefore, we as the policemen are fighting hard for this law to be changed. So it is taken very seriously by the court. So the government or now the parliament they are looking at it now whether to change it to give very hard penalty to these drug offenders.

MALAYSIA: Thank you very much, Mr. Gusa. Very good answer.

SINGAPORE: Mr. Gusa, can you please tell us the estimated drug addict operation in Papua New Guinea? And is there any treatment or rehabilitation program provided for the addicts?

PNG: The drug addicts in PNA - - I will be honest and I won't tell you lies - - as far as I know

in 1982 I would say about 20 drug addicts have been arrested. And most of them are fined and they get off free, instead of going imprisonment and serving the sentence. I would say the law is not very tough. They go out free. And of rehabilitation of these drug addicts, in PNG we don't take as an immense problem of the people. We have only cannabis. Therefore, our government or the organization we have not set up the rehabilitation center. We have not got one in PNG.

At the same time, when we arrest people with drugs - - he can be arrested for possession of drugs - - we don't take them to the rehabilitation center. They are not treated. Because we have not been doing it.

PANAMA: You said that "in 1981, the squad seized over 40 kilograms of cannabis, and 26 kilograms was imported and the remainder was from local cultivation." What do you mean by local cultivation? Page 5.

PNG: The local cultivation - - yes, the people in the local area, just like in the suburb of Tokyo, have a small garden where you grow vegetables and besides vegetables you might grow cannabis between them. I mean illicit cultivation, illegal cultivation.

MALAYSIA: It is illegal cultivation. If you are found you will be arrested.

PHILIPPINES: What is the population now of PNG?

PNG: The population of PNG from the last census of the government in PNG is 20 million. Only one race. My color, black.

JAPAN (MR. WATANABE): In Japan, cultivation of cannabis can be legal under certain conditions - - to take fibers. Is there any country where they have the same legal system? Because if the governor of the prefecture gives the license to cultivate then they can grow cannabis. They can cultivate it to take fibers. But the acreage is very small. Maybe you can see in Tochigi cultivation of cannabis.

PERU: Why do you grow cannabis, for using for what?

JAPAN (MR. WATANABE): We use it for the Japanese wooden clogs called "geta". I don't think you have ever seen "geta" but it is the typical Japanese shoes.

BRAZIL: You use cannabis fibers?

JAPAN (MR. WATANABE): Yes.

PNG: In my country Papua New Guinea, we don't have problems with juveniles with drugs. We have the problem with juveniles with the other offenses only. Breaking in, stealing, wounding, and this sort of offenses of juveniles. Most of the people in PNG are the black people and they don't have to consume marijuana or cannabis. Only a few nationals in PNG are involved. But most of the cases involving the juveniles are in other offenses rather than drug offenses.

CHILE: You told us that you don't have serious with drugs. What are you doing concerning the future drug abuses?

PNG: You mean what if drug abuses increase in future? That I do not know. Where there is a country, there's got to be a problem. But to stop that, as I said, we don't have good facilities. As I said, this is the proposed setup for the dogs. In future the police department in PNG might change to set up something else before it is too late. So, in future we might have the drug problem in our country, too, but not yet.

BURMA: I would like to know the national resources of your country. What are the national resources?

PNG: Our national resources are mostly coffee, copra, cocoa. In that island in the Solomon Sea, Bougainville, mainly our cocoa comes from. We have gold in the land, in the station Lae. Besides that we got others. We have just build a large sugar plant to produce sugar in PNG, for the first time in the industry, in Lae. Besides that we have other things to keep on going.

CHAIRMAN: Where are the detector dogs?

PNG: Obviously we have about 20-30 dogs in the whole police training department. They are in the region somewhere. At first, as I said, the PNG sent two of our representative dogs to New Zealand, for the first time for these dogs to be trained to pick up drugs from international flights and domestic flights. But at the moment we have not yet the dogs back.

MALDIVE: Under what ministry does the National Drug Squad come?

PNG: The National Drug Squad comes under the police department. We have the Royal Papua New Guinea Constable. And that is where the police dogs come.

MALDIVE: You have two drug squads, i.e. the customs drug squad and the national police drug squad.

PNG: You are right.

BANGLADESH: How much does it cost to maintain a dog?

CHAIRMAN: I don't know exactly. But the cost is very high. But is it effective?

BANGLADESH: I think so.

SRI LANKA: It is a kind of expensive item, to have dogs and to have them trained.

CHAIRMAN: We have only two dogs, Tokyo and Osaka. We have to learn from other countries.

SRI LANKA: It should cost about one million U.S. dollars to set up a kennel in the country.

CHAIRMAN: Very expensive. Thank you very much. If there are no other questions, we would like to conclude the morning session. Thank you, Mr. Gusa.

Afternoon Session I
Tues., October 5, 1982

HONG KONG
Mr. Ho

PRESENTATION

The Size and Nature of the Problem

The exact size of the Hong Kong drug addict population is not known. However, statistics from different sources estimate that there are between 40,000 and 50,000 drug addicts in Hong Kong. Some 90 percent of them consume heroin, about 7% are opium addicts, and the remainder abuse other drugs such as cannabis and synthetics. The majority, which is about 50 percent, take the drug by fume inhalation, about one-third by injection, and 15 percent by smoking.

As to the age distribution, 34 percent, which is the largest proportion of drug addicts, are in the age of 20 to 29, 24 percent between 30 to 39, 15 percent between 40 and 49, 22 percent over 50, and less than 5 percent were under 20. Regarding sex distribution, only 6 percent are women.

The Source of Supply

Since there is no opium cultivation in Hong Kong, the addict population depends on supplies of opiate drugs mainly from countries in the Southeast Asian region, notably the "Golden Triangle". The single most important factor determining the availability and price of opiate drugs in Hong Kong is the success, or failure, of opium harvest in the Golden Triangle. The drought of 1979 cut the opium yield to less than 200 tons, causing prices to soar in Hong Kong. During those lean years of 1979 and 1980, evidence came to light that Hong Kong's supply of drugs was being supplemented from the Golden Crescent which is Iran, Pakistan and Afghanistan, a phenomenon which has not reoccurred.

The bumper crop of 1981 sent prices tumbling to an all-time low, with substantial quantities of narcotics being imported by sea and air, and some overland. Sources in Thailand are saying that this year's opium harvest, which is now in full swing, is going to be even heavier than last year's 600 to 650 metric tons.

Before I go on, I would like to explain to you the several types of morphine and heroin which are available in Hong Kong.

We all know that morphine is essential in the manufacturing of heroin. Morphine is extracted from opium normally in the area where the opium grows. In Hong Kong, morphine base is available normally in powder form. From morphine base by adding hydrochloride acid, you will have crude morphine, which is normally compressed into block form with three letters 999 on it. I have a picture of a morphine block here. This was usually very common in Hong Kong in the old days.

From morphine, either in paste form or in block form, by adding acetic anhydride, there is the process of acetylation, then morphine base is formed.

Manufacturing of morphine to heroin must have a process of acetylation, that is adding of acetic anhydride, which gives a very distinctive pungent smell which is easily detected or cause suspicion. For this reason, in Hong Kong nowadays we have very few morphine either in paste form or in block form. Instead, it is replaced by the heroin base which is done in the Golden Triangle, that is by the time it arrives in Hong Kong, it is not necessary to add acetic anhydride so as to avoid chances of being detected.

Morphine base is normally in powder form or paste form. This is very common in Hong Kong. From morphine base, No. 3 heroin is made. No. 3 heroin in fact is not pure drug. Normally in Hong Kong the purity is about 25 to 30%, and it is normally in granule form.

No. 4 heroin is also made from either morphine or morphine base. The purity of No. 4 is very high and it is normally about 90% pure and in white powder form.

Heroin base, No. 3 heroin, is very common in Hong Kong. No. 4 heroin, we have a few cases, but in Hong Kong we do not have a market for No. 4, so No. 4 heroin in Hong Kong is very rare.

Now I would like to continue with my country report.

Illicit Trafficking of Drugs into Hong Kong

The majority of the opiate drugs imported from the Golden Triangle pass through Bangkok, and in some cases Malaysia. There are four known avenues of import into Hong Kong used by drug traffickers and these are as follows:

Firstly, by sea; secondly, by air; thirdly, by post; and, lastly, overland, via mainland China.

All of these routes, with the possible exception of the border crossings from China to Hong Kong, have been used extensively in the last two years, with Police and Customs making some substantial seizures.

In the last two years there have been sporadic attempts at reviving the old Thai trawler traffic in dangerous drugs. This method of bulk importation has not been known since the mid-seventies, but with the flood of opiate drugs onto the international market in 1980/1981, and the lowering of prices, bulk importation became a viable proposition once again.

Taking advantage of rapidly modernizing and expanding global air travel, trafficking syndicates smuggled heroin and heroin base into Hong Kong by air-passenger couriers through Hong Kong International Airport, a few pounds of such narcotic drugs being normally either body-carried or contained in false compartments in suitcases, etc. The body-cavity concealment method was increasingly popular during 1980 and 1981. Over half of the air-passengers arrested for bringing illicit drugs into Hong Kong were local residents.

Current Methods of Importation

Hong Kong's principal source of narcotics being the Golden Triangle, it follows that nearly all imports by air have, in the past, originated from Bangkok. For this reason, air cargo and passengers arriving from that port are subjected to close security. In the last two years drug traffickers have recognized the greater risk of detection because of the direct link with Bangkok and so have resorted to flying circuitous routes in order to reach Hong Kong from a "Clean" port.

Furthermore, syndicates are employing relays of couriers so that there is nothing in the last runner's travel document to link him with a source country.

In illustrating some of the diverse routes used by couriers during 1981, I would like to quote the following cases:

In April, a Hong Kong resident was arrested at Bangkok's Don Muang Airport just as he was about to board a flight to Canton. Thai Customs officers found 3.2 kg. of heroin base in his luggage which, the courier confessed, was to be handed over to another courier for onward transmission to Hong Kong.

In April, a Malaysian national was arrested at the Hong Kong International Airport having in from Singapore. After a search, 1 kg. of heroin base was found concealed inside his camera. The arrested person admitted that he was acting as a courier for a Thai syndicate in Bangkok.

In May, Customs officers at the Hong Kong International Airport conducted a routine

baggage check on a passenger arriving from Taipei. In the course of examining a large suitcase belonging to the Thai male, approximately 1.6 kg. of heroin base was discovered in the false bottom of the suitcase. Follow-up inquiries revealed that the courier had been hired by unidentified persons to convey the seized drugs by air from Bangkok to Hong Kong, via Taipei.

A weekly flight schedule between Bangkok and Guangzhou, in China was inaugurated on the 1st of April 1981. On the 22th April, the same year, the first reported interception of attempted drugs transit through the People's Republic of China occurred. A Hong Kong Chinese was arrested when Thai Customs officers at Don Duang Airport found 3 kg. of No. 4 heroin on his body and in a secret compartment of his suitcase. He was about to board a flight to Guangzhou. He admitted that he intended to pass the heroin to another courier at Guangzhou Airport, apparently for transport to Hong Kong.

In November, Japanese Customs officers arrested a drug courier at Narita Airport. The arrested person, who was a Thai male, had flown in from Bangkok in possession of 2.309 kg of heroin base concealed in the false bottom of his suitcase. Under questioning, the courier admitted that he had intended to meet another courier who would carry the consignment into Hong Kong.

Notable Seizures

By Air

During the year, narcotics trafficking by air was dominated by air-passenger couriers. In January, two French were arrested at the Hong Kong International airport for possession of 1 kg. of cannabis and hashish contained inside 3 aerosol spray cans. In March, a Malaysian, arriving from Singapore, was arrested for possession of 1 kg. of heroin base concealed inside his camera. In May, a Swiss man, arriving from Manila, was arrested for possession of 3 kg. of cannabis concealed in the false bottom of his suitcase. In July, a Thai male, arriving from Singapore, was arrested for possession of 1.6 kg. of heroin base hidden in the false bottom of 36 jars of hair cream. In August, a Malaysian male, arriving from Bangkok, was arrested for possession of 1.5 kg. of heroin base tied around his calves and waist. In August, a Chinese male, arriving from Taipei, was arrested for possession of 2.6 kg. of heroin base. In September, a Thai female arriving from Bangkok was arrested for possession of 1.4 kg. of heroin base concealed inside 118 hollowed-out rambutans, a kind of red hairy Thai fruit. These people were all prosecuted under the Dangerous Drugs Ordinance.

By Sea

Large quantities of drugs continued to be imported in ocean-going vessels by seamen couriers whose "hides" were ingeniously constructed secret compartments in various parts of the vessels. During the year, several seizures were made, and the most significant was made in April by Customs officers when 82.67 kg. of dehydrated opium were offloaded from a motor vessel called "Lu Chiang" to a motor boat. A total of 8 Chinese males and one Malaysian man were arrested in this operation.

Illicit Export of Drugs from Hong Kong

Between 1974 and 1980 there was no known export of dangerous drugs from Hong Kong, but in 1981 there were 2 cases of exporting in which drugs were seized from outgoing passengers' baggage at the Hong Kong International Airport. In both instances it was No. 3 being smuggled out, and this could have been manufactured in Hong Kong.

In the first case, Narcotics Bureau officers intercepted a female in the airport departure hall in possession of three large salted fish. An examination of the fish revealed that 1.5 kg.

of heroin had been packed and sewn inside the fish. The consignment was bound for a European destination. The second case was very similar to the first. Customs officers stopped a woman who was carrying a large bag of dried squid. Concealed within the packets of squid they found a total of 1.5 kg. of heroin. Apart from these two cases, there have been six interdictions in foreign countries during the last year where the seizures allegedly came from Hong Kong. Three of these seizures were of No. 3 and one of them was of No. 4.

Also in June this year, 1982, there was a case of exporting 0.5 kg. of No. 3 heroin in which three local Chinese males were stopped and searched at the check-in counter for a Singapore Airlines flight to Paris. Two of the prospective passengers were in possession of a cassette radio and tape recorder. Upon dismantling the radio and tape recorder, Customs officers found 0.5 kg. of heroin wrapped and pasted onto the loud speakers. Enquiries revealed that the consignment was actually destined for Holland where the prices of heroin are several times that in Hong Kong.

These seizures do not mean that Hong Kong will once again play the role of an exporter of heroin. On the contrary, it is believed that fewer traffickers will obtain their supplies here because of effective law enforcement and increasing supplies of drugs becoming available to the western world from countries in the Southwest Asian region, namely Iran, Afghanistan and Pakistan.

However, it is believed that many couriers are recruited locally and leave Hong Kong empty-handed only to pick up their supplies elsewhere. Hong Kong-based personalities, amongst others from the Southeast Asian region and from Europe, continue to be involved in organizing, financing, and recruiting couriers for the export of narcotic drugs from Thailand of Malaysia to Western Europe and North America. Hong Kong couriers are often recruited to travel to Thailand or Malaysia, uplift the dangerous drugs and then proceed to Western Europe with the drugs. Some Thai and Malaysian couriers are also found.

International Distribution of Illicit Drugs

Wholesalers

In 1981, the system of spreading drug stocks over several storage centers and reducing stock levels to a minimum was still being used. It was rare for more than a few kilograms of drugs to be stored in any one place.

During the year, law enforcement action was intensified against storekeepers and distributors of drugs through many interceptions and searches, usually conducted after lengthy surveillance over suspect persons. On many occasions, various quantities of drugs, intended for wholesale, were intercepted when they were being handed over or taken over by traffickers or during the course of conveyance. Generally, drugs were found to change hands on several occasions and to be moved to a number of different locations in an effort to protect storage centers and sources of supply.

Retailers

The former fixed-pitch on-the-street peddling of heroin has disappeared and has been replaced by small highly mobile groups who deal only with "Regular customers". A relatively recent technique of carrying heroin around was also observed. On many occasions, traffickers were found concealing inside their mouths small amounts heroin sealed in segments of plastic drinking straw which could easily be swallowed at the time of search.

The current and most common method of selling drugs is through the use of telephone paging systems. Addicts or traffickers are able to contact suppliers by telephone and arrange mutually convenient collection points, thereby avoiding frequently used and therefore easily

detectable locations. To increase their mobility, traffickers hired vehicles to deliver drugs to predetermined destinations, and also used juveniles to effect delivery.

Drug Prices (1 HK\$ = ¥40)

In 1981, there was a continuing decline in the value of opiate drugs on both the wholesale and retail market. From HK\$126,760 per kg. in January, the wholesale price of No. 3 heroin fell to HK\$63,000 by the end of the year, which is a drop of 50.2%. The retail price likewise came down by 37.4% from HK\$208,191 per kg. in January to HK\$130,280 in December 1981. The street price of a packet of No. 3 heroin, weighing about 0.25 mg. and at approximately 25% purity, ranged from HK\$30 to HK\$40.

Notable Seizures

During the year, Police and the Customs and Excise Service continued their vigorous and effective action against drug traffickers and had neutralized and disrupted a number of syndicates. I do not intend to read through the notable seizures made in Hong Kong last year but which I hope you will read later on.

The total number of seizures has increased considerably last year when compared with I come to paragraph 24.

Before I go on, I would like to say a few words about the overall strategy. In Hong Kong the overall strategy has four main elements, and they are: law enforcement; treatment and rehabilitation; prevention, education and publicity; and, lastly, international cooperation.

The implementation of these programs involves a wide range of government activities. Law enforcement is the responsibility of the Narcotics Bureau and the individual region formations of the Royal Hong Kong Police Force, and of the Customs and Excise Service. I will explain more about the work of these two agencies later on.

Treatment and rehabilitation are mainly undertaken by the Medical and Health Departments, the Prisons Department and the voluntary agencies known as the Society for the Aid and Rehabilitation of Drug Abusers, known in Hong Kong as SARDA.

The Medical and Health Departments operate over 20 Methadone Clinics throughout the territories with an average of about 7,000 addicts attending the clinics daily.

The Prisons Department operates two drug addiction treatment centers, and the total capacity of these centers is about 1,600. This department also provides treatment to prisoners who are confirmed to be drug dependents.

SARDA also provides treatment for addicts at its two centers.

The prevention, education and publicity rests mainly with the Narcotics Division of the Government Secretariat, the Information Services Department and various government district offices concerned with community building efforts. Major anti-crime narcotics campaigns, water carnivals, exhibitions, singing competitions, talks, seminars are being organized, and publications, pamphlets, films and videotapes, etc., are being made.

International cooperation: Hong Kong gives unstinted support to the international action against drug trafficking and abuse. Hong Kong has close links with the United Nations and its agencies, intergovernmental bodies such as the Colombo Plan Bureau, Interpol, and with individual governments in Southeast Asia, Europe and North America which are very well maintained.

Hong Kong takes part in a number of international meetings concerned with policy formulation, anti-drug and law enforcement, treatment and rehabilitation, preventive education.

Hong Kong is also being used as a training venue for anti-narcotics officials from countries all over the world for training, instructional visits and courses.

Hong Kong also contributes to the United Nations Fund for Drug Abuse Control.

Now, I would like to explain more about the work of the Narcotics Bureau and the Customs and Excise Service, and these are on page 9, paragraph 21.

The Royal Hong Kong Police Force and the Customs and Excise Service have continued intensive operations designed to frustrate traffickers' attempts to import illicit drugs into Hong Kong, neutralize and disrupt local manufacture and distribution syndicates.

Action against illicit narcotic activity is a statutory responsibility of each and every Police Officer. In particular, the Narcotics Bureau of the Royal Hong Kong Police Force is chartered to identify and act against syndicates involved in the unlawful narcotics trade, to investigate the unlawful import, export, manufacture and distribution of narcotics, the cultivation of cannabis and opium poppy and drug abuse in Hong Kong; to collect, collate and assess intelligence and unlawful trafficking in drugs; and to disseminate to the force and other agencies intelligence and information concerning drugs. Action at street level is carried out by anti-drug squads from the regions and districts, and by individual patrol officers.

The Customs and Excise Service has a statutory responsibility to search ships, aircrafts, passengers and cargo arriving and departing Hong Kong. They also maintain a capability for action against local manufacture and distribution.

Drug Seizures

There was an increase in the seizures of heroin, heroin base and opium in 1981 by the Police and the Customs and Excise Service. Seizures of morphine continued to decrease. The traditional process of acetylation starting from morphine has now given way to the far quicker, simpler and less dangerous process of cutting or diluting heroin base. You will see a comparison of the seizures in the last two years in the following table.

Seizure	% change	1981	1980
a) Heroin	+ 1.7%	78.18 kg.	76.84 kg.
b) Heroin base	+117.7	83.43	38.32
c) Morphine	- 99.9	0.002	2.09
d) Opium	+ 63.4	140.59	86.4
e) Cannabis	- 79.1	8.06	38.66

Prosecution for Drug Offences

In 1981, there has been a 36.9% increase in the total number of persons prosecuted for drug offences, compared with 1980. In this table "serious narcotic offences" means those charged with possession for the purpose of unlawful trafficking, trafficking or manufacture of dangerous drugs.

Prosecution for	% change	1981	1980
a) Serious narcotic offences	+26.7%	2529	1999
b) Minor opium offences	-19.6	303	377
c) Minor heroin offences	+48.2	4641	3130
d) Minor offences - other than dangerous drugs (cannabis & other synthetic drugs)			

"Minor opium offences" and "Minor heroin offences" means those prosecuted for possession, simple possession, they possess the drugs for their own consumption.

"Minor offences – other dangerous drugs", that means cannabis and also other synthetic drugs", there was also an increase.

Anti-Narcotics Laws

Hong Kong's laws relating to dangerous drugs are kept under constant review by the Government to ensure they remain relevant and applicable to the ever-changing situation of the narcotics problem and can be effectively enforced.

The Dangerous Drugs Ordinance

The Dangerous Drugs Ordinance (Chapter 143 of the Laws of Hong Kong) is the most important ordinance dealing with narcotic offences in Hong Kong. It covers a wide range of dangerous drugs, including opium and its derivatives, barbitone, cocaine, codeine, cannabis and synthetic drugs which are likely to be abused.

Now, offences for trafficking, possession of dangerous drugs for the purpose of unlawful trafficking, and manufacturing dangerous drugs – the maximum penalty is life imprisonment and a fine of HK\$5 million on conviction on indictment.

Now, for offences such as opening, keeping, managing or assisting in the management of a divan, or being the owner, tenant, occupier or person in charge of any place, permitting such place to be used as a divan, or for manufacturing or storage of dangerous drugs, or you let or agree to let the place knowing that it is being used for the manufacturing or trafficking of dangerous drugs – the maximum penalty on conviction is 15 years plus a fine of HK\$5 million.

Now, please turn to page 12. For offences such as cultivating cannabis or opium poppy, or supply, import or export cannabis plant or poppy, the maximum penalty is 15 years imprisonment plus a fine of HK\$100,000 on conviction or indictment.

Now, for minor offences, such as possessing a dangerous drug other than for trafficking, smoking, inhaling, ingesting or injecting a dangerous drug, or possession of pipes, equipment or apparatus fit and intended to be used for smoking, etc., the maximum penalty is three years imprisonment and a fine of HK\$10,000.

A notable feature of the Ordinance is Section 39 which states that "Any person convicted of conspiracy to commit an offence under this Ordinance shall be liable to the penalty prescribed for that offence and any special rules of evidence which apply with respect to the proof of that offence under this Ordinance shall apply in like manner to the proof of conspiracy to commit such offence." This conspiracy law has enabled the law enforcement agencies to bring many syndicate heads to justice. Its use has made financiers and controllers of trafficking groups, who take the utmost care to avoid handling illicit drugs personally, realize that they can no longer be immune from arrest and prosecution.

Another noteworthy feature of the Ordinance is Section 53A which empowers a magistrate to authorize the law enforcement agencies upon application from them to detain the travel documents of a suspect for a period of three months and, if necessary, two further periods of three months to allow more time for investigation. This provision is designed to deal with persons under investigation for serious drug offences, such as major trafficking in, or manufacture of, dangerous drugs and is designed to make it difficult for them to escape from Hong Kong.

Due to the increasing body-cavity concealment method being used, an amendment bill which became law in June this year has extended the powers of search to include personal body cavities. A police officer or a member of the Customs and Excise Service of or above

the rank of inspector may now request a registered medical practitioner or nurse to examine the body cavities of a suspect.

Conclusion

Although much has been achieved during the past year, Hong Kong's narcotics trafficking and abuse problems are still far from being solved; the eradication of such long-standing evils is necessarily a long-term goal. But, based on presently available information, it can be said that Hong Kong has now contained its drug problem and is making considerable headway in preventing the spread of drug abuse amongst young people and in reducing criminal behavior among addicts.

Whilst the Government continues to apply considerable resources to achieve its ultimate objective of a drug-free society, it cannot solve the problem alone; it needs, and has been getting, in steadily increasing measure, support from its own community and from the wider family of nations throughout the world.

Now, before I close my report, I would like to explain very briefly as to what Hong Kong can do for you so that we can understand each other better and thus improve and promote our cooperation.

In the Narcotics Bureau we have a registry with complete information of narcotics personalities known to the Bureau. Also in the force we have a Criminal Records Bureau which has a complete record of all personalities who have been convicted of an offence. For example, if you want to check a certain person, a certain Chinese in your country who you suspect to be involved in drug trafficking, you send this information through the Interpol by telex, by letter, or in case of emergency by telephone, which of course will be confirmed by letter or telex later on.

Action will be taken as soon as we receive the telex or letter from you, and a reply will be given to you as soon as possible. If a suspect is believed to be carrying drugs from your country to Hong Kong, if you know the name of the suspect and the flight number, if you pass it to us by telephone, we will ensure that we will have Police and Customs officers at the airport, stop and search the suspected person on his arrival at the airport.

If you have a suspect from your country coming to Hong Kong to make negotiations, to make arrangements for a major drug transaction, and you wish to know all his activities in Hong Kong, by all means again let me know. In the Narcotics Bureau we have a Surveillance Unit which comprises more than 80 trained and experienced surveillance officers. If operation permits, we will have our surveillance teams at the airport to start surveillance when he arrives in Hong Kong, and we will be able to tell all his activities in Hong Kong, who he meets and also details of his movements. That will be sent to you, in case of emergency by telephone, or by detailed report.

There are also many kinds of assistance that Hong Kong can give you, and those mentioned by me earlier on are by no means complete. Therefore, do not hesitate to forward any requests, and we will try our best to help you.

DISCUSSION

MALAYSIA: I would like to refer to your table in Para 24 regarding the seizures made of opium. Comparatively, between 1980 and 1981, there is an increase of 63.4%. In view of this, is there any possibility in your personal opinion that the high increase of smuggling of opium into Hong Kong is for manufacturing into heroin or for personal consumption of your addicts?

HONG KONG: The opium imported into Hong Kong is mainly for the consumption of opium addicts in Hong Kong. There is no indication that opium is being refined into morphine in Hong Kong.

The reason for this increase of opium is because of the good harvest in the Golden Triangle. They have more stock, so this is why the seizures of various types of drugs, with the exception of morphine, have increased in 1981 when compared with 1980. All the opium imported into Hong Kong are for the consumption of opium addicts. They are not for the purpose of refining into morphine and heroin.

MALAYSIA: But in your report on the first page, you say that only 7% of the addicts out of a total of 50,000 addicts are opium addicts. Do you mean to say they are highly opium addicts?

HONG KONG: No. Actually opium addicts are confined to the old age group, and the number of opium addicts is in fact reducing. The reason we have an increased opium seizure is because there are plenty of drugs available in the Golden Triangle and the price of the opium is so low that these people, although there is not a great demand for opium in Hong Kong, they still try to import the opium into the Hong Kong market. This is the reason we have an increase not only in opium but in various types, either in heroin or heroin base.

SRI LANKA: Is opium being made use of in Hong Kong for medicinal purposes?

HONG KONG: No, in Hong Kong we do not have any factories to use opium to make legal medicine.

SRI LANKA: Do the old people make use of opium as an addition to some of their medical problems?

HONG KONG: If that is the case, that would be used illegally.

SRI LANKA: Is it being done illegally? Have you had any detections where opium has been the base? Have you made any detections where opium has been found to be the base of preparations?

HONG KONG: No. Opium in Hong Kong is only for consumption by the opium addicts. It is not being used to make any illegal medicine.

SRI LANKA: I asked this question because in Sri Lanka there are licensees, people who make use of opium and the license is given by the government for them to purchase opium.

INDIA: Most of your drugs are coming either from the Golden Triangle area or the Golden Crescent. Mainland China has been known, a long time back, some time back, to be a traditional grower of opium. So what would be in your mind the reasons for the non-existent flow of opium, illegally cultivated opium in mainland China to Hong Kong, especially when you have a flow of the population from the mainland going to the island, and ethnically also they are close?

HONG KONG: From all intelligence available in Hong Kong, there is no indication that opium is being cultivated in China. We believe that maybe some opium might have come through China through the Yunnan Province on its way to Hong Kong. But this has not been confirmed officially. The reason why people are using Canton, or Guangzhou, is because China is a drug-free country at the present moment, so when they arrive in Hong Kong they would arouse less suspicion than those coming directly from Bangkok. But we are watching this trend very, very closely.

INDIA: What reason would you ascribe to China being a drug-free country?

HONG KONG: This is all information we have that China is still a drug-free society.

KOREA: Page 3, paragraph 7: "For this reason air-cargo and passengers..." how do you get any intelligence about narcotics importation?

HONG KONG: In the Narcotics Bureau we have an Intelligence Section. Their work mainly deals with intelligence, gathering of intelligence, and also with Customs. Same applies with

with Customs. Both the Police and Customs have very close links with foreign countries, like Bangkok, Malaysia, Singapore. Whenever they have any information about a ship or about a flight coming to Hong Kong, they will notify us well in advance so that we can play our part in Hong Kong to stop and search these flights and vessels on their arrival.

KOREA: Do you send your agents to this area?

HONG KONG: Sometimes we do. In case they are Hong Kong Chinese people operating in overseas countries, and at the request of the country we do send our police officers to go there to work hand in hand with the law enforcement agencies in that country.

NEPAL: Can you tell me the price of heroin No. 3 and No. 4?

HONG KONG: For No. 3 heroin that will be about half the price quoted in this report at the end of 1981 because since the end of 1981 the drugs imported into Hong Kong have increased, and the price is therefore reducing and are still reducing because of the golden harvest in the Golden Triangle.

For the price of No. 4 heroin, we do not have the price because for No. 4 heroin in Hong Kong we don't have a market. Local people do not consume No. 4 heroin, so the price in Hong Kong is higher, is exported to other countries or for being diluted to form No. 3.

NEPAL: Can you tell me the recent price?

HONG KONG: The wholesale price of No. 3 heroin today is about HK\$30,000 for 1 kg. The retail price of No. 3 heroin is about HK\$60,000 for one kg.

CHAIRMAN: This year we seized about 4 kg. of amphetamines smuggled from Hong Kong. Is amphetamine manufactured in Hong Kong or smuggled from somewhere else?

HONG KONG: The manufacturing of amphetamines in Hong Kong is very rare. However, in the past five years or so we did detect laboratories for manufacturing amphetamines, and because of this and because of the seriousness of the effects that can be caused by amphetamine as a dangerous drug. That is to say, if a person is found he is convicted either for possessing, trafficking or manufacturing amphetamines, then he will face the same penalty as if it was a dangerous drug, that is heroin. For this reason, the amphetamine exported from Hong Kong has reduced drastically.

I do not have any detailed intelligence in respect of the seizure in Japan this year.

Afternoon Session II
October 5, 1982

PANAMA
Mr. Morales

PRESENTATION

In our country, on account of the Panama Canal, passage for transit to ships from all over the world was possible, and because of its cosmopolitan population the Canal was used several years ago as a base for traffic of illicit drugs, to the extreme that in the international ambit our Republic was considered a center of distribution of the same.

With the advent of the Revolutionary Government in 1978, a campaign to eradicate this horrible traffic started to finish up the illicit drugs in our area. The drastic measures that were adopted rendered positive results, and nowadays Panama has lost importance as a country that could be used for traffic, conditions that other countries have acquired, such

as South America and the Caribbean coast.

The problem of illicit drugs in Panama. As we talk about this subject, we believe that fortunately in Panama the problem of illicit drugs is referred only and exclusively to the use, possession and traffic of marijuana, cannabis sativa, and a small amount of cocaine. We can say that up to now it hasn't been detected in my country a series flow of the use of other types of illicit substances. The problem has three important aspects, and they are:

1. How it is obtained.
2. Who consumes them.
3. Causes of consumption.

1. How the illicit drugs are obtained

About this first aspect, we can affirm that countries of South America for obvious reasons are the great suppliers of cocaine, not only in Panama but for other countries of North America, such as the United States.

In Panama marijuana is cultivated because this plant does not need much care to subsist and grows anywhere and in any climate. For this reason, the cannabis of marijuana, ganja, in my country there are plantations that cultivate this week, but fortunately of the State and police interventions, the plantations of marijuana are less each day. The islands of San Miguel and Pedro Gonzalez in the Pacific Ocean were in the past great producers on a large scale of marijuana. In other places, the cultivation of this plant has decreased by burning of the plants and crops on those islands by police officers and detectives of narcotics.

All illicit drugs confiscated from possessors, users and traffickers are controlled by the Attorney General's Office, and later on are given to the Director of the National Department of Investigations for custody under they are destroyed by burning the marijuana and dissolving the cocaine in the sea. This is done periodically with the presence of citizens and officials in charge of the investigation of the cases.

About the drug traffickers, we can say they are looking for a new route for their criminal business, abandoning Panama as a passage for this traffic. On the efforts and severe measures that have been taken for the repression of illicit drugs, the traffickers told their own experiences.

For example, Jose Eduardo Arguelles Rodriguez, Colombia born, who was investigated, says: "Really, I never thought of entering Panama, I never thought my luggage was to be searched in Customs. I simply thought my suitcases were going to be changed from one plane to another, and that was my mistake. The pusher that sold me the drugs told me it was hard and difficult to pass drugs in Panama because it has one well-guarded checkpoint. I didn't pay much attention to his warning, and that was my other mistake."

With respect to cocaine that may be found in Panama, the same is from foreign sources. On account of this, the drug is a derivative of the coca leaf cultivated in the Andean countries south of my country. In fact, the cocaine that we seize has its main destination to the United States of America where this market produces more dividends to the traffickers.

2. Who consumes them?

In regard to this second aspect that presents the problem of drugs in Panama relating to who consumes them we can say that the drugs are consumed by all kinds of persons, rich, poor, young and elders. It means that citizens of all kinds of social class indulge sometimes for curiosity, rebelliousness, frustration, need for stimulation, or fashion. We should not lose sight of the fact that smart traffickers exercise an abominable influence over our youth and induce them to indulge.

3. Causes of consumption

The consumption of drugs by the youths may have different origins. They may be adolescents who have been the object of excessive protection in their childhood, and as a result they feel unfit and incapable to face the physical and emotional changes of the transition they pass through, or they have reached relationships with adults or youths with experience in the use of illicit drugs and are persuaded to vice. Generally the youths with misdemeanor in their conduct are a product of a loss of communication with their parents or come from homes where there is no harmony between them, or there is little or no attention to their problems. As a result, it turns out that they are easy preys of the traffickers who are always waiting for victims in the social clubs, amusement centers, colleges, universities, or even in informal reunions.

On their first experiences with illicit drugs, their future depends on the trust that they may have in parents or teachers for the definitions of their lives. The consumers of drugs are initiated in the use of the same sometimes without the knowledge that they are doing it with full cognizance of their acts.

As we speak about the treatment of illicit drugs in Panama, we should divide the subject into three fundamental points that are

- A. The legal.
- B. The preventive.
- C. The repressive.

Legal aspect. On this point, we can affirm it has always been a matter of constant concern to the Panamanian State, a preoccupation that has grown during the existence of the Revolutionary Government, since October 11, 1968, to be vigilant for the health of every citizen, and one way to do this is by drafting of laws which tend to repress the traffic, possession and use of substances harmful to health.

In matters of illicit drugs, many laws were drafted in Panama of which the most important and still effective are:

1. Law 59 of June 4, 1941, reformed by Cabinet Decree No. 159 of June 6, 1969, in which jail sentences were increased for possessors of illicit drugs and eliminates the benefit of bail bond.
2. Law 23 of February 16, 1954, which sanctions the trafficking and cultivation of marijuana, and the production of dangerous drugs.
3. Cabinet Decree No. 478 of October 24, 1973, which created the Commission for Control of Drugs and Psychotropic Substances.

Preventive aspect. Within the treatment on illicit drug abuse, this is the major point in importance due to the fact that consumption of the same at the present constitutes a real epidemic disease. In consequence, the majority of countries of the world designate large sums of money for rehabilitation programs to the drug addicts, and enacting more stringent laws to repress the actions of the traffickers.

Prevention plays an important role in our struggle against illicit drugs, most of all that prevention can be applied to different levels, and only by informing and giving to society scientific and practical knowledge of what drugs are, and the dangers its abuse produces in the mind and body of the users, can we avoid the increase in consumption of these substances, and with this information reduce the traffic.

If you educate the community and achieve citizen recognition of the dangers of illicit drug abuse, unquestionably the drug market would diminish due to the lack of buyers. Unfortunately, the consumers in the majority of the cases are abandoned to their own luck due

to the problem they present and that society repudiates them, considering them weak subjects that cannot abandon the drugs for themselves, without understanding that every sick person needs medical attention. So the final destiny of the users is the jail for their vices or for other misdemeanors committed due to the aggressiveness of some of them, or carry out attempts with the purpose of getting money for supplies with the drug that their body, physical and psychological, are used to.

The Panamanian Government has been placing special attention to this point and so, following the modern delineations of the Penal Code, is in the process of new legislation and the creation of a specialized commission for misuse of these substances, and centers of rehabilitation fit for the treatment of users, victims of their own misdemeanors.

Repression aspect. Within this aspect, we must point out that at the present time in Panama exist several organizations in charge of repression of the problem of illicit drugs, placing major interest to eradicate the traffic of these substances. Within these organizations an important role is played by the Attorney General's Office whose agents are by constitutional and legal mandate in charge of the pertinent investigations within the procedures that point to effective juridical Ordinance. The summaries are sent to the respective Circuit Judge where they are reviewed in joint session and finalized with a dictated sentence. At this point, the evidence is evaluated in accordance with the law, and a verdict is passed for the use, possession or traffic, according to the case.

Organizations in Charge of Repression

The repression of Use, possession and traffic of illicit drugs is under four organizations that work in perfect coordination for combating illicit drug abuse. Three of these dependencies have police and vigilance functions, and the fourth, the Attorney General's Office from the legal viewpoint to the persecution of these misdemeanors.

a. **National Guard Major Staff G-2:** There is a section in the National Guard G-2 dedicated to the repression of the misdemeanor related with the use, possession and traffic of drugs. Generally this brigade is the one that detects the international traffic of illicit drugs in Panama and have specialized agents for this task.

b. **National Department of Investigation:** This department is in charge of preliminary investigation of the punishable actions and the prevention of misdemeanors.

The Division of Narcotics and Dangerous Drugs, along with national guard agents, in charge of cases involving the use and traffic of illicit drugs in all the national territory, have specialized trained detectives for repression of this crime.

c. **The Attorney General's Office:** This office has the responsibility to gather and promulgate the summaries for all crimes that must be judged by a Court of Justice of the ordinary jurisdiction. For this reason, the cause initiated by the Narcotics Section of G-2 National Guard, the National Department and the Narcotics Treasury Department, for possession, use and traffic of dangerous drugs, are sent to the Attorney General's Office or the District Attorney when these felonies are committed in Panama.

In reality, and thanks to the preoccupation of our late General Omar Torrijos Herrera, this District Attorney's Office was created which exclusively instructs expedience for cases of drugs to the end and carry out duties of Prosecuting Attorney in the Courts of Justice. Actually for this struggle against these felonies, the Office of the Attorney General has a Department of Drugs with its own laboratory where all confiscated substances are chemically analyzed.

So in this next page you are going to see the organization in Panama against illicit drug traffic.

In the next page, you have the Penal Code of the Republic of Panama. On the next

page, you have Appendix No. 15. And you will also see Cabinet Decree No. 159, and Decree No. 478.

You will also see the men who were arrested for trafficking of marijuana and cocaine. There is a chart of cases of drugs in 1981, for marijuana, cocaine, thinner, hashish. If you have any questions, please talk slowly.

DISCUSSION

BRAZIL: I would like you please to explain against this diagram. We have talked several times about our organization in Brazil and in Panama, and I said to you several times that my organization is completely different, so I can't understand such a diagram, Organizations in Panama Against Illicit Drugs. Why have the Attorney General here? Is he the Prosecutor here?

PANAMA: After the preliminary investigation, they take the case and give it to the Attorney General.

BRAZIL: Yes, they give the case, but the Attorney General does not give orders to Interpol, for instance.

PERU: I have a question for not only Mr. Morales but for any of the participants of the seminar. In my country we burn the drugs we seize. In Panama, talking about cocaine, you told us that you put the drugs in the sea. Don't you think that maybe the cocaine can cause damage to the flora and fauna of the sea? I don't know. Maybe some of you can know the answer.

PANAMA: I don't think so. The Ministry of Commerce and Industry has authorized that we can put the cocaine in the sea.

PERU: How far off the coast.

PANAMA: We check with the table of the sea.

PERU: Near the coast?

PANAMA: No. far.

PERU: Near Peru? (laughter) Maybe it could be a good idea if you return to your country because I am almost sure they are causing some damage in your sea. (laughter)

PANAMA: I don't think so because we have good fish. (laughter)

PERU: IN Panama you catch the fish easily because they are drunk. (laughter) They are stimulated.

I think it would be a good idea for you to return to your country and when you make a report, you say that the best way is to burn cocaine.

At the present time, Mr. Morales, are you getting great quantities of cocaine in your country? Are you seizing great quantities of cocaine in your country from South America?

PANAMA: Yes. Cocaine last year, 1980-81, 36,252.9 kilos.

PNG: In the case of dangerous, if a man is arrested and has got a large quantity of drugs, and he is charged before the judge, what is the highest penalty in your country given to a man?

PANAMA: In Appendix No. 15, Law No. 23 of 16 February 1954, under Article I it says, "Whomsoever plants or cultivates knowingly the grass originating in India called Cannabis Indica, known in America with the name of marijuana, or in any illicit way produce the substances referenced in the present law, will be punished with reclusion for five to ten years on the penal island of Coiba." Coiba is a big island in the Pacific.

PNG: In your lifetime, have you ever seen a man being hanged for this offense?

PANAMA: No death sentence in Panama.

PEUR: For the information of the participants, in almost all the countries of America, North and South America, we have the death penalty at the present time. Almost all the new constitutions have put the death penalty at the present time.

CHILE: Only for drug abuse.

PERU: We've got death penalty for different kinds of crimes, but not for drug abuse.

CHILE: How many years old must be a juvenile to be punished?

PANAMA: A juvenile is 18 years under, and they have the same court.

PERU: Mr. Tamai, excuse me. As information, here in Japan how old must be a person to be considered an adult by law? For instance, in Panama it is 18 years old, and you can be sent to prison.

CHAIRMAN: Before 14 years old he has no responsibility for punishment, and from 15 to 19 he is a minor and is sent to the family court.

PERU: In Panama and like in my country you are under age when you are under 18 years old, you are a minor.

CHAIRMAN: In Japan you are a minor if you are below 20.

JAPAN (MR. WATANABE): At the age of 20 he is considered an adult. So from 19 down to 14, he is considered a juvenile. So all offenses committed by juveniles are sent to the family court. Under 14 they are not liable to criminal punishment.

SRI LANKA: May I know, Mr. Tamai, as to whether there is a system of suspended punishment.

CHAIRMAN: In Japan almost all consumers of drugs are sentenced with suspension, and if they commit the crime again they will be sent to jail.

SRI LANKA: They will get double the term?

JAPAN (MR. WATANABE): If they commit the offense again, it will be doubled.

Mr. Morales, there is a Panama Canal in your country. All vessels going through that canal are inspected by Customs?

PANAMA: Yes.

JAPAN (MR. WATANABA): Is the police force authorized to inspect the vessels with the Customs?

PANAMA: Yes, that's right, the U.S. and Panama police.

CHAIRMAN: Any other questions? Thank you, Mr. Morales, for your presentation. Let us conclude today's session.

Morning Session I

October 6, 1982

IRAN

Mr. Motevalli

PRESENTATION

Since the ancient time, Iran, like other countries, has been involved in this matter. Especially, in the previous regime, not only a fundamental fighting was made against this destructive element but also by permitting cultivation of poppies, giving coupons for opium quota, and failure in fighting with, and medical treatment of the addicted person caused excessive outbreak of this problem.

After the Islamic revolution came into existence, the Revolutionary Council paid attention to this dangerous matter. There are two million addicted persons in Iran, which is an inauspicious factor of the previous regime. Below is an explanation of the fighting method which will be applied against narcotics after the Islamic revolution of Iran.

After the Islamic revolution of Iran when due to the Iranian people's revolutionary anger, the doors of jails were broken, a number of old and professional smugglers escaped from the prisons and abused the then climate of this country which was quite normal after any revolution, and the Revolutionary Government of Iran was confronted with the entire revolutionary elements and also organizing the country, therefore, such persons (the smugglers) again went on with their jobs even more actively than before.

The disciplinary units and revolutionary institutions fought with threat and arrested a number of them with a large quantity of narcotic substances and sent them to prisons.

After a while, due to over-expansion of addiction and narcotic substances, the Islamic Revolutionary Council of Iran decided to face with this problem revolutionarily. Therefore, Ayatollah Khalkhali was assigned as a religious judge responsible to investigate such big problem. He, during the period held the responsibility, discovered a substantial narcotics and a number of the international professional smugglers who has been arrested before and during the said period were executed by shootings.

In general, a decisive revolutionary confrontation was made with the problem the result of which is presently known throughout the country. In addition to that, the European and American countries are now to a great extent in a safety position from the danger of narcotic substances from the East, due to this fact that Iran was a bridge between the East and West from narcotics point of view. This bridge now because of serious fighting with no respite, is entirely cut off.

We hope, with due diligence, further pursue this matter, establish equipped medical treatment centers and precise control of the borders and cooperation of the neighbour countries to celebrate a day, the eradication of this dangerous phenomenon.

At present, due to the effective measures taken by the Government of Iran toward the eradication of the addiction and narcotics such as prohibition of cultivation of poppies, cancellation of opium quota cards, fighting with no respite against the smugglers and addicted persons, and approval of more severe enactments including the enactment, which provides that addiction to narcotics shall be regarded as an offence and will be subject to imprisonment. An effective step toward this important target has been taken.

The Basis for Control of Narcotics and the Laws and Regulations concerned

1. The fighting with narcotics is the responsibility of police, gendarmerie (it is like police, but not with seizures, for example, in border area and in villages), and the revolutionary institutions. Police in the cities, gendarmerie in other places and the revolutionary institutions throughout the country have continuous activities in fighting affair. The methods which are being applied by these organs are: Identification, prosecution and watchfulness of the smugglers.
2. Inspection of doubtful locations.
3. To apply technical and mechanical instruments.
4. To deal with the smugglers by pretending as a buyer.
5. To utilize services of reporters.
6. To utilize information and assistance of people.

The Problems and the Matters facing with in Narcotics Affair

1. Having borders with neighbour countries, having numerous roads, mountains, and tribes in vicinity of borders, who have relatives in both sides of the borders, will facilitate transportation of narcotic substances by the smugglers by means of camels, horses, mules and motor vehicles.
2. To be situated in the international transportation route of smuggles items.
3. To be neighbour of the countries where cultivations of poppies is not prohibited.
4. The disasters which have been left by the previous regime such as permission for cultivation of poppies and nonpracticing of control over it, giving coupons for opium quota which has an effective role on expansion of the addiction, and many other matters as a result of which now there are 1.5 to 2.0 million addicted persons (in Iran), which itself is a clue of the anti-human being of the previous regime. Such persons now are facing with a revolutionary confrontation.

Statistics of Narcotics Offences

After the Islamic Revolution of Iran due to the overall cooperation of the people of Iran, the revolutionary institutions and the disciplinary units in the fighting against the narcotics, no accurate statistics exist but in 1981:

1,348	kilos heroin
1,640	kilos morphine
14,360	kilos opium, and
2,922	kilos hashish

have been discovered by the officials of gendarmerie and police administration and a number of 46,060 persons have been arrested.

The Criminal Laws dealing with the Offences Pertinent to Narcotics

Basically we believe that execution of the smugglers and the great international traders (of narcotics) will cause the scarcity of such items. When the addicted persons have no access to narcotic substances, they shall have abandon the using of such items. It should be noted that the Government of Iran will fight with the addicted persons and has given them an opportunity to relieve themselves from using such items. Otherwise, they will be sent to prisons which, by establishment of equipped hospitals and medical treatment of the addicted persons, will gain a revolutionary consequence.

Now, I am going to read soem of the most important articles of Laws and Regulations enacted by the Revolutionary Council.

Below is the text of the Legal Decree for aggravation of the penalties for those who committed offences pertinent to narcotic substances and for security measures and medical treatments to relieve and put them to work ratified by the Revolutionary Council of the Islamic Republic of Iran in the session held on June 9, 1980.

Article 1. The narcotic substances the detail of which was given in the Resolution dated July 24, 1959 are divided into the categories:

1. The opium substances including opium residue (deposit left by opium in the bowl of the opium pipe called "sookhteh" and then prepared by a special method for a second smoking called "shee're") and other combina-

tion thereof.

2. Other narcotic substances (including opium derivatives) such as morphine, heroin, cocains and the industrial and chemical narcotic substances as outlined in the list issued by the United Nations, and WHO has insisted that a thorough attention be paid for their application.

Article 2. Any person who planted poppies shall, in addition to destroying the plantation, be sentenced, for the first time, to a criminal penalty of three to fifteen years imprisonment and for the second time to death penalty.

Article 3. Any place where poppies are planted therein, the village head must report the subject matter to the nearest gendarmerie station. The Chief of the gendarmerie station or his substitute, upon receipt of the report from the village head, must immediately attend the place and destroy the plantation in presence of the village head, a clergyman, two local trustees and the person charged with the plantation, and then prepare a process-verbal to note down the events. Upon investigation of the subject matter, the record prepared together with the alleged person or persons should be sent to the nearest peace court, office of public prosecutor or other competent authority. Non-presence of the alleged person or persons shall not cause any delay in the performance of the above proceedings.

Article 4. In any place where poppies are planted, if the village head who becomes sware of the plantation, whether before, after or during the ingathering of the products, fail to report the matter to the gendarmerie station or if the Chief of the gendarmerie station, upon receipt of the report from the village head, fail to destroy the plantation and/or to prepare the record and/or to submit the record to the authorities concerned each of these persons shall be sentenced to 2 to 5 years criminal imprisonment. The Chief of the gendarmerie station shall also be dismissed from the State employment permanently.

Note: Village heads, district governors and chiefs of gendarmerie stations are obliged to watch constantly for the discovery of every poppy plantations. For any negligence in this respect and in the discovery of any poppy farm in any area, the village head of the location shall be dismissed from the position forever. The governor of the district and the chief of the gendarmerie station of the area shall also be dismissed from their positions any they shall be tried in an administrative tribunal or in a disciplinary court and they shall be made subject to the penalty envisaged by the law.

Article 5. Any person who keeps, hides or carries poppy seeds or poppy capsules shall be sentenced to a correctional imprisonment from 6 months to 2 years.

Article 6. Any person who imports, makes, sells or exposes for sale opium or any substances thereof as referred to in Section 1 of Article 1 of this Decree and/or maintains, hides or carries more than one kilo of the said substances, if proved that such person has done it knowingly and intentionally (he or she) will be sentenced to death. In case the discovery is less than one kilo but more than

50 grams such person shall be subject to a first category criminal penalty and will be sentenced from 2 to 10 years imprisonment. In case the discovery is less than 50 grams, the perpetrator shall be sentenced to 1 to 3 years imprisonment, which is a misdemeanor penalty. The investigating court can issue a pecuniary offence proportionate to the penalty or bodily punishment (whichever will have effect on preventing the accused from such actions).

Article 7. Any person who imports, makes, sells or exposes for sale other narcotic substances as stipulated in section 2, Article 1 of this Decree such as morphine, heroin, cocaine, industrial and chemical anaesthetics, acetic anhydride and acetyl chlorine or unlawfully maintains, hides, or carries more than 5 grams of such items, if it is proved that such person has committed it knowingly and intentionally the perpetrator shall be sentenced to death. If the discovery is less than 5 grams but more than one gram the perpetrator shall be subject to a second category criminal penalty from 2 to 5 years imprisonment.

Article 8. Any person who uses the substances referred to in this Decree without a medical prescription or the person who is addicted and vagrant is arrested by the officials or such person is identified by the relatives of neighbours of such person and the forensic medicine office recognizes such person as addicted to opiate substances such person will be prosecuted and sentenced to a misdemeanor category imprisonment from 6 months to 3 years. In case such person has used heroin, morphine and so on (the narcotics stipulated in Section 2, Article 1) shall be sentenced to 1 to 3 years misdemeanor type imprisonment. The investigating court can, instead of issuing a verdict containing imprisonment, determine a case fine proportionate to the offence or a bodily punishment whichever will have effect on preventing the accused from such actions.

(Article 9 was skipped)

Article 10. Fabrication, import, maintenance, hiding, buying and selling of instruments pertinent to using opiate substances is strictly forbidden and the offenders shall be sentenced to 2 to 3 years misdemeanor imprisonment. The instruments upon discovery shall be destroyed by the officials.

(Articles 11, 12 and 13 were skipped)

Article 14. All movable and immovable property of those who committed the offences referred to in Article 2, 6, 7, 11 and 13 of this Decree and prosecuted shall be instruction of the public prosecutor and upon issuance of the final judgment. The vehicles carrying the substances, upon issuance of the final judgment, will be delivered to the organization responsible for discovery of the offences to be used for fighting with smugglings.

(Note 1 was skipped)

Note 2. The persons who are addicted to narcotics and discovered from them not more than 50 grams opium or any other opiates or one gram heroin or other substances similar to heroin shall not be subject to confiscation of property. The same rule shall be applicable to those

charged with the offences enumerated in Article 5.

(Articles 15, 16, 17 and 18 were skipped)

- Article 19.** It shall be the duty of the Government of maintain certain centers for keeping and medical treatment of the addicted offenders. These centers shall be equipped with industrial workshops, agricultural farms, etc., for teaching and training the addicted persons certain professions for earning money after they are freed from prisons. The said centers will be managed in accordance with the regulations ratified by the Ministries of Justice and Health.
- Article 20.** All addicted persons are given a 6-month period to cure themselves by calling on the clinics or hospitals assigned by the Ministry of Health otherwise they will be prosecuted after the said period is elapsed.
- Article 21.** As from the date this Decree is ratified, the regulations provided for the delivery of opium to the addicted persons are null and void and the quota cards are cancelled. The Ministry of Health is obliged to provide sufficient facilities for medical treatment of the addicted persons.

(Article 22 was skipped)

- Article 23.** Marriage, travelling abroad, government and non-government employment, putting the workers to work in factories, obtaining work permit, commercial card and driving licence for motor vehicles shall be subject to presentation of a certificate for non-addiction of the subject persons to narcotics. The Ministry of Health is obliged to establish within 6 months the centers necessary for issuances of the certificates.

(Articles 24 and 25 were skipped)

Background

Contrary to prevalent myth, the opium smoking does not date back to ancient history and the abuse opium is not part of Persian cultural heritage. In the second half of the 19th Century, the abuse of opium was introduced and encouraged by the forces of colonialism and imperialism. Once initiated, the abuse spread with an alarming speed to the extent that by 1955 out of a population of approximately 20 million people, it was estimated that there were 1.5 million opium abusers roughly 7% of the population. It has been said that the 10th Century could be called the Century of widespread use of opium in the country, because it had reached virtually to an epidemic proportions.

The abuse of heroin which was first appeared in 1960 in the country alcohol and psychotropic substances have been the ugly side effects of the Western pattern in Iranian society. Very soon after the revolution, the Government of Iran was faced with enormous number of addicts. They were scattered all over the country, belonged to many different age groups. In many places, opium had become a part of social gatherings, and "social smoking" was becoming very casual, potentially endangering great sections of population, particularly, the youth. Taboo was being broken.

Less than 4 months after the revolution, a religious decree was issued by Imam Khomeini clearly emphasizing that 1) the non-medical use of narcotics and other addicting

materials is forbidden, and 2) "Addicts are obliged to get treatment for their addiction." Immediately following the issuance of the Decree, planning started for a programme to struggle with the social menace of addiction. To centralize all the executive branches dealing with the problem the "Drug Abuse Control Coordinating Council" was established. The Revolutionary Council which then performed as the transient legislative body approved a budget of 5,000 million Rials equivalent to US\$62.5 million for controlling drug addiction.

From the beginning, we felt that the problem must be attacked from its 3 critical dimensions:

1. Drug
2. Human conditions
3. Environmental factors

The forces on our side were the people and their faith. The social desire to put a stop on addiction as one of the ugliest aspects of the past was very strong. Many volunteers and self-help groups started to appear in different areas of the country.

The forces against us were the continuation of legal poppy cultivation, spread of opium by some legal card holders and, last but not least, the international traffickers. We were faced with a programme which at the beginning seemed ambitious to many.

The outlines of the programme were as follows:

1. Iran would not have any poppy cultivation from 1980 and prohibited its plantation throughout the country.
2. Experiences within Iran showed that the opium maintenance programme is one of the factors helping the spread of addiction in the country, hence the Government decided to reduce the daily ration to minimum amount (2 grammes) and in early 1980 this programme was stopped.
3. A comprehensive plan for the treatment of addicts along with campaigning against illicit traffic was formulated. This programme was started simultaneously at the beginning of 1980.
4. More than 40 tons of the seized drugs which were kept in the stocks for many years were destroyed.
5. Eradication of 30,000 hectares of illicit poppy cultivation had been done in the first year and 1,000 hectares in the second year, as a part of endorsing the law which prohibit poppy cultivation. The results were immediate and dramatic, suddenly opium and heroin became unavailable in the country within a short time.

Present Situation

At present, the broad pattern of illicit traffic in opiates substantially changed. Following complete prohibition of poppy cultivation all over the country and due to severe and radical measures taken by the Government for the punishment of the major traffickers and the addicts who failed to withdraw their addiction within a 6 months period, the general situation shows significant reduction of availability of domestic opium and manufactured heroin in the country, as well as the considerable increase of drug prices and reduction of daily usage to 20% of what the addicts used before.

As a result of carrying out the treatment programme, the number of addicts has dramatically reduced and according to the existing law using narcotics without medical prescription is punishable and we regard addicts as committing lawlessness.

Currently with these very positive developments in Iran, however, changes occurred

in the supply for illicit opium particularly heroin. Countries immediately to the east of Iran became a principal source of illicit supply, mainly from Afghanistan but partly from Pakistan through the Baluchistan area.

The flow of raw opium and manufactured heroin and morphine in a large quantity is still continuing to enter Iran across the eastern borders, especially across the Afghan and in less extent from Pakistan borders. Hardly a day goes by that our law enforcement agencies do not seize opium, heroin and morphine, not by kilo but more often by tons.

To illustrate the critical situation only during the first 6 months 1981, we had 3 single cases of seizures near Afghan border as follows:

1. Seizure of 416 kg morphine near Afghan border in which 4 major Afghan smugglers were captured.
2. Seizure of 716 kg pure heroin of Afghan origin on route to Europe through Turkish border.
3. Discovery of 400 kg of morphine and 1,800 kg of cannabis.
4. Discovery of 287 kg of morphine.

In short, the summary of the law enforcement activities during the last 3 years are as follows:

Year	Opium	Heroin	Morphine	Cannabis
1979	5,155 kg	327 kg	117 kg	3,415 kg
1980	30,000	500	20	60,000
1981	21,127	3,155	1,206	5,268

In general, difficulties encountered our drug law enforcement agencies was much compounded by other unrelated events. The imposed war by the Iraqi Regime against the Islamic Republic of Iran had caused considerable population shifts within the country and attracted much more manpower of the law enforcement agents. Events in Afghanistan meant about 1.5 million Afghan refugees were now established in the west of Afghan/Iran borders and these were used as a cover for traffickers trying to move much more quantities of illicit opiates across the border.

Thank you.

DISCUSSION

CHAIRMAN: Thank you, Mr. Motavalli. Any questions?

PERU: On page 4, Article No. 7, the last part of the Article No. 7 is on page 5, it says, "The investigating court may instead of issuing a verdict of imprisonment, determine a cash fine proportionate to the penalty or a bodily punishment..." what does it mean by "bodily punishment"?

IRAN: Beating on his neck, only men.

PHILIPPINES: Mr. Chairman.

CHAIRMAN: Yes, Mr. Ressay.

PHILIPPINES: What is the percentage of addicts in your country with respect to the overall population?

IRAN: Iran has been lead by previous regime, you know.

Previously in my country, cultivation of opium was legal and opium was obtained easily in low price. And opium smoking was not prohibited within my country, so a great number of people became opium addiction. And after the Revolution, the Revolution Council paid attention to the situation the less than 2 million people each were addicted to opium.

PHILIPPINES: And what is the population of Iran now?

IRAN: About 40 million.

AUSTRALIA: What is the price of drugs in uour country?

IRAN: Oh, price, price of heroin? If you live in the city, for example, in border area, its very cheap, well, equivalent to Y600,000. But in Tehran its different, its more expensive, because all of the narcotics are smuggled into my country from Afghanistan, so in the border it is very cheap. So after this problem, the Revolutionary Council paid attention and made great decision on cultivation of opium which was called over expansion of addiction, because people can obtain opium easily. And prohibition of cultivation of poppy.

For this reason, Iran ignored its finacial benefit in the interest of the health of people. And we got the complaint to eliminate opium addiction, but as a result international respond-ent began to merge and distribute heroin, which was much awful than opium. So, after all in my country, the fight was not successful completely. Because in the border area my country has not changed yet.

(Pointing at the map-- In the east, Afghanistan and Pakistan, after the ban of opium, heroin is smuggled into my country from Afghan borders. As I said there is 1.5 million re-fugees established in the border area, some of them have no job so they have no money. So heroin and opium are smuggled into my country in this area. Afghanistan smuggle narcotics, I think, not Pakistan.

Here the smuggling is by Afghan, not Pakistan. We have no chance of arresting the Pakistanees in my country.

As I said in my country, large quantity, this was supposed to close my country here to Tehran, the capital here. And then to Lezarie (?) near the Turkish borders, then to the Euro-pean countries.

We have no production of narcotics, any kind of narcotics in my country. All of them come from AFghanistan border, they are very prominent here. We have about 199 incoming from the border of Afghan. There are high mountains, Soviet Union, you know, refugees established in this area. It raises on both sides of the country, can smuggle narcotics in my country easily because of the efficient position.

I think if I could control this area, by south, narcotics, Balchistan, Tehran, Lezarie (?) then to Trukey. I think at the present all humna capability in finding... finding difficulties formed by addiction to narcotics. So, as you see, incorporation of all countries in the world the eradication of addiction... it is possible, I think.

As you see, when my government prohibited cultivation of poppy, heroin was smug-gled into my country. This is much more awful in its effect than opium.

And the most important problem in my country is heroin addiction. We have no problems, only here (pointing at the map), Afghan.

WEST GERMANY: Concerning your investigations, the so-called 'quest workers' from Iran to Turkey and to the West European countries?

IRAN: Yes, yes.

W. GERMANY: What is the main means of illegal trafficking, by car, or any other vehicle?

IRAN: Container.

Others, as I recall, in the border area, hauled by horses, and motor vehicle. But in my country only by container and car, not by railroad.

MALAYSIA: I would like to know if the foreigners who have been arrested in your country,

and if so, what are the penalties? Are they subjected to receive penalty that your population experience?

IRAN: We have no problem all the time, because they cannot come into my country easy after the Revolution. Smugglers are arrested by our agents and the punishment is the same, yes.

W. GERMANY: Who are the couriers? Couriers of drugs.

IRAN: Yes, Afghan and in some countries they have Iranian smugglers. I think then they smuggle some to Germany.

Please pay attention that these figures are not for only addicted persons. Consumer and addicts. And at the present I think it less than this figure, because of the effective measures taken by our government.

W. GERMANY: Do you have any reports that Mafia is trying to come in to deal in your country?

IRAN: I have heard the rumor but I have no indication. I have in my country no such indication. I think sometimes narcotics traffickers problem, especially in the border area. Some traffickers trying to smuggle from Soviet Union, and some smugglers into my country like Thai and Burma.

W. GERMANY: Communist Party smuggle heroin into your country?

IRAN: Yes.

W. GERMANY: Soviet soldiers are trying to smuggle narcotics into Iran, do you have such a report?

IRAN: No, we don't have such reports, no, no, only refugees established in the border areas smuggle narcotics into our country and European countries.

BURMA: Yes, I would like to know what are the measures being taken by your government to control Afghan-Iranian border?

IRAN: There are many problems in my country such as...

BURMA: No, no, I mean to say the measures taken by your government to control Afghan-Iranian border.

IRAN: Lately my government control the safety of the border, that only. Take safety measure to control in the border. That's most important.

BURMA: By the military personnel or by the police force?

IRAN: Gendarmeries, only gendarmeries.

BURMA: Thank you.

INDIA: Mr. Motevalli, we have heard that in your country there were a lot of heroin laboratories, may be in the previous regime. Have you been able to or not any of the laboratories after the changeover?

IRAN: No, no. There aren't any laboratories in our country after the Revolution. All of heroin come from Afghan.

JAPAN (MR. WATANABE): I think there were some people who did the cultivation of poppies for living in the previous regime. And after prohibition of cultivation of poppies, do you have any measures for those people for crops, such as crop substitution.

IRAN: No, no measures. Safety Council prohibit payment.

W. GERMANY: In Article 3 of page 3, first line, which says " ... or other competent authorities." What does it mean?

IRAN: It means clergyman.

BRAZIL: How about the judge?

IRAN: We have Islamic law regulation which is strictly carried, and they know about laws and regulations, and they state decisions... Only they know about Islamic law because they

have been studying for a long time.

CHAIRMAN: Are there any other questions?

Okay, thank you, Mr. Motevalli.

Morning Session II

Wed., October 6, 1982

BANGLADESH

Mr. Mustafa

PRESENTATION

As of the production of narcotics, the soil and climatic conditions of Bangladesh are not suitable for the production of narcotic plants like coca or opium. The narcotic plants suitable for production in Bangladesh are cannabis, sativa (locally called ganja) and bhang (which is also a local name). Cultivation and production of ganja are very limited. It is being produced under very strict government restrictions and regulations. The acreage under ganja cultivation is about 150 acres. This is only for local consumption.

Dried ganja branches and leaves are being used for smoking like tobacco. Cultivation of bhang is strictly prohibited. Bhang is also used for smoking and also for drinking mixed with other things.

Percentage of the population addicted to ganja is less than 2.5%. Generally the religious mendicants in Hindu Community and some Fakirs in Muslim Community are addicted to it. Of late, ganja has found its place among some younger generations. These addicted persons are mostly educated young men. Their frustration due to unemployment is the only cause of their addiction.

Still the situation is not alarming because the incidents are sporadic.

Opium is imported into Bangladesh from India in a very small quantity for pharmaceutical purposes. This is being used mainly in the preparation of Ayurvedic Medicines. Ayurvedic way of treatment is a system of healing that has been developed in the subcontinent formed by India, Pakistan and Bangladesh from Vedic Ages.

Dangerous Drugs

Dangerous drugs like morphine, pathedine are being produced by the authorized pharmaceuticals. But their sales and use are very restricted. They are sold strictly on prescription of the medical practitioners.

No case of addiction of heroin, L.S.D. etc. has yet been detected in Bangladesh.

Illegal Trafficking of Narcotics in Bangladesh

Though narcotic plants and drugs have not been a problem within Bangladesh, of late the threat has come from without. Bangladesh, owing to her geographical situation on near Golden Triangle could not remain apathetic to the illicit trafficking of narcotic plants and drugs. In the year 1981, 3 cases of illegal trafficking of narcotic products were detected in the port of Chittagong. In these cases, narcotic products like opium and hashish were seized from ship when they were about to sail for the continental countries of Europe and America. Quantity of the seized opium was about 35 lbs., hashish about 55 lbs.

One of the 3 ships from which the above narcotics products were seized was registered in the Port of Sarjah, United Arab Emirates, and the remaining 2 were registered in Bangladesh. In all these 3 cases, origin of the seized narcotics were found to be outside Bangladesh.

Five persons were arrested in one of these cases and were sentenced or sent to court for trial. The case is subjudice.

In other 2 cases, the articles were found from such a place of the ships that fixation of the responsibility was difficult. These cases were dealt with under existing custom laws. Both the masters and the shipping company concerned were fined with heavy amount.

Besides the crews from Bangladesh, officers of these ships including the masters were found to be Indian and Pakistania nationals.

Now, laws dealing with narcotics in Bangladesh.

In Bangladesh the following laws deal with narcotics:

- 1) The Bengal Excise Act of 1909.
- 2) The Opium Act of 1978.
- 3) The Dangerous Drugs Act of 1930 and,
- 4) The Bengal Opium Smoking Act of 1932.

All these legislation were made in undivided India when Bangladesh, India and Pakistan were under British rule. There have also been adopted in Bangladesh after independence also.

Maximum punishment for contravention of the provisions of the Bengal Excise Act of 1909 is to suffer imprisonment for 2 years or to pay a fine of TK1,000. There is also provision for enhanced punishment in such cases where a person has been previously punished for the contravention of the provisions of this law.

For the contravention of its provision, the Opium Act of 1978 provided the maximum punishment of imprisonment of 3 years or of paying a fine of TK2,000 or both. There is also provision for enhanced punishment of a person found previously convicted under this Act.

Penal provisions of the Dangerous Drugs Act of 1930 are the same as those under the Opium Act of 1978. It has also provision for enhanced punishment in case of repeated offence by the same person under this Act.

The Bengal Opium Smoking Act 1932 provides for the maximum punishment of 2 years' imprisonment or a fine of TK2,000 or both.

Now, Agencies for Enforcement of Narcotic Drug Laws.

In Bangladesh the following Agencies of the Government enforce the laws regarding narcotics:

- 1) Department of Narcotics and Liquor
- 2) Bangladesh Police
- 3) Customs and Excise Department

The Department of Narcotics and Liquor is vested with the control and distribution of narcotics products and also with the detection of violation of laws regarding the narcotics.

Bangladesh Police including the 2 Metropolitan Police of Dacca and Chittagong are vested with investigation and detection of narcotics offences. The Criminal Investigation Department of Bangladesh Police (C.I.D.) is a specialized investigating agency in this respect.

The Customs and Excise Department in their own share of duty of enforcing Customs

Laws is also empowered defect such cases.

Organizational Set-up of the Narcotics Law Enforcing Agencies:

Since the Department of Narcotics and Liquor and Bangladesh Police are mainly responsible for the prevention and defection of narcotics offences, I will deal with the organizational setpu of these two agencies only.

The Department of Narcotics and Liquor is under the Internal Resources Division of the Ministry of Finance, the Government of the Peoples' Republic of Bangladesh. This Department is headed by the controller of narcotics and liquor. There are 4 Deputy Controllers of Narcotics and Liquor in the 4 administrative divisions of Bangladesh. Each of the 21 administrative districts of Bangladesh has one Assistant Controller of Narcotics under the respective Deputy Controllers as stated above. These Assistant Controllers are being assisted by several other subordinate staffs.

The Bangladesh Police (including the 2 Metropolitan Police of Chittagong and Dacca) is headed by the Inspector General of Police, Bangladesh, under the Ministry of Home Affairs. He is being assisted by 2 additional Inspectors Generals of Police. The 4 Administrative Divisions of Bangladesh form 4 Police Ranges under equal number of the Deputy Inspector Generals of Police. Each of the 21 administrative dostricts has one superintendent of police under the respective Deputy Inspector General of Police of these Ranges.

There is a separate Police System for the Government-owned railways. Thus, there are two Railway Police Districts each under a Superintendent of Police. These 2 Railway Police Districts form a separate Police Range under Deputy Inspector General of Police, under the Inspector General of Police, Bangladesh.

The cities of Dacca and Chittagong have separate Police System, styled as Dacca Metropolitan Police and Chittagong Metropolitan Police. Each of them is headed by a Commissioner of Police, with some judicial powers to feed the necessity of urgan life. They have the rank and status of the Deputy Inspector General of Police of the Range.

There is a specialized investigating agency styled as Criminal Investigation Department commonly known as C.I.D. under a Deputy Inspector General of Police. There is also a Special Branch of Police dealing with intelligence work under a Deputy Inspector General of Police.

Besides, there are Armed Police Battalions as Reserved Police Commissioned to assist the District Police as and when necessary.

BANGLADESH: Our country is divided into four Administrative Divisions, which form four Police Ranges under equal number of the Deputy Inspector Generale of Police. Each of the 21 Administrative Districts has one superintendent of Police, and some populations are under these Districts. We have some subdivisions to assist the Police.

Now, except for other minor laws, the Division Prosecutor in Bangladesh is almost similar to organization in India and Pakistan, because it was formulated, it was enacted by British people. Now, one Bangladesh Police has its section 54... It enables the police officer to meet demand on the public condition.

When there is offense, the time allowed for investigation is ordinarily 15 days. In non-committable cases, the police cannot arrest in our country. In committable cases, as I said, the time allowed for investigation is 15 days, but it can be extended as required, as to the circumstance requirement, may be 2 years, 3 years, or only 6 months.

The condition of the investigation under Section 173 CIPC require that report be submitted to the Magistrate as to the result of investigation. If the person has been arrested and there is sufficient evidence against him, then procedure from the report is made. which is

called final report. If the evidence is not sufficient against him then no prosecution. In another cases we shall visit one form, in another form we will submit a report with evidence sufficient for prosecution. The names of the complainant and the names of the witnesses to be examined and what is the charge, and the synopsis of the evidence and the exhibits – that is some sort of a memorandum of evidence – within this form and this is called "justi" (?) Then the magistrate take cognitions of the offence on principle, and he proceeds.

According to the gravity of the offences, all the reports in the sessions will be processed through main vehicles. Even the Magistrate have no power to try this case.

As you know, my country is now governed by the Marshall Law. We have under Marshall regulation the procedure has been strictified (?) and it is being enacted now the legislator has been empowered to impose high number of ... for imprisonment.

This is in short the procedure of the form in the Police. Am I clear?

DISCUSSION

CHAIRMAN: Any questions? Mr. Tin Tun.

BURMA: I would like to know statement given to the police officer is advisable when it comes through?

BANGLADESH: In our country, a statement of an accused or of witness... which do you mean?

BURMA: Anybody.

BANGLADESH: In our country, a statement of witness to the Police is not admissible in court. But it is one little facility the contradiction of the statements of other witnesses in the court. It is to be recorded under Section 160 in CrPC and the accused person has the right to have its copy.

IRAN: Would you please tell us the maximum penalty for narcotics offence?

BANGLADESH: Narcotics offence, there are four laws. You know, under Opium Act, it is 3 years Under Bengal Excise it is 2 years.

MALAYSIA: I want to know consumption of ghanja and bhang in your country. Is it an offence of consume?

PERU: Excuse me, it means that you have a... in your country?

BANGLADESH: There is a department of Narcotics and Liquor and distribution of product ghanja under government restriction. But it is not too much.

PERU: May I ask an exact number of addicts in your country?

BANGLADESH: Sorry, I do not have the exact number, but the assessment has been made. I have talked with the officer in my country. I'd say 200,000.

BURMA: Don't you think your regulations about abuse don't have the exact pressure you need to control...

BANGLADESH: I think addicts are not too much, and these laws were enacted in the British period, I think some 50 or some years old, more than that, I think. What offence we have now is the illegal trafficking. Last year we detected 3 cases, in the sheeps. They were at the customs and we investigated. Their responsibilities could not be traced in 2 cases, so they could not be prosecuted.

CHAIRMAN: Mr. Mustafa, drinking alcohol is prohibited in your country?

BANGLADESH: Yes, drinking of alcohol is prohibited.

CHAIRMAN: I cannot see it. (Laughter)

PHILIPPINES: Mr. Mustafa, how long will it take to be decided involved in narcotics?

BANGLADESH: Narcotics? Now, by the formalization of Marshall Law regulation has

been passed that will have some restricted period, that is either 16 years or 19 years according to the gravity of offence, the other is...

PHIL.: How long?

BANGLADESH: In ordinary cases we only have 60 days, in other cases traveled by the sessions, we will have only 90 days. And these can be extended only by the application of the complainant by one month.

PHILIPPINES: Its 120 days? Its 4 months.

BANGLADESH: Maximum 4 months.

PHILIPPINES: In your annex you stated that 1980, there were 37 arrested for dangerous drugs. May we know from you what happened to the 37 arrested, whether they were convicted, sentenced or what? Because you did not state if they were convicted or not, and this is in 1980.

BANGLADESH: 1980. There are a number of persons arrested, 37 and 1981 5 persons arrested.

PHILIPPINES: You do not know whether these persons were arrested.

BANGLADESH: No, there is no such figure.

PHILIPPINES: We have here. In 1980, 37 persons arrested by your Police, Annex – Table of Narcotics Cases in Bangladesh. What happened to them? (laughter)

BANGLADESH: What happened to them? I don't know. It was not disclosed. In short I cannot say it now.

PHILIPPINES: Thank you. (Laughter)

SINGAPORE: Mr. Mustafa, you said in the report that the cultivation of ghanja, cannabis is legalized in your country. Now what are the effective measure taken by the authority to prevent this ghanja being smuggled out to foreign countries?

BANGLADESH: Cultivation of these cannabis is at once not legal. It is legal when if the license is given. Beyond that it is not legal. So our preventive measures when it comes to the notice of narcotics agency... if somebody cultivates without any license, you hear information, comes to the narcotics agency then the person is punished, prosecuted.

PHILIPPINES: Do you have idea as to the volume of quantity of licensed cultivation in your country?

BANGLADESH: I have no exact figure for the license, but I have... I can say that it is localized in a particular subdivision... it is only 150 acres, so you can see how strict the production is.

MALAYSIA: I would again like to refer to the Table of Mr. Mustafa. It has already been mentioned that cannabis or ghanja will be confiscated or planted by any person without license, the thing will be confiscated and the person will be charged in court.

In 1979, you confiscated 239.465 kg of cannabis but no person arrested. Similarly for 1981 you confiscated 55 kg cannabis but no person was arrested. What happened to the narcotics?

BANGLADESH: '79? There is a mistake here, I know about this. (Laughter) This 239 kg ... this 239 kg opium and 55 kg cannabis, it is "pounds." These were seized from the place called Solidarity in the same operation. Racketed. These 5 persons I found responsible for this because I was assigned to the investigation of this incident.

PHILIPPINES: You said that in your country to drink liquor is forbidden. Can you please give me the examples of penalty for exposure to drinks?

BANGLADESH: For this enactment of banning we would have to... if a man is found drunk and cannot take care of himself, he could be arrested by police and he could be prosecuted in the court. This was the previous law, and previously if the drunk do not do any offence this was not taken...

IRAN: Number of the arrest in your country for 3 years is about 56. How many of them are foreigners?

BANGLADESH: I see. I cannot say anything about the year 1980 exactly. But around 1981, as I have mentioned in my report, the shipping company and the master of the ship were fined, 500,000 each by customs, not with legal procedure.

PHILIPPINES: Mr. Chairman. So, Mr. Mustafa, you consider alcohol drinking is graver social problem than ghanja or cannabis smoking in your country?

BANGLADESH: According to the Islamic law drinking is strictly prohibited. It isn't problem, its not very serious.

PHILIPPINES: Yes, alcohol drinking is strictly banned in your country, while ghanja smoking is somewhat regulated?

BANGLADESH: Regulated. It is also prohibited.

PHILIPPINES: What is the volume, let's say, of one person's... suppose I am licensed to smoke ghanja, what is the volume of sticks that I am allowed to smoke?

BANGLADESH: You cannot take more than 1 kilo. Well, 1 pound is equal to half sheers and 4 people will make half sheers.

PHILIPPINES: A day, one day, a year or one month?

BANGLADESH: Something like that.

MALAYSIA: Mr. Mustafa, talking about drinking in your country is prohibited (Big laughter) Is government trying to find the affectness of drink and the dangerous drug, that's why they stopped the drink?

BANGLADESH: No, of corse, in this respect our government... since... may be addict. In our governmental institutions, all their forces are broken into individual schedule equally.

SINGAPORE: Look at the Table of Narcotics Cases in Bangladesh. Page 4. I suppose the dangerous drugs you are referring to is heroin and morphine. Am I right?

BANGLADESH: Yes.

SINGAPORE: Now, there is no seizure of these dangerous drug for the years 1979, '80 and '81. Now it appears quite strange for me because your country is very near to the Golden Triangle area, which is the famous dangerous drug producing area in the world. Can you offer me some explanation?

BANGLADESH: Well, Mr. Toh, as I mentioned in my paper heroin and morphine has not yet come to our notice. I know of one affair. One doctor, because he had an operation he had to be over-injection of narcotics and he got addicted. He is a good doctor but due to his addiction he lost his permission as practitioner.

SINGAPORE: But then if you would have a look at the Table again, there are 37 persons arrested for dangerous drugs in 1980.

BANGLADESH: This is not too much, among the 19 million people.

SINGAPORE: Is there any seizures for 1981?

SRI LANKA: Mr. Mustafa, do you get any foreigners coming into Bangladesh?

BANGLADESH: We get lot of foreigners.

SRI LANKA: Have you ever checked on the foreigners whether they are trafficking heroin, morphine or any kind of such dangerous drugs?

BANGLADESH: No detection has been made, but we have the list of...

SRI LANKA: You have the list?

BANGLADESH: No.

SRI LANKA: You have the list number? You have no detection according to this.

BANGLADESH: No.

MALDIVES: In 1978, 37 were arrested... in 1980... for dangerous drugs, but in your charg there is not shown the amount of the drugs seized.

BANGLADESH: Excuse me but I could not answer. We have a separate director for getting these statistics.

CHAIRMAN: Thank you, Mr. Mustafa, for the nice presentation.

Afternoon Session I
Wednesday, 6 October 1982

AUSTRALIA
Mr. Spurling

PRESENTATION

As you can see from that, Australia is divided into seven states: And the Australian Capital Territory, which is this small space up here, which is the Federal State of Government. Figures show the total population to each particular State. Again, you can see the smallest populations even on the State-wise are in this area over here, closest to the drug region. To make your problem even a little worse, we have the international airports, here at Darwin, up here at Cairns, the other one in Townsville, Brisbane, Sydney, Canberra, Melbourne, Adelaide, and Perth. And each of those centers also has a large port, in which overseas freight is coming. Then our resources are stressed to a maximum as far as customs personnel are concerned, to watch every port, the entry into the country.

Each of the States has its own power and its own government, and is reasonably autonomous and is responsible for its own education, justice, transport and health. The Federal Government, which is situated here in Canberra, is responsible for matters of national concern such as defence, foreigner license, trade immigration and customs.

Justice is the responsibilities of the Federal and State Governments, naturally; it's under the responsibilities of law enforcement agencies, particularly in relation to narcotics. And those responsibilities are amply mentioned on Pages 4 and 6 of the Report, and there is a chart on Page 5. Basically, the Federal Agencies are concerned with measures to prevent narcotics getting into the country; and the State Agencies with the trafficking of the narcotics within their jurisdictions.

The Federal and State Agencies co-operate very closely both in investigation and exchange of intelligence. In the Northern Territory and the State of Tasmania, the drug law enforcement units are made up of both Federal and State police officers. In the State of New South Wales and Victoria, special task force of Federal and State police officers have been formed to attack specific targets of investigating suspected narcotic smugglers. Another special task force consisting of officers from Federal and three State Agencies has been formed to assist the Commissioner of Inquiry into drug trafficking.

In 1980, the Australian Police Ministers' Council was formed so that Federal and State and Territorial ministers responsible for police force now meet regularly to discuss matters of common concern and to develop more effective co-operation. This Council was responsible for setting up the Australian Bureau of Criminal Intelligence in 1981. This Bureau is staffed by members of all police forces, and will serve as a central intelligence bureau to assist all law enforcement agencies.

We are a member of the United Nations Commission on Narcotic Drugs, and attend meetings held for the Heads of National Narcotics Law Enforcement Agencies Far East Re-

gion. We are signatories to the Single Conventions on Narcotics and Psychotropic Substances, and contribute to the United Nations Fund for Drug Abuse Control, as well as the bilateral aid programmes. And Australia is a member of the International Narcotics Control Board. We attend Commonwealth Heads of Government Regional Working Group Meetings, which examine ways of furthering co-operations in finding the narcotics problems in Commonwealth countries.

The Australian Customs Service maintains an active interest in the Customs Co-operation Council. And we take an active interest in and support the South Pacific Commission.

The Australian Federal Police have liaison officers in Thailand, Malaysia, Singapore, New Zealand, the U.S.A. and Great Britain. Part of their role is to maintain close liaison with narcotic law enforcement agencies within their areas and exchange intelligence in relation to narcotics trafficking. They also co-ordinate international drug investigations when Australia is a country to which the narcotics will go. When necessary, they can negotiate for the control and delivery of narcotics.

Very briefly, cannabis remains to be the biggest problem, accounting for 83 percent of all drug charges; narcotics accounting for about 12 percent, and other groups, such as amphetamines, barbiturates, tranquillizers and hallucinogens, each accounting for about 1 percent or less.

A total of 15,368 persons were charged; of a total of 29,772 offences. Notably, charges involving cocaine more than doubled; and there were significant increases in charges involving heroin, hashish and local cannabis. Charges involving cannabis oil and cannabis sticks decreased.

Southeast Asia remains the main source of heroin to our illegal markets. A matter of interest to us was the use of India as a transit point for both South East and South West Asian heroin. We believe that this transit point will need to be closely monitored, particularly as Pakistan is now emerging as a major source of supply.

Recent intelligence reports indicate that the area of bordering on Pakistan, Iran, and Afghanistan – now called the Golden Crescent is producing 4 times more heroin than the Golden Triangle. Of particular interest to us in Australia is that intelligence tells us that Karachi is a major transshipment point.

Lebanon, Sri Lanka, Pakistan, India and Nepal continue to be the major source/transit countries for hashish. Thailand remains the source for cannabis sticks.

Locally produced cannabis is a very major problem. State Police seized a number of cannabis plantations. A plantation is defined as one being 500 or more plants. Many other smaller crops discovered are not included in that particular statistics. In 1981, 20 plantations were seized, involving about 100,000 plants and 12,000 kilos of dried cannabis. A mature plant will yield about half kilos. So, the plants seized would have been able to produce 50,000 kilos, which accounted for a significant amount.

Intelligence shows that since the seizure of large plantations, dwellers have changed to smaller lots, generally under the cover of other crops such as tobaccos.

Three amphetamine manufacturing laboratories were seized during 1981. One of the laboratories seized had the equipment and the chemicals to produce 1.5 tons of amphetamine, which indicates a growing demand for this drug.

Methods of importation continue to include sea cargo, air passengers and luggage. The practice of consigning drugs to non-producing countries and then transshipping them to Australia remains prevalent. Some methods are described in Pages 14 to 22 of our Report.

Methods of concealment within the human body are still popular, and the swallowing of more than 40 condoms containing drugs is common. Five compartments in luggage also remain popular. Hashish has been concealed in balls of wool. Heroin has been suspended in

a solvent solution, and then placed in spirit of one bottle.

There is one method we've discovered recently during a combined operation with the Malaysian Police, in which an Australian was arrested with a substantial amount of heroin. Now I would like to illustrate this method when we have it projected.

In this case, the smugglers bought bottles of duty-free brandy. Now, this particular bottle is of black colour, and it has a wide bottom - it is wide around the bottom. Now, they turned the bottle upside down. And then, they drilled the hole in the base, there: Drilled the hole there, about the size of a 20 cent piece, or about the coin of the size of a 100 yen coin. They then emptied the brandy out to a point almost right about there. Then, through the hole, they poured melted wax, to about that depth, across there. And they allowed that to set and form a seal, just there. They, then, drilled another small hole in there, and siphoned off just a small amount of brandy - just the amount to allow a small air pocket there, and then, resealed that hole. They, then, inserted a balloon into this area, and inflated it with about 200 grammes of No. 4 heroin, and poured that off and pushed it down into the air space. They, then, poured in more melted wax, to just about there, just below the label, and formed another seal. They, then, put the brandy back in there, and left again the small air space, and then, sealed this hole up, smoothed it off, and painted it the same colour as the bottle. So that when you stood it up, what you had was the gin sealed still intact, and you had a bottle of gin and brandy. If you tilt the bottle on the side, it guarantees impression when air bubble going from one end to the other. If you tries to see what was in it, you've got brandy. Unless you completely empty that bottle, it will be very very difficult to detect that 200 grammes of No. 4 heroin.

The methods of concealment running here are respected really by human ingenuity.

The prices of narcotics in 1981 showed an increase over the 1980 figures. And they are shown in Page 12 of the Report, and also in the other book. Just as a brief word: No. 4 heroin at the source of supply sold for about 10,000 dollars Australian, or 2.4 million yen per kilo. For about 60,000 dollars Australian or 15 million yen, wholesale in Sydney. And about 300 dollars Australian, or 75 thousand yen per gram on the street, which makes the original heroin now worth about 300,000 Australian dollars, or 75 million yen.

When you consider that No. 4 heroin will be cut at least three times, those final figures could be reached when multiplied by four.

Seizures in 1981 far exceeded those in 1980. The first half of 1982 has seen more seizures of heroin and hashish than the whole of 1981. There have been a number of seizures of heroin, and amount went to 4 and 8 kilos. One seizure of hashish from our sea freight container went over 2 tons. It seems that this seizure rate will continue during the remainder of the year.

Recent intelligence indicates there is a growing demand and supply of cocaine in Sydney and Brisbane. There has been very few seizures for this drug. One recent seizure involved the U.S. citizen travelling from South America with about 200 grammes concealed in a narrow salt spleuchan. Cocaine is being used by a colossal society; and we are having some difficulty in getting accurate intelligence.

Counter-smuggling and controversial measures are being increased, and these are covered in Pages 23 to 26 of the Report. We are continuing to use satellite and aircraft surveillance in relation to cannabis crops. Persons applying for visas in high risk areas are carefully monitored. We have also increased our intelligence gathering capacity, and increased the number of targets under surveillance. The Customs service have continued to upgrade surveillance of air and sea passengers, luggage and cargo, using the latest technology and increasing the use of detector dogs. They have also upgraded air and sea surveillance of coastal areas, and are currently putting sophisticated sensor or equipment around and near remote

airstrips.

The Federal and State Governments have now enacted legislation and forms of the recommendations of the Civil Convention and the Commissions of Inquiry. And these are explained in more detail on Pages 27 and 28 of the Report. The Legislation prescribes the offences of attempting, conspiring, aiding and abetting, or being knowingly concerned in the importation of narcotics, or having in possession of imported narcotics.

State Legislation covers the local cultivation or manufacture of the drugs. The legislation also allows for the seizure, forfeiture and freezing of assets of persons before the courts. In some cases, courts can impose upon monetary penalty equivalent to the amount it believes the drug trafficker has made from his drug deals. The legislation – or that legislation is currently being tested in the courts. The lawyers for the smugglers are claiming that it is unconstitutional to seize the assets of any person.

Legislation also permits us to use listening devices and intercept telephone calls.

The penalties under the legislation vary with the amount and type of drug involved. And this graph will help me explain. For instance, if you look at heroin, you will see anything under 2 grams we consider what we call of a user quantity; and that attracts the penalty of 2 years imprisonment and/or fine of 2,000 dollars, or approximately 65,000 year. For an amount of more than 2 grams – or 2 grams or more, it is deemed to be a trafficker quantity. And that attracts the penalty of 25 years imprisonment and/or a fine of 100,000 dollars Australian. For a second offence, it's imprisonment for life. An amount seized of 1.5 kilos of heroin automatically is life imprisonment; and some of these with each of the other drugs involved – cannabis, the user quantity, which is under a 100 grams; trafficking is only 4 years imprisonment and/or a fine of 10,000 dollars, and for commercial quantity, 25 years imprisonment and/or a fine of 100,000 dollars. So, cannabis is tried a little more leniently than the other narcotics.

Those penalties are the maximum available to the courts, and are not mandatory. You will see from the average fines and prison sentences shown in Tables 24 and 25 on Pages 66 and 67 of the Drug Abuse in Australia book and many tables quoted to adopt all the necessary attitudes in relation to users of various narcotic drugs requiring them to undergo education and treatment to be imposed rather than a fine or imprisonment.

The National Drug Education Programme is shared between Federal and State Governments, and is administered by the Health Departments. And their activities include both education and rehabilitation in relation to a whole range of social issues for drugs as one of their prime concerns. The pages 28 and 29 of the Report give a more detailed explanation.

Page 30 of the Report refers to the licit production of narcotics within Australia. The Federal Department of Health administers and controls the manufacture, import and export of narcotic drugs. The State Governments are responsible for control of narcotics and other drugs of dependence sold within their states. The Australian Federal Police and the Department of Health control the security and manufacture, distribution and movement of drugs.

DISCUSSION

HONG KONG: Mr. Spurling, can you tell us the drug addicts population in Australia?

AUSTRALIA: Not accurately – we don't – drug addicts in Australia do not have to be registered. There are many centres where they can get treatment – some government control, some control by self help groups, or charitable institution, but they are not obliged to tell us about how many people are receiving treatment or rehabilitation or the names of those

people. Treated very much on the Australian doctor-patient relationship, and that's regarded as confidential.

We do consider that heroin abuse in Australia is very serious. Without being able to fine the figures out, we are very concerned about the amount of heroin consumed in Australia. And when you consider that our population is only just over 15 million, the size of the shipments we have seized lately shows there must be a tremendous market for it. I think we have seized something like 50 kilos in the first half of the year. We are aware of a number of others being planned at the moment, which are in excess of that. And there will have to be a fairly big user population to absorb that amount of heroin.

But, sorry, I can't give you the exact figures of the addict population.

HONG KONG: Yes. What is the estimated figures, the rough figures, of addicts?

AUSTRALIA: Oh, I can't even guess that.

HONG KONG: Because the next question I wish to ask is; it seems that the Australian Government has seized a large quantity of narcotics during the last two years, and it seems to me that there is a great demand in Australia; otherwise, the large quantity of drugs would not have been imported into Australia.

AUSTRALIA: I agree completely. The seizures themselves indicate, I would think probably abnormally large number of heroin addicts. Lot of reasons put forward for it, currently, Australia is undergoing its worst time in the record ever, which may account for some of the increase. But again, because of the civil liberties programmes in Australia, we were unable to accurately gauge in figures what drug addict population is. But the use -- I agree with you one hundred percent -- to use that amount of drugs, it must be very substantial, and it causes a lot of concern.

PERU: In your pamphlet, we can find here that you have a very good system of prevention of drug abuse. I want to know if you give in your schools some lectures about drug abuse to school mates?

AUSTRALIA: Yes. That's undertaken generally by the Department of Health. We have changed our approach fairly radically in recent times. We have had some doubt about our drug education programme in the past. We have also had some doubts about the amount of publicity given to the drugs. And we believe that might have had the opposite effect.

So, what we wanted -- initially, the type of films and movies shown to school children were of the, what you would call, the shock-type film; showed drug users dying, showed drug users injecting heroin into their bodies. It was that specific; in fact, the young people just didn't believe that it happened. So we have taken a much softer role in relation to the drug education scene and particularly in schools. I am not sure which page is that in the statistics, but if you have a look, you will see that there are more convicts of using cannabis than there are students. So, I don't know how effective we can provide education system.

The teachers in Australia at the moment are fairly liberal and radical group. They are very powerful union, and they are fairly radical in some of their thoughts. And that's something you have to take into consideration when you are considering the type of drug education that you are going to have within your school system.

INDIA: Mr. Spurling, you have pointed to a very interesting modus operandi employed by especially the female smugglers concealing heroin and opium -- within the digestive system. And you were also able to detect their concealment.

I would like to know which are the special methods or gadgets that you have that help you to expose these concealments.

AUSTRALIA: I would think the majority of seizures we have made on most particular instances has been the result of intelligence.

At the moment, we have on our statutes the law that we can carry out internal

searches, or have medical practitioners carry out an internal search of a suspected person: our problem with that is that we have to go to a magistrate to get permission. The only magistrates available in the area where the airports are state government magistrates. And we are still working on an administrative alignment with them. The law is there, but at the moment we can't put it into operation. So, we can't take X-rays of people at the moment if they don't want it.

You will see in the countermeasures taken in the back part of that Report also reference to ultrasound equipment being used by the Customs Department, rather than X-ray, and detect foreign objects within the body. But before we can do that, we must have reasonable grounds to suspect that they are carrying those drugs in the particular moment.

INDIA: So, now in these three cases, what were the procedures adopted? Did you have the cooperation of these persons? Did they subject themselves to any test voluntarily, or did you arrest them, I mean?

AUSTRALIA: They are having -- direct involvement is a little bit difficult to assign. I am not told how they were going to do, but that must have been voluntary. They can't retain those -- that type of concealment too often. Generally we can find some reason to hold them and to put them under surveillance. And sooner or later they have to disclose, or in some other way, pass those objects on. And they are placed under tight supervision. Because the condoms themselves won't -- they can pile up in the body unless they get rid of them fairly quickly. And in majority of cases, they put in the order of two or three condoms to each package, and you will generally find that the outside one, at least, has been completely consumed by the stomach acid; -- so, to gain the patients, sometimes.

SINGAPORE: Mr. Spurling, do you encounter problems of inherent abuse of the thinner glue solution in Australia? Now, if there is any, what are the countermeasures taken by the authorities?

AUSTRALIA: It was a problem some years ago. It seems to have passed. And in fact, there were a number of deaths of young children created by the sniffing of glue -- the type of glue that used to make Model A class. The deaths weren't caused by the fumes itself, but the method used by the young people in Australia at that time was to put the glue into an ice cream container -- a plastic, soft plastic ice cream container. They put it on a table, and put their face over. And some of them fainted from the drugs, and fell ice vase into the container and it formed a seal around the vase, and they are smothered.

That has got a lot of publicity, and since that time, the use of glues, thinners, and that type of drug has reduced. And quite honest, I haven't heard of it in the last couple of years.

But there is no legislation to cover. And the glue and the thinners are readily available at any shop. It's very easy to obtain. It might still be happening, but it's not as much as about five years ago. I think the deaths of some of the young students around the country might have frightened the others off. I hope so.

SRI LANKA: Mr. Spurling, in your report at Page 10 you have said that Sri Lanka has been one of the major sources of importation of cannabis resin. I would like to know whether the cannabis resin detected by you is of Sri Lankan origin or any other origin; if that is so, well, the arrested people -- are they Sri Lankans or whether they are of any other nationality. Because we don't have any records of any Sri Lakans arrested in Australia for these offences.

AUSTRALIA: I haven't heard any record of Sri Lankans' being arrested in Australia either. I think that might not have been very well written in that report. The cannabis resin we are talking about, we believe, came from another country, but they used Sri Lanka as a transit area, or perhaps a purchase area, although we did arrest one from Sri Lanka last year.

But anyway, I have noticed in your area report that you said your tourists tried to open up routes and that there are a lot of financial institutions setting up within your country.

And that is the type of environment that will attract many Australians to use your systems to bring drugs into Australia. I would like to just point out at this time; although we mentioned a number of countries in our report as either source countries or transit countries, in doing that, we mean no embarrassment or we mean no criticism of any countries, but it is information that we have received as a result of intelligence or what the people we have arrested have told us.

We have nothing but the highest regards for the efforts being made by the governments of all countries present here, and nothing but the very highest regards for the efforts of all law enforcement agencies within those areas.

From the Australian point of view, and particularly from my particular occupation and my particular role at this time, I would speak highly enough that the cooperation that we have received from any area that we have asked for assistance, and particularly in those areas where we have the liaison offices, has been first-class. And we have been making our biggest seizures from intelligence supplied from the overseas countries, not necessarily from the intelligence within Australia. And if we could continue to get that type of cooperation in an unfailing competence, that we will make some fairly significant inroads into the drug problem within Australia.

JAPAN: I think you mentioned that you seized the powder-3 Amphetamine laboratories in 1981.

I wonder if there is any case where Amphetamines are smuggled out of your country?

AUSTRALIA: Not at this stage. The Amphetamine problem, really, until very recently hasn't been a serious problem. There is both the legal and illegal abuse of Amphetamines.

The "legal abuse" — if we can use that term — is caused by people going to more than one doctor and getting a prescription from each for a particular drug.

JAPAN: For medical purposes?

AUSTRALIA: For medical purposes. And they are abusing the legal systems to get the drugs. Because there is a system in Australia where the government pays a percentage for the whole pharmaceuticals, those which are listed on the National Health Act. So, it's not really expensive to buy drugs for that patient.

I think the main area of abuse would be amongst some of the younger people, and some of the occupations like truck drivers. Because some of the road business in Australia is over very very long distances. Some recent intelligence, we had about Amphetamines in the case of particularly motorcycle group known as the "Hell's Angels" becoming very heavily involved in Amphetamine, and we seized about a month ago, I think it was, the Victorian Police Force seized an amount of chemicals being smuggled into Australia to make Amphetamine by the particular group.

But in answer to your question, now we have no intelligence of it being exported.

NEPAL: Mr. Spurling, I would like to know one thing. In your country, there is a lot of surveillance and watchful system which is so excellent. I praise it. But, why the people import the hard drugs and narcotics, can you tell me? Your people.

AUSTRALIA: Why do our people who are so well-off use drugs — is that what you are saying?

NEPAL: How many persons are addicts of narcotics?

AUSTRALIA: I don't know the exact number.

NEPAL: How many about?

AUSTRALIA: But there are too many; couldn't even give you a round about figure. But it's a lot, too many.

Drug addicts in Australia don't have to be registered. So, all we can tell you is the

number of people arrested and charged, which isn't necessarily an accurate figure of the number of addicts.

Page 24 and 25 of this particular book show that we average about 2,000 arrests per year in relation to heroin alone, which isn't a very accurate figure because we don't go to looking for addicts. Our main targets are the pushers, traffickers, and the importers. That is where our priorities are. There are not too many drug addicts actually arrested, unless there happen to be also pushing drugs to support their own peddalty. You will see from the chart on Page 25 that only about one-third of those arrested in relation to heroin is for using heroin. So, about 60 percent of our arrest are for possessing, trafficking, and importing.

To be quite honest, the narcotics situation from the police point of view, particularly in the federal sphere, is only just starting to pick up again. You will see from those heroin figures that the arrest went down in 1979 and 1980. Towards the end of 1979, and the period immediately preceding that, they created the Australian Federal Police Force out of three distinct other groups, which were the Commonwealth Police Force, the Australian Capital Territory Police Force, and the Narcotics Bureau from the Customs Department, were all put together under the one roof, and called the Australian Federal Police Force. And that created its own problems. And during 1979 and 1980 their effort fell a little bit. It is now starting to pick up. And in 1982 seizures, which already exceed those we've got in 1981 -- all of 1981 -- indicate that we are starting to pick up and go again. Hopefully that trend will continue, and we settle down better.

I am sure if our friends from the U.S.A. were here that they would tell us they have had a similar problem with the amalgamation of the FBI and DEA.

KOREA: Mr. Spurling, how do you approach to reduce juvenile drug offences in your country?

AUSTRALIA: How we do about juvenile offences?

KOREA: Yes, juvenile offences.

AUSTRALIA: They go before what we call "a children's court", which is part of the family court system. They are classified as juveniles until they are 18 years of age; dealt with in a separate court -- a court of their own. It is a closed court; public or the press cannot go in; all hearings are in private. And if they need harsh treatment, they are put into special juvenile remand centers. They will not go into the normal jail system. Once they turn 18, they are classified as adults from there on and they are dealt with by the normal legal system.

There are very strict rules about juveniles and the way we are allowed to question them -- we cannot question a juvenile without a parent, a guardian, or a lawyer being present.

CHILE: You know, in Chile, that around 1973, some people went to Australia; and do you know if some of these people had followed actually in sending drug abusers?

AUSTRALIA: Not Chile.

CHILE: Thank you very much. (Laughter)

PHILIPPINES: I was thinking the following while I was reading your book that the use and abuse of cocaine in your country is really increasing. I want to know if you are taking some special measures in order to prevent the increase of the use of cocaine in your country.

AUSTRALIA: As I said earlier, cocaine is being used by a class of society that you don't normally see in the narcotics world. They are a higher class of society, a jet set group.

PHILIPPINES: Of course, because it's an expensive one.

AUSTRALIA: Yes, it's expensive. It's a better sign. The retails in Australia are about the same as heroin -- about 300 dollars a gram. But it's just a different class of people using it. That is where our main problem is. We are not getting the intelligence flow from that class that we do from the heroin area.

We are trying to step up our liaison capacity within the South American countries.

I think it was last year, in 1981, our liaison officer from Indonesia went to South America and went to a number of countries; spoke to the police forces in that area. The man that we now have stationed in Los Angeles will be required at least once a year to go to the South American countries; speak to the police forces there; and see if we can establish some liaison there.

So, that's our main efforts at the moment.

PERU: You have to take care about these problems. If you have any opportunity to visit Peru, I will show you some coca plants, and you can see the big plantation of coca weeds we have there. In Thailand and in Malaysia, you have no problems about cocaine; the drugs you see are the poppies, heroin and morphine. But in Australia you are going to have increased, I am sure.

AUSTRALIA: It is increasing; we know that. We know where it starts from. We know it's in Australia. But we don't know how it gets there. About two years back, or 18 months back, we believed that it was going from South America to Thailand, and then coming to Australia through the established smuggling routes -- not direct from South America to Australia. But I think there are two new air routes opened up between South America and the Pacific countries in the last 12 months. And that will make a difference. We will have to watch those particular flights very carefully, and the passengers of those.

PERU: About my own experience, I am about to tell you that maybe the cocaine is introduced in your country by sea -- by ships, not by plane. Because in the airport, we have a lot of measures to control the drug trafficking, but by sea, sea containers, you know, it's easy to traffic drugs.

AUSTRALIA: That's a possibility. Our experience is that sea cargo is used for the more bulky drugs like hashish, cannabis sticks and other forms of cannabis -- you know, the bulky type. But the smaller amounts of the drugs that can be brought in for a big property in small amounts, such as heroin and cocaine, are generally being brought by air. All our major seizures -- all our big seizures of heroin are being air-trafficked.

PERU: Because last year in Peru, we had made more or less 7 seizures of drugs in Callao Port, which were going to leave for the United States, of course; but in Callao Port we seized more or less 700 kilograms of cocaine base.

AUSTRALIA: Just one of what might be of interest to you is -- I am trying to think of his name -- the extradition proceedings going on at the moment between Peru and Australia in relation to Checho Montecenos, one Montecenos, who was the Honorary Attache in Sydney. He was bringing, I think, about 8, 9 or 10 kilos of cocaine to Australia through Los Angeles, and his bags were left behind at Los Angeles. The DEA found it; they kept the cocaine, and sent the suitcases back to Lima. And I think the authorities in your country at the moment are working to have Montecenos extradited from Sydney back to Peru. But he was bringing in -- I think it was about 8 or 10 kilos of suitcases.

JAPAN (MR. WATANABE): May I ask about the drug detector dogs?

AUSTRALIA: Yes, the drug detector dogs in Australia are the sole responsibility of the Customs Department. They use them; they train them. Even if a police force wanted a dog, it would be trained and supplied by the Customs. They are the experts in it; there is a deliberate people within the Customs Department; they do nothing else, but training drug detector dogs. I think there are three men who do nothing but go around Australia and select dogs, find dogs. A lot of people think that's always the German shepherd. That's not the case now. A lot of German shepherds have been no good. What they look for now is any breed of dog, and they have, I think, about 20 specific characteristics they look for in a dog. And the dog has those characteristics, and they select it no matter what the breed. But they are doing a very good job. I am not too sure, but I think they are at every airport in Australia; they

are used in post offices.

JAPAN (MR. WATANABA): I want to know whether the dog can detect several drugs -- Distinguish drugs.

AUSTRALIA: I think they are trying mainly for heroin and cannabis. I can't answer you for sure; I have to find out what specific drugs they are tried for. I will have to find it out for you.

JAPAN: I heard somebody said that heroin is not good for dogs because heroin is too strong, and the dog might get addicted. So, someone said they don't use dogs to detect heroin.

AUSTRALIA: No, I haven't heard that one. Now they are used to detect heroin. You see that mentioned on Pages 23 and 24 of the Report.

CHAIRMAN: In Japan, the total quantity of Amphetamine seized is about 5 percent of all the illegal usage. What do you assume the percentage of heroin -- the heroin actually seized by the Government?

AUSTRALIA: I don't think I can answer that one accurately. We certainly don't get at all. No, I couldn't answer that one.

CHAIRMAN: Can't you estimate the number of the same?

AUSTRALIA: Well, I would have to guess, and I might be completely wrong. I might just answer that heroin throughout Australia to addicts in the last 12 months was classified as available or readily available.

CHAIRMAN: Thank you very much, Mr. Spurling. (Applause)

Afternoon Session II
Wed., 6 October 1982

NEPAL
Mr. Shrestha

PRESENTATION

Wild cannabis is found in plenty in most part of the inaccessible mountainous regions of our Kingdom. Till few years ago, there was no restriction to cultivate hemp, opium, etc. in Nepal. The cannabis was sold freely in the market. As a matter of fact, narcotics was not taken as a problem to our society.

Before the influx of foreign hippies, drug abuse was not considered a problem in Nepal. The hippies were well known for abuse of drugs and care-free life. The association with the hippies has brought a bad effect on your youths. In this way, the problem on narcotic addicts began to grow day by day. Hard drugs into the country and addictive abuse exist among a very small but growing number of local persons, particularly in urban areas.

His Majesty's Government responded by enacting the Intoxicating Substance Act and Intoxicating Substance Rules of 1962. This was followed decade later in 1973 by strong legislation forbidding the cultivation, sale and traffic of stupifying substances within the country as well as their import or export.

In 1976, fuller and more comprehensive laws were enacted as the Narcotics Drugs Control Act, to control the cultivation, production manufacture, sale, purchase, storage, traffic, consumption, export and import of narcotic drugs in order to maintain the morality, health, convenience and economic well-being of the people.

Such legislation proved economically very burdensome of Nepal's southern regions, as hemp and wild hemp had been a major cash crop. Such cultivation had been a livelihood for many, and the new laws provoked a large population migration since even now there is no substitute crop available.

In such terrain, the provision of a new livelihood through other forms of agriculture of cottage industries has proved extremely difficult. And to date, we have not been able to achieve this. Nevertheless, within our many limitations, we are trying to control the narcotics problem prevalent in the region.

The standard methods of smuggling and concealment have been used; the drugs come from the Golden Triangle or from other neighbouring countries.

Implementation of our Narcotic Drugs Control Act of 1976 devolves on a Narcotics Control Administration, which functions under the Home Ministry of His Majesty's Government. Its functions are to supervise, control, direct and coordinate measures relating to narcotic drugs. Further, the chief district officers of Nepal's 75 districts have been narcotics control functions under the provision of the Law. The Police and the Customs Department are also active in enforcement and in preventing both import and export of narcotic substances, which is to contraband goods under the Customs Law.

Much of the seized drugs have been destroyed publicly. In general, drug cases are dealt with by the district courts. Since 1976 to 1981, amongst 307 drug cases, 451 persons were arrested. In 1981, a total of 155 persons were arrested, of whom 31 were foreigners.

In the entire Kingdom, there are only two non-governmental organizations engaged in providing treatment for drug addiction: One in Dilaram House Santa Bhawan, and the next in St. Xavier's Social Service Centre, Lalitpur, Nepal. The latter one is run by Father T.E. Gafney. The treatment can be done by self-finance only. Our Narcotics Control Division has the need for specialized training in this field to enable the Government to take more effective action and to strengthen the narcotics control administration throughout the country.

Recently, a training seminar for the drug law enforcement officers was held in Kathmandu on August 9th to 16th, 1982, sponsored by the Home Ministry, H.M.G., in cooperation with the UNDP.

DISCUSSION

BANGLADESH: Well, Mr. Shrestha, in the lower region of your country, you have contraband production, or banned the production of ganja, I think. And so many people became unemployed and they had to switch over to another form of cultivation, which is included in your country report. And they have become unemployed, and they could not get the substitute. How they have been rehabilitated?

NEPAL: I have mentioned in my country report that in our country, still we have not really rehabilitated; we are just trying to solve this problem.

BANGLADESH: I think you cannot fight with it alone, since it is an international problem.

NEPAL: It is a global understanding. Only one nation cannot fight with this problem.

BANGLADESH: Like this. Thank you.

W. GERMANY: Seven Germans, the highest number here, were arrested in your country. What's happened to them?

NEPAL: They may be in the prison, or may be deported, or freed, also. Because the statistics is not the level or the number of at one time.

W. GERMANY: A-so. Okay.

CHAIRMAN: Would you please explain about the punishment to drug abusers?

NEPAL: About punishment? The Narcotic Drugs Control Act 1976, Page 6, Chapter 3, Section 14, Punishment for Prohibited Acts. Any person who commits any of the offences mentioned in Section 4 shall be punished according to the gravity of offence, as follows.

In Chapter 2, Prohibition and Control, Section 4; this is related to it. Prohibited Acts: No person shall (a) cultivate hemp, ganja, opium or coca; (b) produce hemp, ganja, opium or coca leaves, or other narcotic drugs; (c) manufacture or process narcotic drugs; (d) sell or distribute narcotic drugs; (e) export or import narcotic drugs; and (f) purchase, store, possess, consume or conduct any traffic in narcotic drugs. This is related to Section 14.

JAPAN (MR. WATANABE): Mr. Shrestha, do you take any measures against hippies in your country? I think the eradication of hippies is the most priority to your country, before going to drug problem; control of hippies. Do you take any measures?

NEPAL: Yes. Nowadays, hippies are very little.

JAPAN (MR. WATANABE): So, you refuse them to enter?

NEPAL: Yeh. But we cannot know that those persons are hippies. When the foreigners come, they come with the tourist visa. We cannot say that he is a hippie. And when he comes to Nepal, we cannot see his each and every mobility, and therefore we cannot say that he is a hippie.

KOREA: Mr. Shrestha, according to this report, first page: Till few years ago there was no restriction to cultivate hemp, opium, etc. in Nepal: But your Government in 1973 by strong legislation forbidding the cultivation. Is there no cultivation in your country?

NEPAL: Yes. Before 1973; and this part – this is the flat land of our country – in this area, the cannabis was cultivated here. And this is the mountainous region, inaccessible, where we can't go easily because this is the track-less region; and these persons were free to cultivate in our Kingdom before 1973. Because in our society, the cultivation of ganja was never felt to be a serious thing for us. Ganja. Hemp, or cannabis sativa.

KOREA: I think it is such a short time to destroy your free cultivation. How did you control it?

Our Government has taken action according to our Narcotic drugs Control Act 1976. According to this Act, no person shall cultivate hemp in Nepal.

KOREA: That is by legislation?

NEPAL: Yes, by legislation.

HONG KONG: Mr. Shrestha, what is the estimate amount of cannabis illegally cultivated? Is there still a lot of illegal cultivation of cannabis in your country?

NEPAL: Not now. Wildly growing cannabis in this mountainous region – Wildly growing cannabis.

HONG KONG: Are they out of control?

NEPAL: Yes, we are trying to control.

HONG KONG: You are trying to control, but because of the mountainous region of the area, it is very difficult to control?

NEPAL: Yes, it is very difficult to go there, because there are trackless regions.

HONG KONG: So, you believe that there are still a lot of illegal cultivation of cannabis?

NEPAL: Not cultivation, but wildly growing. Cannabis is wildly growing.

CHAIRMAN: Are there no cultivations?

NEPAL: No cultivation. All of the cannabis automatically grows by natural condition. Just wildly growing cannabis.

HONG KONG: Are there any steps by the Government to control the area? Because even if the cannabis is wildly grown, traffickers will be interested in the cannabis and will try to either sell it within Nepal or to export to other countries.

NEPAL: No. Our legislation would not permit to import and export.

HONG KONG: Yes, but the traffickers, I am sure, for financial gain, will try their best to export cannabis from Nepal, and also to sell to consumers within Nepal.

NEPAL: Under the law you can't do anything. It is the human nature. We try to let people

think that this cannabis is harmful. In Nepal, there is still no hard drug problem. We are not facing still the very serious problem.

HONG KONG: Do you have any statistics as to the number of addicts in Nepal?

NEPAL: In Nepal? Until 1982, when I compiled this country report – until that time, we have been informed by our Inspection Board, which is under the Police Headquarters, that the addicts were about 76 – 76 persons, addicts.

HONG KONG: In the whole of your country?

NEPAL: Yes.

SRI LANKA: 76,000 or 76?

NEPAL: No. Only 76 – hard drug addicts, that is, I mean, opium, morphine, cocaine – such type of addicts; hard drug addicts.

HONG KONG: Seventy-six persons?

NEPAL: Yes, 76 persons. Only in one area; not in everywhere.

HONG KONG: 76 persons on hard drugs, in one area?

NEPAL: In the urban area.

HONG KONG: Do you have any statistics for the marihuana abusers?

NEPAL: No, we have no statistics on marihuana abusers.

HONG KONG: Thank you very much.

CHAIRMAN: Mr. Shrestha, this year we arrested some Japanese tourists who came back from Nepal with some hashish or cannabis. So, I ask you: In your country, hashish or cannabis is easily able to buy on the street for the tourists?

NEPAL: Cannabis is not easily bought. It is very hard to buy. In every country, there is at least one law, regulation on any crime cases, though the crime is always growing even there is a law.

NEPAL: I would like to tell you something about my country. Nepal is divided into five regions: Eastern region, Middle region, West region, Middle-west region, and Far West region, for the development purpose; Nepal is divided into five regions. And likewise, in administrative purpose, Nepal is divided into 14 regions, and 75 districts. Fourteen regions and 75 districts; and five development regions.

CHAIRMAN: Okay. Thank you, Mr. Shrestha. (Applause)

Morning Session I

Tue., October 12, 1982

INDONESIA

Mr. Sumantri

PRESENTATION

DRUG PROBLEMS IN INDONESIA:

About the drug problem, we will begin with the historical background.

Historical background:

As you see here, the history about the problem of drugs began we know more than 5,000 years ago. But in Indonesia it began in 19th century by smoking opium used by the old people. So we divided it into two, the old dimension and the new dimension.

The old dimension means here that our country was colonized by the Dutch for more than 350 years. So, in Indonesia we use Dutch language, not English like you. and during the Dutch-colonialism, they used thousands of Chinese as labor in plantations, estates and others. So, the Dutch-colonialism tried to keep them under control, especially for the Chinese labor to be able to smoke opium. And they can buy in a special office for opium, licensed by the government. But after that the habit of using and smoking opium, not only by the Chinese, spread to the Indonesian people, including fishermen, hunters, government officials, so on.

Now, going to the new dimension, what we call the new dimension started from 1968, the use of opium spread not only to the old men but also to the young people. They did not use opium, smoking opium, for long but they began to use other drugs like morphine and heroine. So, after that it was the problem for the government. And beginning in 1971 our government declared it as a national problem, one of the six crimes of national problems like subversion, illegal smuggling, foreigners control, counterfeit, youth delinquency, and narcotics. The six crimes like that we call the national problems. They were declared by the government by the President Instruction No. 6/1971. Then in January 1973 the BAKOLAK INPRES. It means a coordinating body of the Executive Board. Their function was to overcome the national problems. As for the organization of BAKOLAK I will explain later in my report.

Before we had the new Narcotics Law, we used the Drug Ordinance of 1927 inherited from the Dutch colonialism. So, we have only that ordinance in use. But in this drug ordinance we don't have marijuana as prohibited. So, we are replacing this ordinance. The government declared the new Narcotic Law in 1976, No. 9 Our new Narcotic Law contains:

- a) Legal meaning of narcotics,
- b) Strict control on drugs,
- c) More higher sanction for narcotic law offenders, threat by death-penalty,
- d) Obligation for people, and
- e) Regulation for treatment and rehabilitation.

After we had the Narcotic Law in 1976, it was very difficult to find the drugs in our country in the market, meaning the black market like morphine and heroine, and like that. Then the young people began to turn from morphine and heroine to ganja. Now, we have the problem only with ganja or marijuana. And after that, ganja became very difficult to buy in the market. So, they use the other drug like the sleeping pills. They use sleeping pills in combination with drinks, with alcohol.

Illegal Cultivation

The only potential source of marijuana we have in Aceh, in north of Indonesia. There is the source of marijuana cultivation. They use marijuana, and then from there marijuana spread not only in North Sumatra here but to the East Sumatra and then to here West Java, via Central Java, and East Java. We will find out the cultivation of marijuana not only in Aceh in the north of Sumatra.

According to the history marijuana in Indonesia since 1930 was introduced by a German scientist who was cultivating marijuana in Aceh. They used it for cooking and

for the medicine. But the people cultivated the marihuana to protect tobacco plants. They have tobacco plants and to protect them -- and also for the use for seasoning their food. I tried the food. Especially in the area in north Sumatra, Aceh, they use marihuana as a seasoning for their cooking. Very nice. I don't know. According to the UN report, our marihuana (ganja) contains THC -- the content of THC is very high compared with THC in those of German origin. Very high. This is according to the UN report.

Illegal products in the black markets are not indigenous only from illegal sources but also from the legal sources. Illegal sources mean the smuggling from abroad into Indonesia. But the legal sources mean that we find it in the black market from the stores, drug stores, from medical depots, from the hospital, and also from the doctor's prescription. These are the cases, not only the report, but the cases that we find.

Now, about the coca plant. Marihuana you have like that in north Sumatra (pointing at the map). And coca plant and cocaine, we have also the coca plantation planted by the Dutch. But after the young people use the cocaine, since 1971, a lot of coca plants were destroyed. So, now, we don't have any more coca plants.

About the poppy plant, we mean here the poppy plants since the Dutch colonialism up to now. We have never seen poppy plants in Indonesia. But are always aware of it, because the climate of some of the Indonesian areas fits pretty well to poppy plant growing.

Illicit Traffic Carrier:

According to the geographic position, we have many many places here that we classify as vulnerable area for smuggling drugs, like that. The first here in Aceh, second Sumatra here, we get very near to Kuala Lumpur. You see here Riau very near to Kuala Lumpur, Penang, and Singapore. From Singapore to Riau here only half an hour by speed cruiser. So, in Riau are very many islands, small island, it is very difficult to find out smugglers here. Then here Bandung -- Bandung is one of the vulnerable areas. In Jakarta and specially in Korizan, in Central Java, East Java, and Bali -- Bali is one of our vulnerable areas, there are very many tourists coming to Bali and use drugs not only from our country but also one brought from other countries of Bali.

Illicit trafficking in drugs. They are broken down into ganja, hashish, opium, poppy seed, morphine, and heroin. For ganja we divide it into the domestic routes and the international routes. In the domestic routes here, there are many names of places, but it is very confusing to you because you don't know where these are situated. (Explanation given on each route on the map.) About the International routes for marihuana, they are from Bangkok to Bali and from Bangkok to Jogjakarta. The difference between marihuana produced in Indonesia and marihuana from Bangkok, marihuana from Bangkok is shaped like Buddha-sticks or Thai-sticks. I think Mr. Pisuttiwong knows about it. But we in Indonesia do not have the Buddha-stick like that. We only have plantation of marihuana which is then put in a bag or sack like that. They don't use modern production like Buddha-stick.

About hashish, between 1972-1980, we have had cases of smuggling hashish from Nepal (Kathmandu) through India, Sri Lanka, Singapore, and then to Bali. According to the suspect convicted, they transported from Bali to Stari. This was from Nepal. But don't worry, Mr. Shrestha. The suspect was not a Nepalese.

About the opium, they smuggle in opium from Malaysia to Singapore, to Bagansiapi, and to Riau, and to Jakarta. (Explanation on the map of those locations.)

About the poppy seed, before we had the new Narcotic Law in 1976, the poppy seeds were not prohibited in Indonesia. There were many many Indians who used poppy seeds maybe for cooking. I don't know exactly. But maybe Mr. Singh can explain.

INDIA: I am not aware of the use of poppy seeds for cooking in India.

INDONESIA: According to the Indian suspect, they use poppy seeds for cooking, Indian cooking.

About morphine, some of the routes are from Bangkok to Jakarta, from Hong Kong to Jakarta, from Singapore to Bagansiapi-api/Riau to Jakarta, Malaysia to Jakarta. There are users in Jakarta for Morphine and heroin. About the heroine we have the cases like this. Heroin from Bangkok to Bali will be transported to Australia. The other case is from Bangkok to Malaysia and ntransit in Jakarta, and then transported to Amsterdam, Netherlands. In Schipol Airport we, in a joint operation between the Netherland police and Indonesian police, seized about 5 kilograms of heroin at the port. This was in 1980.

Drug Abuses and Drug Addicts:

We don't have an exact number but we have recorded not only the drug addicts but the drug abuses and the drug addicts. So, according to our police, they don't separate the drug abuse from drug addicts. So, the report of the drug abuse and the druct addict is the same. We have about 4,000 drug addicts and/or drug abusers recorded. But according to the UN, the dark number may be about 10 times of the 4.000. But this was in 1971, from 135 cases we find out 308 drug abusers. It included the people from 25 years of age. You can see it in the Annex.

About the youngsters, we mean by 'youngsters' those from 13 to 25 years old. According to the new data in 1981, the drug abusers counted 226. From 13 to 25 years old. It is including 6 foreigners. You can see it in the Annex.

PATTERN OF EFFORT AGAINST DRUGS

The principles here are: Prevention, direct prevention, law enforcement, investigation and prosecution and verdict, treatment and rehabilitation, international cooperation. These are the patterns of effort against drugs.

Prevention, we mean here the preventive education by giving information to certain schools about the drugs. And the preventive information is in here by giving the information to the public and participation of the mass-media in creating an awareness of the drug problems.

In direct prevention, here, we mean that it will be done by police officers in uniform, by observation activities, guarding, patrolling, supervision, and public guidance in security-mindedness.

The law enforcement by legislation, by collecting data, analyzing and distribution to another agency, nd investigation by repression agent, special agents and our policemen. The investigation now after we have the new law and procedures and systems, the only on investigator in Indonesia is National Police and others are the assistant to the police as an investigator like the special police, from the customs, from the police, etc.

The preventive and repression activities mean to carry out repression to cut the supply and to eliminate the demand, and to locate and strike the crime's activities. Specially the drug abusers and drug addicts we confine for the purpose of getting information. And after that we decide to send them either to the hospital or to bring to the court. There are several cases. It is our criminal justice system that after investigation and procesution and trial by the prosecutors, public prosecutors, they are sentenced by the judge. And in execution of the sentence, the offender may be sent to the prison or may be sent to the compulsory treatment or rehabilitation.

About the rehabilitation and treatment, we have the rehabilitation and treatment/

rehabilitation centers that are administered by the government and also by non-governmental organizations. As you see in page 17, we have treatment and rehabilitation centers. We have more than five. Especially, No. 5, Wisma Pamardi Siwi here, is administered by the Police Metropolitan Command. The same is here in the Metropolitan Division. They have Wisma Pamardi Siwi for rehabilitation and treatment of drug addicts.

The system of the Pamardi Siwis, we used the "cold turkey" which may be same as Singapore. "Cold turkey" – not to use a toxication but "cold turkey" during the withdrawal period. And then after that we take the rehabilitation for them, to make skill training like giving sewing, hair-dressing, carpentry, photography, and so on.

The final law enforcement effort is by the international cooperation. We have listed the international cooperations here: By the bilateral cooperation, not bilateral coordination, international cooperation. This is a very effective effort in overcoming the drug problem in the bilateral cooperation. Beside the exchange of information, also you would have joint operations. We have joint operations with Australian Canal Police, with D/A from Jakarta, and all the members of the ASEAN countries. This is a very effective bilateral cooperation not by the Interpol or by the diplomatic system. Then, we have regional cooperation with ASEAN and others like that. And international cooperation with Interpol, Colombo Plan, the UN, and then the meeting of all operational heads of narcotic law enforcement agencies in the Far East region, and Asian-European Regional meetings held every other year.

CONCLUSION:

It is our conclusion that narcotic crime is still not only a national problem but is becoming an international one. So, it is becoming a challenge for us to improve all efforts in fighting narcotics and cooperation between countries and law enforcing organizations, not only in the national and regional but the international level by exchange of information on carriers' activities.

This completes my country report. You can see the annex now. Terminology of drugs used among youngsters; foreigners arrested in narcotic crimes in 1981; outline of the Narcotic Law No. 9/1976, about the prohibition order and the penalty.

Under our Narcotic Law, the Abuse, Section 7, a person is sentenced to 2 years imprisonment for using morphine.

Next is the map of Indonesia. This is the illicit traffic in 1981. Kinds of narcotics: morphine, cocaine, ganja, candu (opium), and hashish. This is shown on the map in the annex. You see the green line, which means the illicit traffic for ganja. The potential resource here is from Aceh, and it is spread to other places like Jakarta and to Bali. This is about cocaine. We have had only one case about cocaine here. It was not brought in by the tourist but it came in by parcel post sent from Colombia to Bali and then from Bali to Harau, using maybe the first names. The blue line is the hashish. This is the arrow from Denpasar to Jakarta. It was not hashish from Denpasar to Jakarta but maybe this was from another country, brought in by tourists. Then we found out a tourist with his hashish in Jakarta and we seized him in Jakarta. Then candu or opium from Kuala Lumpur to Riau. And morphine from Kolon Kelang in Kuala Lumpur in Malaysia to Bagansiapi-api. This is very crucial.

Next is the list of drug abusers in 1981. And then the recapitulation of cases in 1981, from January to December, for comparison of the number. But here it is important, the cases of opium, morphine, heroin, hashish, ganja and other drugs like valium, dumolid, etc. After that we have the problem of amphetamine. Maybe our young people do not know what amphetamine is. They use valium and magadon. There is dumolid, which is a depressant.

In our country, the big problem is only marijuana only ganja. Because we have many resources. You will see marijuana seeds and grow anywhere in our country.

About the narcotic dog, we have only one narcotic dog. With only one how do we detect? But about six months ago, two police special officers came from the United States training in the narcotics. After going back to their home country, the U.S. government gave us two narcotic dogs. Now, we have three narcotic dogs. But the Customs have seven narcotic dogs from Mr. Spurling, from the Australian Customs. I think Mr. Toh is lucky. In a small country like that, you have so many narcotic dogs.

DISCUSSION

BANGLADESH: Mr. Sumantri, The foreigners who were involved in narcotic crimes in 1981, the number totals 35. United States, Australia, British, Italian, West German, Canadian, Malaysian, French, People of China Republic. Those 35 who were arrested, were they the residents in your country or the tourists involved in the narcotic crimes?

INDONESIA: Especially from No. 1 to No. 8, they are tourists. But No. 9, you know in our country there are a plenty of Chinese people. They have two nationalities, the Indonesian nationality and the Chinese Republic nationality, I don't know. So, they are of two nationalities specially in No. 9, here, the people of Chinese Republic.

SINGAPORE: But they are the residents of Indonesia.

INDONESIA: Yes, yes, they are. And they have two nationalities, Indonesian and Chinese. Not Taiwan but Chinese from the Chinese Republic.

IRAN: In your country, for the penalty of imprisonment plus fine, if a smuggler has no money to pay, what do you do?

INDONESIA: Probably, Mr. Yusof can help me.

MALAYSIA: (Acting as an interpreter) He will be added an imprisonment term if he fails to pay for the fines.

IRAN: Additional imprisonment?

INDONESIA: Yes.

SRI LANKA: On your list of recapitulation of arrests, from 1971 up to 1981, columns 3 and 4, the reported number of cases is 5,236 and the number of cases prosecuted is only 2,128, less than 50% prosecuted. Why is it?

INDONESIA: Mr. Delgoda, so you can see the abbreviation C.R. means the clearance rate. In ten years it was about 40%. So we could finish only 40%.

SRI LANKA: The rest are for later disposal?

INDONESIA: We could finish up only 40% and this means for the rest of 60% we didn't have enough evidence. So, we don't have complete witnesses.

SRI LANKA: To prosecute to the court. Insufficient evidence to prosecute.

INDONESIA: This is not only the drug abusers. Many cases here, not only the drug abusers, but others like drinking and like that. You know in our country 55% are Muslim. And according to the religion drinks like alcoholic whiskey, etc. are not allowed. So, we cannot find. It is so difficult to buy alcoholic drinks on every street and every store. But only in certain places like nightclubs and hotels, they are licensed to sell drinks.

CHAIRMAN: Now, time is over. We would like to conclude the presentation. Thank you very much.

Morning Session II
Tue., Oct., 12, 1982

CANADA
Mr. Dewar

PRESENTATION

Our mandate, simply stated, is to enforce the Canadian drug laws and to bring before our criminal justice system those individuals and organizations involved in illicit drug activities. As well, the RCMP is supportive of non-enforcement related programs aimed at controlling and reducing the traffic in illicit drugs both at home and abroad — for example, the United Fund for Drug Abuse Control, Crop Substitution Programs, etc.

To accomplish this mandate, the RCMP has allotted approximately 785 positions to drug enforcement control activities. As well, the RCMP maintains liaison posts in 31 countries throughout the world with a total staff of 56 foreign officers. Based at our Headquarters in Ottawa, Ontario, we have 16 police officers and 3 Canadian secretaries in our Foreign Service Directorate.

In the Drug Enforcement Unit Headquarters, there are also approximately 16 members. Of the 56 foreign officers based abroad, approximately 10 of them are narcotic experts. Unfortunately, I am not one of them.

Our domestic and international staff work in close cooperation with other federal, local and international police counterparts in an attempt to disrupt the illicit traffic in narcotics at the highest possible level.

Because it poses the most serious threat to society, heroin has been identified as our first priority drug. RCMP enforcement programs, therefore, place a major emphasis on the suppression of heroin use and traffic. Our second priority drug is cocaine, then followed by the chemical drugs and the cannabis products — you can reverse those last two.

Canadian Drug Legislation

At this point, I would like to interject a brief explanation of the Canadian laws respecting drug enforcement in Canada. The laws embodying narcotics and other dangerous drugs are contained in two statutes:

- (1) The Narcotic Control Act, and
- (2) The Food and Drug Act.

The international controls called for by the United Nations Single Convention for Narcotic Drugs, 1961, are provided for in Canada primarily by the Narcotic Control Act and the regulations therein. The Act applies to the opiate narcotics including heroin, to cocaine, and to cannabis and its derivatives.

The Act is framed in the traditional criminal law form consisting of prohibitions, penalties and provisions concerning enforcement. It prohibits unauthorized importing and exporting, trafficking, possession for the purpose of trafficking, simple possession, and cultivation. A summary conviction for possession carries a maximum penalty of a \$1,000 fine and/or six months imprisonment for a first offence. For a subsequent conviction, to a fine of \$2,000 and/or imprisonment for one year. An indictable conviction for possession of a narcotic could result in a prison term of seven years. Possession of a drug controlled under the Act

for purposes of trafficking is an indictable offence punishable by a maximum sentence of life imprisonment. A conviction for importing or exporting carries a minimum of seven years and a maximum of life in prison.

The Regulations prescribe the conduct that is authorized with respect to the drugs covered by the Act. They establish a system of control over the distribution and use of the drugs for medical or scientific purposes. The system consists of licensing, prescription, record-keeping, safeguards against loss or theft, reporting, inspection and audit.

The controls on availability called for by the United Nations Convention on Psychotropic Substances, 1971, are generally provided for in Canada by the Food and Drug Act are broken into three categories:

- (1) Restricted – or Schedule H,
- (2) Controlled – or Schedule G, and
- (3) Prescription – Schedule F.

Essentially the same controls are applied to the drugs governed by the Narcotic Control Act. However, the penalties are not as severe as trafficking or possession for the purpose of trafficking in drugs as they are under the Narcotic Control Act.

Overview of Current Drug Trends

I would now like to present an overview of the illicit drug abuse problems within Canada, beginning with heroin, our number-one priority drug.

Heroin: Heroin originating from Southwest Asia (Afghanistan, Pakistan, and Iran) (Golden Crescent) continues to find its way to the illicit Canadian narcotics market, accounting for approximately 20% of that market. This is down somewhat from one year ago when 30% of the heroin seized in Canada was from Southwest Asia. Southeast Asian heroin from Golden Triangle area still accounts for most of the balance and Lebanon is emerging as a supplier to the Canadian market.

Heroin availability continues to increase and is usually readily available in most major metropolitan areas of Regions I, III and IV.

If you look in the back, you will come to a map of Canada with the Regions marked on it, just to identify the areas of Canada. And I will refer to these areas throughout the report.

Region I reports purities at the user level rising dramatically. Single dosage units being sold at street level are now averaging 6.7% with some dealers selling capsules which have analyzed between 9 to 13%. Recent bulk heroin seizures show purity of 85% to 93.3%.

A quantity of Mexican brown heroin was seized in June, 1982, in Gibson, British Columbia. That is in Area I. The consistency of the heroin was similar to gummy opium and therefore it was not diluted to any great extent. Several users who had purchased the drug nearly overdosed. The heroin analyzed at 64% purity. Two persons have been arrested in connection with this seizure.

The average price of heroin in British Columbia, where we estimate 65% of Canada's heroin user population of approximately 20,000 persons reside, is \$225,000 per kilogram at 92% purity, and \$30 to \$50 per capsule on the street at 6.7% to 13%.

The Vancouver area on our Western sea coast continues to be the main point of entry for heroin entering Canada, followed by Montreal and Toronto on the eastern coast. The most popular method of concealment utilized to smuggle heroin into Canada is by single courier, the drugs being body-packed, ingested, or secreted in false-bottomed suitcases or unaccompanied luggage.

Diversion of legal drug supplies into the illicit market remain a considerable enforcement problem in several regions across Canada. The most often encountered tactics employed by users to obtain drug supplies are:

- (1) Double-doctoring (visiting several doctors to obtain prescriptions);
- (2) Forged medical prescription forms;
- (3) Persuading physicians to write prescriptions by faking illness; and
- (4) Impersonating a physician when telephoning prescriptions to drug stores.

The opiate narcotics most often subject to the above diversion are dihydrid, demerol and morphine.

Cocaine: The illicit abuse of cocaine and the increase in the level of international traffic of this drug remains a primary concern of drug enforcement agencies throughout Canada. Cocaine is in plentiful supply in several domestic drug regions in Canada and intelligence indicates increasing abuse levels for the remainder of 1982. The principal source countries for cocaine destined to Canada are Peru, Colombia, Bolivia and the South Florida Corridor in the U.S.A. In British Columbia earlier this year street level purity of cocaine ranged from 17% to 73%. Bulk samples have analyzed between 39% and 90%.

The price of cocaine at both the wholesale and street level remains high throughout Canada. Cocaine is selling between \$40,000 to \$50,000 per half kilogram and from \$150 to \$250 per gram in areas where it is readily available.

With respect to cocaine, the precise number of cocaine users and the extent of cocaine abuse in Canada is not known as the user/trafficker of this drug is extremely difficult to categorize or identify. The profile of the cocaine user might be that he or she is of average education, that he or she is often a professional person such as an entertainer, professional or amateur athlete, university professor or students, that he or she is often of a high socio-economic group of society and perhaps as important as anything, that he or she maintains a relatively low profile which makes identification that much more difficult.

Illicit Laboratories and Psychotropic Drugs

Domestic clandestine laboratory activity is centered in Western and Eastern Canada – in the West in British Columbia and in the Eastern Canada in Ontario and Quebec. The drugs that are most often subject to illicit manufacture are methamphetamine and liquid cannabis.

Some of the laboratories are extremely isolated in areas accessible only by boat or aircraft. An organization will often rent an isolated hunting camp in the bush-country of British Columbia, Ontario or Quebec, and to gain access to them is extremely difficult without being detected, let alone trying to make a seizure.

These organizations are highly sophisticated and often use qualified chemists who are very often brilliant. It is not sure why these intelligent chemists are attracted to an organization, but it is assumed that they thrive on the fact that they can pursue whatever new type of drug they wish, whereas if they were employed by a legal chemical company, their jobs would be restricted to whatever that company dictates.

We are experiencing some success in locating these illicit laboratories by having established a close liaison with employees of the chemical companies that manufacture the chemicals or the precursors that are used in the manufacture of these chemical drugs. Through this liaison we are notified ahead of time that the precursor is being held by the company until such time as we are able to set up our surveillance. This technique has been successful in several cases to date.

Methamphetamine, in both paste and powder form, is readily available in Eastern

and Western Canada, especially in Northern Ontario. This is mainly due to motorcycle gang activity as they usually control the distribution of the chemical drugs in Canada and also to some extent are involved in the manufacturing process. Their success has been due to their strong affiliation and extensive travel both within Canada and externally to the U.S.A. The chemicals they deal with most frequently are LSD, PCP and methamphetamine. However, intelligence indicates that they are recently becoming more involved in cocaine trafficking.

Cannabis: The cannabis derivatives continue to be in an abundant supply in most domestic regions of Canada. In these areas Colombia, Jamaican, Mexican, and U.S.A. "Sensamilla" marihuana are the most popular brands. Canadian illegally cultivated marihuana contains a very low tetrahydrocannabinol (T.H.C.) content and is a very poor quality. This is probably due to the fact that the Canadian climate is not conducive to a good crop. British Columbia, which has the warmest climate in Canada, produces most of the marihuana grown in Canada but again it is of very poor quality. In some areas hashish is more rapidly available than marihuana and it has entered Canada by the metric ton. It also produces more revenue for importers and traffickers than does an equal amount of marihuana.

The most expensive or Sensamilla imported marihuana sells for between \$2,000 to \$2,800 a pound, whereas domestically produced marihuana sells for between \$200 to \$450 a pound. Hashish, on the other hand, sells for as much as \$3,000 to \$3,500 a pound. India, Morocco, Pakistan and Lebanon are the usual source countries of hashish in Canada.

Drug Indicators for 1982-83

We expect:

- (1) Continued increased supplies and levels of purity in heroin during 1983.
- (2) Due to higher purities of heroin, there is expected to be an increase in hospital emergency overdose and overdose deaths.
- (3) Southwest Asian heroin will increase to approximately 40% of the Canadian market share with the remainder coming from Southeast Asia.
- (4) The metropolitan areas of Vancouver, Toronto and Montreal will continue to be the major drug distribution centers in Canada.
- (5) Cocain abuse will continue its upward surge in the Canadian illicit drug market.
- (6) The principal cocaine sources of supply to Canada will be Colombia, Peru and Bolivia. The Southeastern United States and the Caribbean Basin will remain as prime transshipment centers for cocaine.
- (7) The high usage and traffic of LSD in 1982 will continue into 1983 due to quality control and reduced purity levels allaying the users' fears of negative effects.
- (8) Look-alike drugs will increase in popularity especially among our youth. With no regulatory controls these look-alike drugs will continue to become more wide-spread in Canada.
- (9) Methamphetamine abuse and clandestine manufacture is expected to remain stable in 1983 with the motorcycle gangs continuing to be the major distributors.
- (10) The cannabis derivatives (marihuana and hashish and liquid hashish) will continue as the primary drugs of abuse throughout Canada.
- (11) Enforcement activity by international agencies in countries like Colombia, Jamaica and Mexico may lead to increased cultivation of marihuana in Canada, although foreign countries will remain as principal sources.

Mr. Chairman, I would like to express my appreciation once again for the opportunity to present Canada's Country Report. We as men being involved in the suppression of narcotic related crimes require the utmost not only in national but international cooperation, if we are to succeed in a very difficult and very often frustrating task of combatting it.

Thank you very much.

DISCUSSION

BANGLADESH: I would like to know the relationship between the Royal Mounted Police and the Solicitor-General.

CANADA: Yes, the Royal Canadian Mounted Police is headed by our Commissioner. He is the Commissioner of the Royal Canadian Mounted Police. He, in order to be responsible to the Government, is responsible directly to the Solicitor General.

BANGLADESH: Is he an ex-officio member or is he inactive?

CANADA: He is inactive, yes.

The RCMP are federal police officers throughout Canada. We do all in federal statutes in Canada plus all problems in Canada, except Quebec and Montreal, we do the municipal policing also. We also police major cities like Vancouver in certain provinces. The provincial work we do is all done under contract to provinces. We are mainly responsible to the federal statutes except Quebec and Montreal. There might be in other provinces the large cities such as Calgary. They have their own city police force.

SRI LANKA: Mr. Dewar, I remain you said that you do not maintain or you have not maintained a record of drug addicts in Canada. But I believe you have a big drug addict population in Canada. May I know as to whether you have any system like in Singapore, any measures taken to rehabilitate the drug addicts in your country?

CANADA: Yes, we do.

SRI LANKA: If that is so, could you kindly enlighten us as to what those measures are?

CANADA: Yes, this has been a bit of problem in Canada, About three years ago, they opened up a drug rehabilitation center in Vancouver. And the province opened it. And the civil liberty, civil rights groups said, "No, it's a federal responsibility." So, approximately six months ago it was decided in the Supreme Court in Canada that it was a provincial responsibility to look after the drug rehabilitation centers. So, just recently, many provinces in Canada have more been concerned with the rehabilitation centers and it will be a provincial responsibility.

SRI LANKA: At the moment there is nothing in existence to rehabilitate any drug addicts?

CANADA: Yes, the one in Vancouver is now under the provincial legislation.

SRI LANKA: So, the normal drug addict can receive his treatment in a hospital? Normal outpatient ward? Or do they go to a separate place where they may be treated?

CANADA: They may have a separate place in an ordinary hospital, I don't know. But I know they have been sent to the hospital.

INDIA: Mr. Dewar, on page 10, you have identified here as one of the sources for the case of hashish being the smuggler into Canada. I would like to know whether this smuggling is being done by Canadians of Indian origin, who are living in a large number in British Columbia. Or is it being done by Indians are the residents in India? Could you give us either now or later on the details of these gangs for our surveys?

CANADA: I think, I may be correct in saying that majority of them are foreigners, whether they be Americans or Canadians, I am not sure. But again the route that they would take from India I am not sure either. But as far as the Indians being concerned, I don't believe,

not to my personal knowledge anyway, that...

INDIA: There are the famous cases of this Sander. Do you remember?

CANADA: There is one seizure that we made that might be of interest to you. This is prior to 1979. That was the largest seizure that was ever made in Canada. I will just read it from our Drug Enforcement Intelligence List. "During pre-dawn hours on May 22nd, 1979, a 315 men raiding party of both the RCMP and the Canadian Armed Forces personnel seized 33.5 tons of Colombia marihuana valued at more than 56 million dollars. This seizure was the largest in the drug enforcement history. 50 RCMP officers and 300 Canadian Armed Forces personnel arrested 23 conspirators and seized two vessels. Of the 23 arrested, 18 were identified as Colombian nationals and 5 as American citizens. The raiding party stuck as the two vessels unloaded their cargo in a city inland on the west side of the Vancouver Island about 200 kilometers north of Victoria. The operation was backed up by a destroyer escort and a Piper aircraft. The raid ended several months of detailed investigation in cooperation with the United States Drug Enforcement Administration." That is the largest seizure that we have made in Canada.

SRI LANKA: Mr. Dewar, is there any provision under your existing laws to try anyone who has committed a drug offence in another country, under your laws in Canada?

CANADA: Yes.

SRI LANKA: I asked this question, because there was a Canadian involved in Sri Lanka. On the pretext of doing a surfboard factory in Sri Lanka he opened a clandestine laboratory. And when the investigation was going on, he escaped to Canada and was arrested there. I presume he has been charged there or prosecuted there. Does the Canadian law permit any drug offense committed outside the country to be tried right there in Canada?

CANADA: Yes, we do, but not if he was prosecuted in other country, though.

SRI LANKA: Gangsters -- you know the different gangs operating -- what we call the common gang warfare, they are in Canada, aren't they?

CANADA: Organized crimes in Canada we do have.

SRI LANKA: Not related to the ordinary crimes, but, you know, the competition between the drug capitalists, does it lead to any kind of gang warfare which makes a problem to the Canadian police?

CANADA: Occasionally, it does, yes, particularly among the motorcycle gangs -- gang warfares. And it has been known for people to be killed. Jealousy, perhaps, somebody taking over another person's territory. It has happened, yes.

We have Canadians going to Bangkok, Singapore, and place like this, taking up residence, making up contacts where they can purchase heroine or whatever. And all their friends in Canada have to do is to make a phone call to them and say, "Look, I am coming down. I need such and such." And by the time he gets there it is already waiting for him. This is something new we just noticed recently.

INDIA: This is a related question to what Mr. Delgod asked earlier. What is the response the Royal Canadian Mounted Police gives to the request from India to extradite an Indian national to serve his sentence in India in case the sentence was given to him in India and in which he jumped bail and gone back to Canada? We do not have an extradition treaty with Canada. What are the requirements or other measures to do something, as, when I go back, I will be confronted with this problem? He is wanted by the Justice System and he is convicted, but he is now in Canada.

CANADA: We don't have any extradition treaty with you. I think each particular case would be looked at separately. Usually and preferably, extradition is handled through diplomatic channels. Occasionally in countries where we have excellent liaison, that can be handled directly between the police department and the police department. In your case, I would

imagine, you would go through diplomatic channels with your request. And then it would be considered by our upper echelons in Canada. If they decide to, then they would give the order to the Ministry of Justice, who will then give the order to the County Council, who will then liaise it to the police in order for them to act on it.

INDIA: Do they have to go through any judicial process, your court, or do they need to go through official channels?

CANADA: Official channels, oh, yes.

INDIA: Thank you.

CANADA: We have several people extradited back to Canada from countries with whom we do not have the treaties. But fortunately, they have all chosen to go back. I guess they prefer Canadian jails.

IRAN: How do you know the Golden Crescent, Afghanistan purchase of Iranian heroine? By intelligence? Or by investigation of smuggle?

CANADA: By investigations, interviewing the people that have been arrested. Quite often they can also tell by the purity percentage where it is coming from.

I have a question for the gentleman from Iran, if you don't mind. I was wondering if the problem between Iran and Iraq at the present time is going to have any direct bearing on the outflow of heroin from your country?

IRAN: Heroin from where? Afghanistan?

CANADA: From Iran. Which way, more or less?

INDONESIA: Could I ask you about the clandestine laboratory? According to your report here, you have many clandestine laboratories manufacturing methamphetamine and liquid cannabis. But your problem number one is heroin. Is it possible that they manufacture beside methamphetamine also heroin?

CANADA: No, not to date we have detected any one manufacturing heroin.

PUPUA NEW GUINEA: Mr. Dewar. I have only a simple question. If a man from Canada is producing drug factory here and is found, and happens to get back to his home country, if he is arrested in Canada, can he or his case be transferred back to Japan to end his charges?

If a man from Canada in Japan sets up his factory and produce drugs in here, in Japan, and if he is found and he has the knowledge of their looking for him and he has to get back to his home country in Canada and he is arrested in Canada, can he be sent back to Japan to end his charges in here or can you handle him in Canada?

CANADA: It depends on many aspects of the investigation. I think probably what will happen is that Japanese would ask us to extradite him back, so they could charge him here.

MALAYSIA: In continuation of Mr. Gusa's question, in any event — let's say Canadians take residence in many of the Southeast Asian countries, where the charge for possessing heroin is death. And if the Canadian may be responsible for manufacturing of heroin and run away to Canada, we have to get Canadian cooperation to arrest him there. Will he be sent back to our country? Because now we have a difference in the form of penalty here. In your country the penalty or the maximum penalty is only life imprisonment, whereas our country here the maximum penalty is death. Will you be in a position to have the person extradited back to our country?

CANADA: That's a little question for the expert.

MALAYSIA: (Laughter) No, we have this problem many a time, especially in countries in Southeast Asia where the penalty is death, being absconded to their country where the penalty is not very severe. And because he is of your nationality, normally there are a lot of difficulties concerning that.

CANADA: I really can't answer that. Because I don't know. I would think that you would have to ask through your diplomatic channels to have him extradited back to your country.

And again they are ones who have to make the decision, not the police.

BRAZIL: There must be a treaty between you and them, and otherwise it is impossible even through the diplomatic channels.

CANADA: I think Canada will behave very unfavorably to extradite Canadian nationals to another country where they primarily could be given death sentence.

BRAZIL: Yes, same with Brazil.

SRI LANKA: Leaving aside the punishment, I believe if the relations between the two countries are good, you would give or you would extend all necessary facilities for the arrest of the suspect in your country. Leaving aside the punishment, if the relations between -- say the offence has been committed in Japan and the suspect was away to Canada, and the police in Japan wants him there and they want to come over there and request your assistance I believe you will give all necessary assistance to the Japanese police to arrest him and bring him down here, even though there is no extradition treaty.

CANADA: Yes, we would. We don't have an extradition treaty with Japan either.

SRI LANKA: If the Japanese police would come over to Canada, so you would give them all the necessary assistance and you have the suspect arrested?

CANADA: Yes, we would. They have done for us. As a matter of fact, we sent back two members of the Japanese Red Army to Japan several years back. No extradition treaty.

JAPAN: Five years before.

CANADA: Yes.

CHAIRMAN: Any other questions? Let us close the morning session. Thank you, Mr. Dewar.