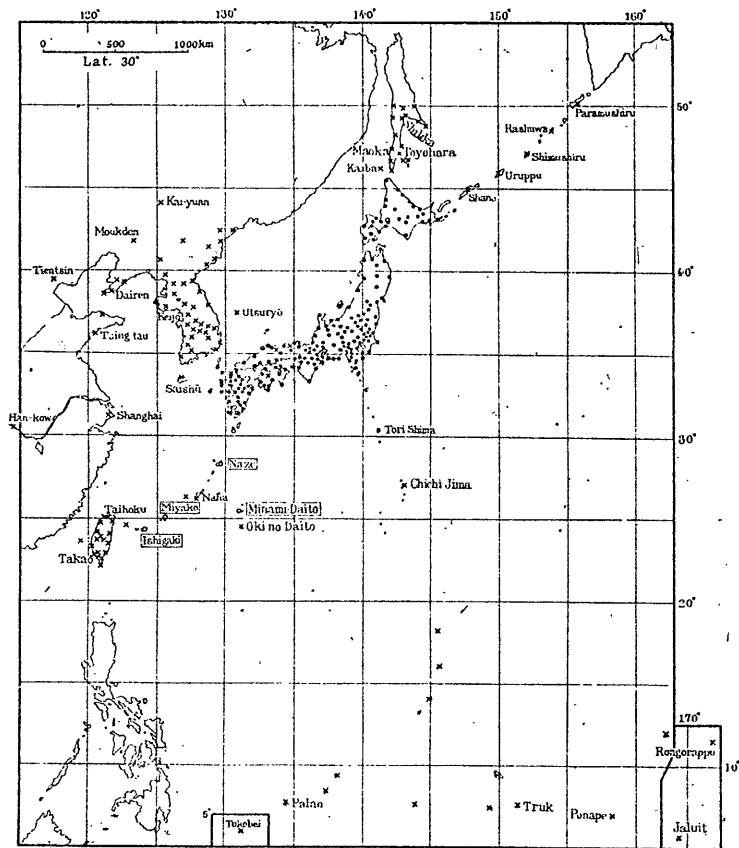
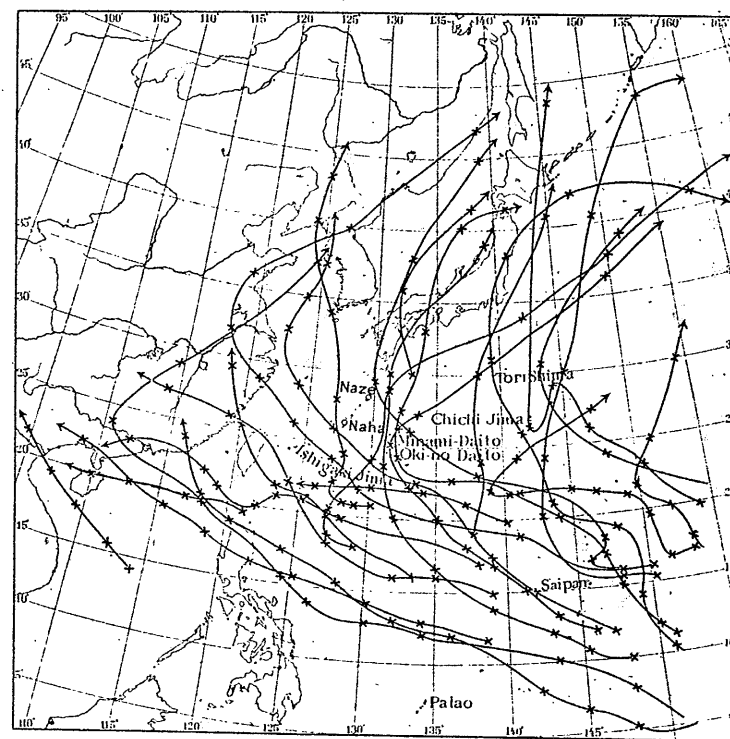


LOCATIONS OF METEOROLOGICAL OBSERVATORIES OF JAPAN

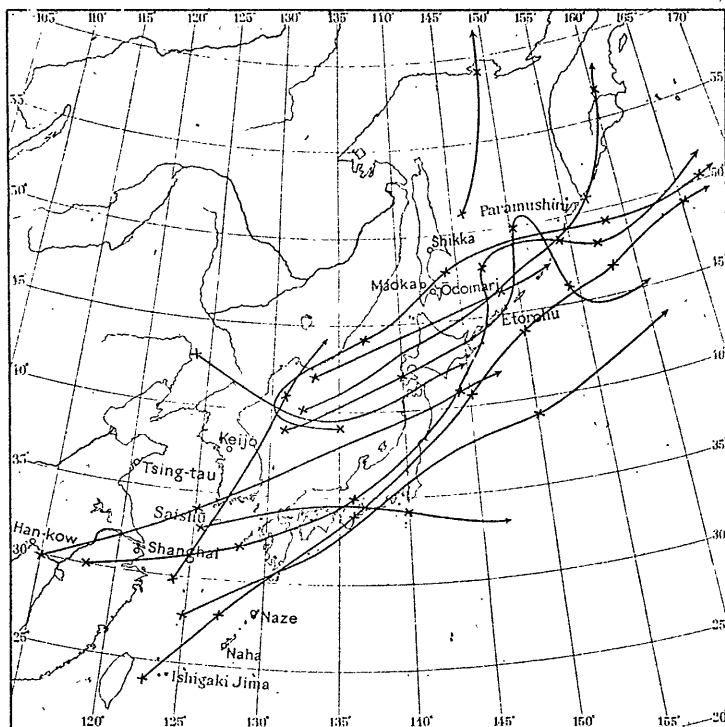


- Observatories operated both in pre-war and post-war periods.
- x Observatories discontinued after the war.
- Observatories outside Japanese administrative jurisdiction, operated by Japanese by order of Allied Headquarters.

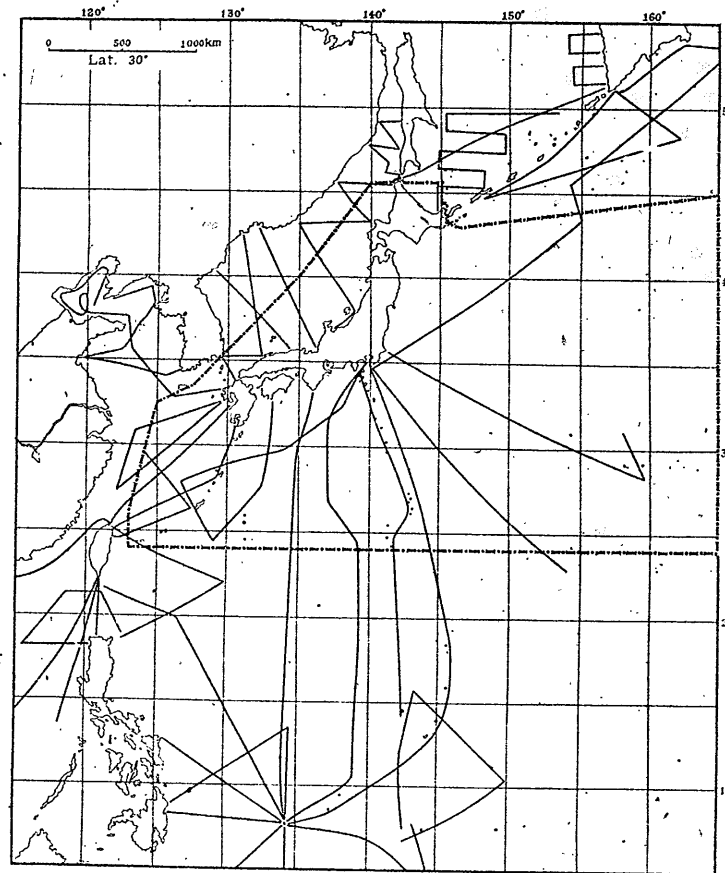
TYPHOON TRACKS IN 1941-42



MAJOR TRACKS OF CYCLONES IN 1941-42



MAJOR SECTIONAL LINES FOR OCEANOGRAPHIC OBSERVATIONS CONDUCTED BY JAPAN FROM 1930 TO 1939



-----Area for operation by Japanese ships, authorized by Allied Headquarters

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I. PRELIMINARY REMARKS

1. Climatic Characteristics and the Importance of
Meteorological Observations in Japan.

Meteorologically speaking, East Asia is one of the regions of the world which are marked by many complexities and violent changes. This characteristic is particularly pronounced in the case of Japan, lying between the world's largest ocean and the world's largest continent, where cold and warm currents crisscross each other, and extending over wide latitudes and having complicated topographical conditions within its bounds.

Inseparably linked to the life of the people, who naturally are much concerned about meteorological changes, weather is a vital factor to agriculture, especially to rice-culture which always has constituted the country's major industry. It also has much to do with the marine industry; hydro-electric power supply; land and sea communications in general.

It is to be noted that in Japan storms and other meteorological phenomena often cause serious disasters. In summer and autumn, typhoons sweep up from the tropics. From winter to spring, continental cyclones strike the country, bringing storms at sea and heavy snowfalls on land. From October through the following March, monsoons have their turn. Frequently, hailstones and thunderbolts contribute their shares of devastation. Hail is also wrought by cool summer and droughts. The damage due to these meteorological phenomena adds up to enormous proportions year after year (Note 1).

Note 1. As a typical example of serious damage done in a short time, the so-called Typhoon Maroto may be cited, which ravaged the whole country, with the Kansai District as the center, on September 21, 1934, causing casualty and damage as follows:

| | |
|--|-----------------|
| Number of persons killed or missing | 18,039 |
| Number of houses destroyed or damaged | 493,480 |
| Number of ships sunk or washed away | 14,421 |
| (According to investigations made by the Police Bureau of the Home Ministry, and comprising only the damages ascertained up to October 6 of the above-mentioned year.) | |
| Estimated value of the damage to agriculture, forestry and aquatic industry | Yen 313,023,090 |
| (According to announcement made by the Ministry of Agriculture and Forestry.) | |
| Estimated value of damage to commerce and industry | Yen 216,590,000 |
| (According to announcement made by the Ministry of Commerce and Industry.) | |
| Estimated value of damage to railroads | Yen 5,653,000 |
| (According to announcement made by the Railroads Ministry.) | |

The total of the average annual losses caused by meteorological disasters in the shape of floods, tidal waves and storms, during the 11 years from 1926 through 1936, exceeds Yen 153,000,000 (Note 2). This amount is equal to 2.4 percent of the net total of the budget expenditure for the fiscal year 1936 (Yen 6,234,000,000), and is close to that year's entire customs revenue (Yen 174,000,000).

Above figure does not include the damage caused by fires (Note 3), and crop pests and blights, which may also be regarded as due to meteorological phenomena.

It may be added that weather hazards are greater now than ever before owing to the fact that all buildings and installations from houses and factories to river embankments and harbour works have been left since the war years in such a state of dilapidation and disrepair that they are easily damaged by storm or flood.

Under these circumstances, it is necessary for Japan to have an accurate foreknowledge of probable meteorological changes over both short and long periods, in order to protect crops as well as lives and property and to safeguard the means of communication.

2. Meteorological Observations and Places for Making Observations, with Special Reference to the Significance of Observatories on Isolated Islands.

At the present stage of weather forecasting technique, it is essential

Note 2.

Average Annual Damage Due to Weather Disasters in 1926--1936

| Description | Losses | Damage to Arable Land | Damage to Ships |
|-------------|-------------|--------------------------|--------------------|
| | (Yen) | (Hectare) | (Number) |
| Floods | 124,120,307 | 46,255 | 833 |
| Tidal Waves | 5,246,821 | 1,811 | 1,508 |
| Storms | 23,782,187 | 19,939 | 523 |
| Total | 153,149,315 | 67,195 | 2,864 |

(From "Japan Statistical Yearbook", compiled by the Cabinet Statistical Bureau.)

Note 3. A study made by Dr. FUJIWARA, Sakuhei, former Director of the Central Meteorological Observatory, shows that the number of fire outbreaks in Tokyo is in inverse proportion to the degree of humidity. Thus, on a day when the air is so dry that the degree of humidity is 40 percent or less, the average number of fires is 4.5 per day, but with a humidity of 90 percent or over, it is only around 1.

Again, the greater number of configurations which occurred on the littorals of the Japan Sea broke out on days when there were fairly strong cyclones over that sea. (From "Storms" by OTANI, Tohei, published in 1940.)

(2)

that meteorological observations are conducted simultaneously at many points over wide areas by a uniform method, and that they are so organized and coordinated as to facilitate the comparison and analysis of data. This is true especially of a country like Japan which, being exposed to vast oceans, requires above all else observations on outlying isolated islands (Note 4). It is, of course, true that meteorological observations at sea can be, and are, made aboard ships, but, this mode of observation has a shortcoming in that it is impossible to obtain the results of observations made at one and the same spot over a long period of time. Moreover, owing to the fact that ships, ordinarily, steer clear of areas over which the weather is bad, no direct observations of bad-weather areas is possible. In the light of this fact, an observatory on an island, because it operates at a fixed point, has a merit, which no ship afloat can match. Again, the observatories on isolated islands, forming vital links in the network of meteorological observations, provide the bases for the study of meteorological phenomena unaffected by terrestrial conditions.

II. MINOR ISLANDS ADJACENT TO JAPAN AND METEOROLOGICAL OBSERVATIONS

Of the islands surrounding Japan, where the Japanese governmental or administrative authorities have ceased, those on which the principal meteorological observatories have hitherto existed are as follows (excluding those newly established in wartime by the military authorities, and also those operated on a minor scale):

1. Nansei (Southwestern) Islands (Naha, Naze, Miyakojima and Ishigakijima).

Of all the islands adjacent to Japan, the Nansei Islands have the old-

Note 4. At the time of the Typhoon Akune which struck the western part of Japan in October 1945, data were obtained from 40 spots on October 9, at 6 a.m., when the center of the typhoon was near Naha; from 37 spots on the 10th, at 6 a.m., when it had come near Amami-Oshima; and from 31 spots on the 11th, at 6 a.m., when it had passed across the coasts of Hyogo Prefecture. But no data whatever could be obtained from the Chinese continent, nor from Korea. On the basis of these scanty data, it was judged that the typhoon would move on to the North Pacific via Hachijojima, the Izu Islands. But, actually, continuing on its northerly course, it moved from Shikoku to Chugoku, crossed the land, and went off in the direction of the Japan Sea. This misjudgement was due to the fact that it was not known that a trough existed over the Japan Sea, concerning which no data have been available.

(3)

est meteorological facilities. The observatory at Naha was established in 1890, and those in Naze and Ishigakijima in 1896. The observatory in Miyakojima is the only one in this region which is comparatively new (1935). After the war, meteorological observations and forecasts have been made on Ishigakijima, Miyakojima and Naze, by Japanese by order of the Allied General Headquarters.

Of meteorological observations in the Nansei Islands, the most important is that of the typhoon (Note 5). The typhoon is the most serious menace to Japan. It comes through different areas according to the season of the year, following sometimes a erratic course. But usually a typhoon, which strikes this country, originates in the Mandated Islands area, moves westward, veers to northwest, and then at a point near 25 degrees N. Lat., turns to northeast for Japan. The Nansei Islands are located near the very point where the change of the direction of the typhoon occurs; thus, these islands provide points of observation which are specially indispensable in knowing the course of the typhoon after its direction is changed and in calculating its speed.

The Nansei Islands are also important for the observations of cyclones in winter and of the *baiu* (rainy season) front in early summer.

Cyclones constitute a main factor in the winter weather disturbances in Japan. Caused by the warm front coming from the south, they originate most frequently in the neighborhood of the Nansei Islands, which, therefore, constitute an important point of observation (Note 6).

With regard to the *baiu* which lasts from mid June to the first half

Note 5. The typhoon occurs almost every year during the period from summer to autumn, causing a major disaster about once in five years. It is a tropical cyclone accompanied by violent winds, heavy rains and high tidal waves (see Note 15). The fact it comes at the very season when the rice plant flowers and matures, makes its visitation all the more devastating. While the devastations caused by the typhoon are very serious, the area affected by it is comparatively narrow, usually within a radius of about 300 kilometers from its center, and the speed of its progress is comparatively slow (usually around 20 kilometers an hour; occasionally 60 or 70 kilometers). Therefore, if the location of a typhoon, the direction of its advance and other details are known beforehand, it is possible to take precautionary measures to minimize the damage. The principal region which suffers from the typhoon is West Japan, though the Kanto and other districts are also frequently afflicted.

Of the observatories on the Nansei Islands, that in Naha is of the greatest importance for forecasting typhoon observations. The Naha observatory has continued to send out the results of observation for the past 55 years, and possesses a valuable stock of data regarding the mechanism of the typhoon.

Note 6. For the purpose of observing winter cyclones, special apparatus attaches to Ishigakijima and Naze. For example, when the wind changes to south and temperature and vapor tension rise at Ishigakijima, it presages the coming of a warm front and a cyclone in the making, which means an impending weather change in Japan.

of July, its front is formed in a region to the east of the Nansei Islands, and, along with this front, cyclones originating near the Yangtse River move eastward, one after another, giving rise to many days of continuous rainy or cloudy and damp weather in this country. For ascertaining the location and condition of the *baiu* front, the Nansei Islands are of great importance as a point of observation (Note 7).

On the basis of the data gathered by the observatories on the Nansei Islands since a long time ago, studies have been made with respect to the relationship between the meteorological phenomena observed around those islands and the meteorological changes taking place in Japan; and the results of these studies have played an important role in forecasting climatic conditions in various parts of this country (Note 8).

2. Daito (Oagari) Islands (Minami-Daitojima and Okino-Daitojima).

In 1940 an observatory was established on Minami-Daitojima and on Okino-Daitojima. Located at the foremost points for observing the typhoon coming from the Mandated Islands area, these two observatories are of the utmost importance (Note 9). Without these observatories typhoon forecast

Note 7. The "baiu" is in itself by no means a harmful phenomenon; on the contrary, it is essential to the rice-planting. What is feared is the occurrence of abnormality. It may turn out to be "empty" with too little rain, causing a drought; or it may bring too much rain and floods.

The "baiu" is a phenomenon occurring along the border line between the warm and humid Ogasawara air mass in the south and the cold and humid Okhotsk Sea air mass in the north.

In early summer, these two air masses approach each other in the neighborhood of Japan, and form a discontinuous line (front), extending roughly from east to west. This is the "baiu" front. Along this front, cyclones advance eastward in rapid succession. As a result, bad weather with cold and cloudiness prevails north of the front, while south of the front it is sultry and showery. In making observations of the "baiu", therefore, it is necessary to ascertain the conditions of these two air masses.

Note 8. For example, during the past 15 years there has been a certain parallel relationship between the July temperature in Naha and the barometric pressure in Shana, the Kuriles, in the following January. On the basis of this parallelism, it is possible to forecast the average barometric pressure in the Kuriles and thereabouts.

Note 9. A few instances are given below showing how the meteorological conditions on the Daito Islands serve to indicate the existence of a typhoon.

(1) When the wind on Okino-Daitojima is easterly with a velocity of 8 meters or over, with the weather cloudy, and when a high pressure area is found over the northern part of the Philippines, it is most probable that there is a typhoon near a point 130° E. Long. and 15° to 20° N. Lat.

(2) When the wind over the Daito Islands and Chichijima of the Ogasawara Islands forms a large cyclonic system, it is certain that there is a great typhoon over the Mariana Sea.

(3) When the wind direction over the Daito Islands changes to northerly or northeasterly after the barometric pressure has steadily fallen two millimeters or more in the preceding six hours, it is most probable that there is a typhoon over the ocean east or southeast of the Nansei Islands.

would be delayed by 12 to 24 hours. Okino-Daitojima, lying at a point about 80 miles south of Minami-Daitojima, is in a position even better than Minami-Daitojima.

At present, on Minami-Daitojima, meteorological observations and reports are made by Japanese, under orders of the Allied General Headquarters.

3. Ogasawara (Bonin) Islands (Chichijima).

An observatory has been maintained on Chichijima of the Ogasawara Islands since 1907. Located midway between Japan and the Mandated Islands, Chichijima lies at a point of the utmost importance for ascertaining the conditions of a typhoon and for forecasting its landing on Japan. It is also of importance for observing the formation and dissipation of the Ogasawara High (pressure), which serve to indicate the conditions of the *monsoon*. Meteorological reports and data gathered at Chichijima during the past 40 years are widely used in forecasting climatic conditions in Japan proper.

5. Other Areas.

In addition to the places mentioned above, observations have hitherto been conducted by Japanese at observatories on the Mandated Islands, Formosa, Saghalien, Korea, Manchuria, China, etc., as set forth below:

(1) The Mandated Islands.

On the Pacific Islands formerly under Japanese mandate, meteorological observations began to be made by the Japanese Navy, in 1914. But it was after an observatory was established at Palao in 1923 that an adequate network of observatories was set up. Before the war the principal observatories in this region were located at Palao, Saipan, Ponape, Jaluit, and Truk.

These islands are of much importance as they lie in the region where typhoons originate.

(2) Formosa.

Meteorological observations have been conducted by the Government-General of Formosa since 1896. The older of the observatories are those located at Taihoku, Boko, and Koshun; and newer ones exist at Taichu, Tainan, Taito and Karenko. Further, an oceanographic observatory was established at Takao in 1931.

These observatories, along with those in the Nansei Islands, are important for locating typhoons and also the cyclones originating north-east of Formosa, and consequently for forecasting accurately their landing on Japan.

(3) Korea, Manchuria, and China.

In Korea, meteorological observations began in 1884, and they have been under the supervision of the Government-General of Chosen since 1910. Observatories are located at Fusan, Taikyū, Saishu Island, Seoul, Koryo, Gensan, Yuki, Chukochin, and Shingishu.

In Manchuria, meteorological observations were commenced by Japanese authorities in 1904 at Dairen, Yinkou, Mukden and Port Arthur. In 1924, meteorological observations were also begun in various other parts of Manchuria, the task being entrusted to the South Manchuria Railway Co. In 1933, a Central Meteorological Observatory was established at Changchun by Manchoukuo, which has since taken under its jurisdiction all the observatories in Manchuria.

In China, meteorological observations by Japanese have been conducted since 1904, principally in the concessions at Tientsin, Tsingtao, Shanghai and Hankow.

The observatories on the continent, mentioned above, are very important for weather forecasting in Japan, because of the fact that, normally, weather shifts from west to east. They play a most important

(8)

part in regard to observations relating to winter monsoons and continental cyclones.

(4) Saghalien.

The observatories in Saghalien, along with those in the Kuriles, are of importance for ascertaining the meteorological conditions over the Okhotsk Sea. Changes in the high pressure over the Okhotsk Sea are specially important for foreseeing cool summer damage in North Japan and the coming of the *baiu* in Japan. The principal observatories in Saghalien were located at Toyohara, Honto, Shikka and Maoka. In Toyohara, there was also a geomagnetic observatory. Here observations have been conducted since 1932, and studies have been made, with many valuable results, by way of probing geomagnetic phenomena.

III. MARITIME WEATHER AND OCEANOGRAPHIC OBSERVATIONS.

As Japan is surrounded on all sides by sea, the oceanographic observations are no less important than meteorological observations. In prewar days, observation-boats of the Central Meteorological Observatory cruised over extensive areas in the Okhotsk Sea, the Pacific, and the Japan Sea, making observations of maritime weather and oceanic conditions. At the same time, these boats conducted longshore observations and off-shore fixed-line (sectional) observations with the various outlying islands as bases of operation.

1. The Okhotsk Sea, the Kuriles, and Southern Marine Areas of Kamchatka.

In the past, the *Ryofu-Maru*, an observation-boat of the Central Meteorological Observatory, used to make voyages to the Okhotsk Sea and to the Kuriles, in order to make oceanographic researches. An airplane of the Central Meteorological Observatory also investigated the conditions of floating ice in those areas in winter, using Memambetsu, Hokkaido as a base. Researches in the said areas were also frequently conducted by observation-boats of the Fishery Experimental Station of the Agriculture and Forestry Ministry and of the Hydrographical Office.

(9)

2. Areas of the *Kuroshio* Current.

The conditions of the *Kuroshio* (a warm current) have great effects on the crop-damaging cool summer in North Japan, the development and shifting of cyclones, marine conditions along the coast, and fishing-grounds. In the past, Japanese observation-boats frequently proceeded to the Nansei Islands and to the seas to the east of Formosa to conduct researches concerning the meteorological phenomena and conditions of the *Kuroshio* Current. Operating with the neighboring islands as their bases, they also carried out longshore observations as well as off-shore fixed-line observations of which the principal ones are as follows:

(a) Yonakunijima-Suo Line.

At this line where the *Kuroshio* Current originates, observations have been conducted by the government.

(b) Okinawajima-Northwest Line.

Observations had for many years been conducted by the Fishery Experimental Station of the Okinawa Prefectural Office before the war. Together with the line mentioned above, this line is important for studying the *Kuroshio* Current and for investigating the migrations of tuna, bonito and other fishes which take to warm currents.

(c) Amamiyoshima-Northwest Line.

This line serves the purpose of studying how the Tsushima Current ramifies from the *Kuroshio*.

(d) Tateyama-Ogasawara Islands Line.

This line serves the purpose of studying the *Kuroshio* where it leaves the south coast of Honshu and is about to shift eastward, and also the main features of the Ogasawara Counter-Current. Again, the line is important in connection with bonito and tuna fishing and also whaling.

3. The Japan Sea Area.

It is mostly over the Japan Sea that winter cyclones pass. Therefore, knowledge of meteorological phenomena over the Japan Sea is necessary for studying weather. The marine conditions in the Japan Sea have much to do with the weather and snow fall along the Japan Sea littorals of this country. Those conditions also have a close bearing upon the development of off-shore fishing in that sea. Observations in regard to the Japan Sea

have hitherto been conducted by the *Shumpu-Marui* and other vessels. Further, fixed-line observations used to be carried out between Tsuruga and Seishin, Niigata and Vladivostok, the Goto Islands and Saishu Island, and between Tsuno Island and Fusan.

IV. CONCLUSION.

It has been made clear in the preceding pages that Japan, because of its geographical conditions, is confronted, as no other country is, with the imperative necessity of meteorological and oceanographic observations on an extensive scale.

Nevertheless, Japan today relies, for the vital task of meteorological observation, upon a limited domestic observation network, beside radio broadcasts of meteorological reports of adjacent countries, and the observations conducted by Japanese under orders from the Allied Headquarters on a few outlying islands which have been excluded from Japanese administrative jurisdiction. Maritime meteorological observations and oceanographic observations are also confined to the areas for fishery operations as designated by the SCAP Directive of June 22, 1946. And even within the said designated areas the use of the islands excluded from Japanese administrative jurisdiction is denied as bases for longshore or off-shore fixed-line observations.

Of course, information may and must be exchanged with the adjacent areas. But the data obtained by such exchanges cannot take the place of those obtained by direct observation under the Japanese system. Where foreign observation systems have supplanted the Japanese system, it would be difficult to continue investigations on the basis of the valuable data that have been accumulated by Japanese observatories during the long years past.

With a full measure of international cooperation it might be possible to reach a working arrangement for the daily routine observations. But any urgent investigation of a special nature would be exceedingly difficult. Furthermore, differences in equipment and technique might occasion discrepancies in the standards of value for observation data.

In view of such considerations as above, it is earnestly hoped that the scope of the meteorological observations now conducted by Japanese on the adjacent islands will be extended as much as possible, entirely apart from the question of the political or administrative status of those islands, and also that oceanographic observations will be permitted as far as possible beyond the currently prescribed fishing areas.

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JAPAN AND NARCOTIC DRUGS

MINISTRY OF FOREIGN AFFAIRS
JAPANESE GOVERNMENT

FEBRUARY 1950

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1. INTERNATIONAL CONVENTIONS CONCERNING NARCOTIC
DRUGS AND THEIR RELATIONSHIP TO JAPAN

A. Before the First World War

International cooperation for the prevention of opium-smoking and of the abuse of narcotic drugs dates from the International Opium Conference which was held at Shanghai in February, 1909, through the good offices of the United States Government, and at which Japan, the British Empire, America, France, Germany, Russia, Austria, Italy, The Netherlands, Persia, Portugal, Siam, and China were represented. The Resolutions then adopted by the Conference did not constitute an International Convention binding upon the Governments of the participating countries. As such, those Resolutions, left by themselves, failed to achieve concrete results.

Later, on the proposal of the United States Government, the delegates from the countries participating in the Shanghai conference assembled again at The Hague in 1912 and concluded the first international opium agreement for the prevention of the abuse of opium and narcotic drugs (January 23, 1912).

That Agreement contained provisions, first, for the restriction or prohibition of the production, distribution, use, and import or export of raw opium, prepared opium, medicinal opium morphine, cocaine, and heroin, and, secondly, for the observance of the agreement by China and all countries having extraterritorial rights in China.

Subsequently, in 1913 and again in 1914, international conferences were held at The Hague to speed the signing or ratification of the said International Opium Agreement, but the first World War broke out before the effectuation of the agreement, which was prevented by the delay in the deposit of necessary ratifications.

B. From the Termination of World War I to the Outbreak of World War II

The peace treaties after the First World War provided that the States signatory to the International Opium Convention signed at The Hague in 1912 should bring the Convention into force and for this purpose to enact

the necessary legislation without delay, and in any case within a period of twelve months from the coming into force of the peace treaties. From January 10, 1920, Japan, as a State signatory to the peace treaties, adopted stringent measures, based on the provisions of the said Convention.

On the other hand, in Article 23, para. (c) of the Covenant of the League of Nations, it was provided that the League should be entrusted with the general supervisions over the execution of agreements with regard to the traffic in opium and other dangerous drugs. Accordingly, the affairs of opium and narcotic drugs came to be dealt with on a broad, world-wide scale, instead of being a question regarding only China and the neighboring countries. In 1921, the Opium Advisory Committee was established in the League, and Japan participated in all the anti-opium activities of the League.

Later, during the period from November, 1924, to February, 1925, two international opium conferences were held at Geneva, and the result was that the First Opium Conference Agreement (February 11, 1925) and the Second Opium Conference Convention (February 19, 1925) were signed. Those two agreements were ratified by Japan on July 26, 1928.

Under the First Opium Conference Agreement, the provisions of the International Opium Convention of 1912, Chapter 2, for the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium were further strengthened by the British Empire (including India), China, France, Japan, The Netherlands, Portugal and Siam with respect to their Far Eastern Possessions and Territories, including leased or protected territories, in which the use of prepared opium had been provisionally permitted.

The Second Opium Conference Convention was concluded among the various countries concerned for the purpose of carrying out more vigorously the stipulations of the 1912 International Opium Convention and bringing about a more effective limitation on production and manufacture as well as exercising a closer control and supervision over international transactions. The second Convention replaced the provisions of the first, under Chapters I (Raw Opium), III (Medicinal Opium Morphine, Cocaine, etc.), and V (Exchange of Information among the Contracting Parties).

It is to be noted that, in the same Convention, provisions were made for the establishment of a Permanent Central Board, and for imposing on the High Contracting Parties the duty of filing annual estimates and reports

with the said Board. So far as opium and narcotic drugs were concerned, it may be said that an international administration in the true sense of the term was well on its way toward its solid establishment.

Subsequently, in July, 1931, the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs was concluded at Geneva supplementing the provisions of the Conventions of 1912 and in 1925. It was intended to limit by international agreement the manufacture of narcotic drugs to the world's legitimate requirements for medical and scientific purposes and to regulate their distribution.

The outstanding features of this Convention are the completion of the estimate system and the establishment of the Supervisory Body. The Convention was ratified by Japan on April 17, 1935.

In November of the same year, the Agreement for the Suppression of the Use of Opium for Smoking was signed at Bangkok by the United Kingdom of Great Britain and Northern Ireland, France, India, Japan, The Netherlands, Portugal and Siam, to be applied only to the Far-Eastern possessions or territories of the High Contracting Parties, including leased or protected territories.

On June 26, 1936, the Convention for the Suppression of the Illicit Traffic in Dangerous Drugs was concluded in order to strengthen the measures intended to penalise offences violating the provisions of the International Opium Convention of 1912, the second Opium Conference Convention of 1925, and the Convention of 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs and, on the other hand, to combat by the most effective methods the illicit traffic in the drugs and substances covered by the above Conventions. Japan signed that Convention, but before she ratified it, World War II broke out.

C. After World War II

Following the termination of World War II, a Protocol was signed on December 11, 1946, for the amendment of the Agreements, Conventions and Protocols on Narcotic Drugs concluded at The Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925, and 13 July 1931, at Bangkok on 27 November 1931 and at Geneva on 26 June 1936, in order to transfer to the newly established United Nations and the World Health Organization or its Interim Commission the specific duties and functions previously assigned to the League of Nations. The Japanese

Government notified in writing to the SCAP on September 16, 1948, its agreement in principle with the provisions of the same.

On August 3, 1948, the Economic and Social Council of the United Nations adopted the "Protocol for Bringing under International Control Drugs outside the Scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs as Amended by the Protocol Signed at Lake Success on 11 December 1946", which was later signed at Paris on November 19, 1948.

Annex I lists all international conventions and agreements, etc. which have been concluded in the past with or without Japan's participation.

2. DOMESTIC NARCOTIC CONTROL

The history of narcotic controls by the Japanese government may be described under three heads: A. Japan proper, B. overseas territories and C. areas under extraterritorial jurisdiction.

The government agencies in charge of narcotic controls were, for Japan proper, the Home Ministry and later the Welfare Ministry; for overseas territories, the Ministry of Overseas Affairs and later the Ministry of Greater East Asia; and for the areas where Japan possessed extraterritoriality, the Foreign Ministry and later the Ministry of Greater East Asia. The Imperial Ordinance No. 33, of March 31, 1931 (Ordinance concerning Opium Commission) had brought into existence a commission charged with the duties to investigate and consider important matters relative to opium and other narcotic drugs under the supervision of the Home Minister, but it was abolished by the Imperial Ordinance No. 311, of 1941.

A. Japan Proper

As early as in 1858, 10 years before the Meiji Restoration, provisions were laid down concerning opium in the "Treaty of Amity and Commerce" with the United States and also in the "Regulations under which British Trade is to be conducted in Japan" for the prohibition of importation of opium, strict punishment of offenders and confiscation of illegally handled goods. After the Restoration the controls were more and more tightened. In April, 1868, people were warned of the harm of opium-smoking and were prohibited not only to smoke or eat but also to buy, sell, receive or give opium, on penalty of heavy punishment.

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In August, 1870, the Regulations concerning Handling of Raw Opium were introduced. Under the regulations any opium sold or purchased for medicinal purposes should be reported to local government authorities by the apothecaries and the physicians concerned. The Criminal Code, which was promulgated in 1880 and came into force as from January, 1882, further strengthened the controls by prescribing more rigorous punishments, as compared with those for other crimes, in reference to persons guilty of importing, manufacturing or selling of opium, conducting opium dens, smoking, or inducing others to smoke, or of possessing, or giving or receiving smoking instruments. The efforts as described above were so successful that no Japanese living in Japan proper has ever been reported to have caught the habit of opium-smoking.

As to opium for medical and medicinal uses, the Regulations concerning Sale, Purchase and Manufacture of Opium for Medicinal Uses were established in 1878, to take effect as from May of the following year. The regulations were amended and incorporated into the Opium Law which was promulgated and took effect in 1897. Although subsequently the Opium Law was partially amended by the Law No. 26, of 1917, and again by the Law No. 42, of 1919, specific control measures in regard to manufacture of opium and other related matters have been taken under the provisions of that law.

In regard to other narcotics, the Home Ministry Ordinance No. 17, of May 19, 1930, or the Narcotic Control Regulations (as amended by the Home Ministry Ordinance No. 33, of 1934) was introduced, under which individual narcotic drugs were defined and their handling, ranging from import, export, manufacture down to consumption, was controlled. With the introduction of the Medicinal Affairs Law, the Law No. 48, of March 12, 1948, the contents of the above-mentioned regulations were absorbed in the enforcement regulations of the new law, and the Home Ministry Ordinance No. 17 was abolished accordingly. The Enforcement Regulations of the Medicinal Affairs Law, like their predecessor, gave definitions of narcotics and controlled their import, export, manufacture, down to consumption.

B. Overseas Territories

In the overseas territories, Chapter XIV of the Criminal Code was applied on crimes pertaining to opium-smoking. Namely, the provisions of that Chapter were made applicable respectively, in Korea, under the Imperial Ordinance No. 11, of March 18, 1912, or the Chosen Criminal Affairs

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Ordinance; in Formosa, under the Ordinance No. 9, of August 28, 1908, or the Taiwan Criminal Affairs Ordinance; in Kwantung Leased Territory, under the Imperial Ordinance 212, of September 24, 1908, or the Kwantung Leased Territory Judicial Procedure Ordinance; in Saghalien, under the Imperial Ordinance No. 192, of August 7, 1908; and in South Sea Islands, under the Imperial Ordinance No. 26, of January 27, 1923, or the South Sea Islands Judicial Procedure Ordinance.

The legal setup for controlling narcotics was varied with each territory in the light of its special circumstances, as described below.

(1) Korea

Korea being contiguous to China, no small difficulties were encountered at the outset in controlling illegal smoking, eating or planting in the border area, particularly in wooded districts. But as in the case of Japan proper, thoroughgoing measures of the government authorities produced successful results. Namely, on the one hand, efforts were made to suppress the practices of opium-smoking and opium-eating under the Chosen Criminal Affairs Ordinance of 1912 (Ordinance No. 11), and on the other, controls were enforced relative to buying, selling, receiving or giving of opium for medicinal uses by introducing in the same year the Ordinance for Controlling of Medicines and Medicine Dealers. Furthermore, on June 11, 1919, the Chosen Opium Control Ordinance (Ordinance No. 15) was promulgated, putting opium under government monopoly; strictly prohibiting import and export thereof by private individuals; imposing more stringent restrictions on purchase, sale, receiving or giving of opium; and setting up a system under which only designated planters were allowed to plant opium-poppy in specified areas under close supervision of the authorities, and all products were to be purchased by the government. As to other narcotic drugs their manufacture was confined to designated companies, to whom the government sold raw materials and who were under obligation to keep records of both raw materials and manufactured goods having been received or delivered. In 1920 additional regulations were instituted concerning control of morphine, cocaine and their salts (the Chosen Government-General Ordinance No. 194) to place sale, purchase, giving and receiving of narcotics under stricter control.

On April 25, 1935, the Chosen Government-General Ordinance No. 194, of 1920, was abolished, and since then measures same as those prescribed

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in the Home Ministry Ordinance No. 17, of 1930, effective in Japan proper, were adopted under the Chosen Narcotic Control Ordinance (Ordinance No. 6).

(2) Formosa

Formosa was ceded to Japan by China in April, 1895. The opium policy for dealing with habitual opium-smokers among Formosans who became Japanese nationals, constituted one of the important problems of Japanese administration of the island.

The Japanese government adopted a policy of gradual suppression of opium-smoking with the objective of wiping it out. In January, 1897, the Taiwan Opium Ordinance and its enforcement regulations were promulgated to take effect as from April 1 of the same year. It was by slow degrees and after years of investigation and registration of addicts, free medical service and popular educational campaign that opium smoking was finally controlled—and so successfully that the records of the island came to be widely acknowledged as an encouraging precedent for the Far East in opium-control administration.

(3) Kwantung Leased Territory

As Kwantung Leased Territory bordered on China, a thorough police control was difficult. In order to curb the opium-smoking practices gradually with the objective of eradicating it totally, the government introduced the Kwantung Leased Territory Opium Ordinance (the Imperial Ordinance No. 53) on March 27, 1924. A charity organization was designated to engage in the import of raw opium and manufacturing and sale of prepared opium; only victims of toxicosis were licensed to take opium; any violations were made liable to heavy punishments. As to opium and other narcotic drugs for medicinal uses, controls were enforced over import, export, manufacture, sale, purchase and use, under the provisions of the Regulations for Controlling of Medicine Dealers and Medicines, of 1909; the Kwantung Government-General Ordinance concerning Controls of Morphine and Cocaine, of 1915; the Kwantung Government-General Ordinance No. 10, concerning Confiscation of Fire-Arms, Powders, Opium, Morphine, Cocaine, etc., of 1916; and the Narcotic Control Regulations, on September 23, 1935 (Kwantung Government-General Ordinance No. 58).

(7)

Since the establishment of Manchukuo, sale of opium was made a monopoly business of the government. The government purchased all opium produced in the country, issued license to addicts and sold them government-held opium, prohibiting non-governmental sales and purchases. In the South Manchurian Railway zone where the administrative authority belonged to the Kwantung Government-General, the South Manchurian Railway Zone Opium Control Regulations (the Kwantung Government-General Ordinance No. 14) were set up on April 25, 1933, whereby a system of opium monopoly after the Manchukuoan pattern was enforced.

(4) Saghalien

The Narcotic Control Regulations (the Karafuto Government-General Ordinance No. 40) of November 26, 1930, with a set of control provisions similar to those effective in Japan proper.

(5) South Sea Islands

Controls were carried out under the Regulations for Controlling of Opium and of Morphine, Cocaine and Salts Thereof (the South Sea Islands Government Office Ordinance No. 28, September 4, 1922).

C. Areas under Extraterritorial Jurisdiction (Mainly Areas in China)

Among Japanese nationals resident in areas where Japan possessed extraterritoriality, there were comparatively few criminal cases of opium-smoking, as the provisions in Chapter XIV of the Criminal Code were applicable to them as a general principle. However, in regard to other narcotics and raw opium, the penalties as provided for in various consular orders in force had been too moderate to produce satisfactory controlling results. Accordingly, a series of Foreign Ministry Ordinances were enforced one after another, i.e. the Ordinance for Controlling Opium and Anaesthetic Drugs in China, of 1928 (the Foreign Ministry Ordinance No. 8), the Ordinance for Controlling Opium in China of June 30, 1936 (the Foreign Ministry Ordinance No. 10), and the Ordinance for Controlling Narcotics in China of the same date (the Foreign Ministry Ordinance No. 11). Still the prescribed penalties were not severe enough to attain an adequate control. Cases of crimes committed by Japanese residents in violation of the ordinances relating to narcotics and raw opium registered a sharp rise; and an

increasing number of them became habitual narcotic users. In the circumstances, the Control of Narcotics Ordinance, under the Imperial Ordinance No. 815, was set up and enforced on August 12, 1941, to be applied to Japanese residents, providing for heavier penalties on the one hand, and consolidating all control provisions in a single ordinance, on the other.

The chronological table of the legislations in Japan proper, her overseas territories and the areas where Japan possessed extraterritoriality is given in Annex 3.

3. INTERNATIONAL CRITICISMS AGAINST JAPAN'S NARCOTIC CONTROL

After the outbreak of the Manchurian Incident in 1931, international criticisms concerning the problem of illicit traffic in opium and other narcotic drugs began to be directed against Japan at the Assembly of the League of Nations and at the meeting of the Opium Advisory Committee.

The main points of censure were as follows:

(1) Japan's import of opium exceeded the lawful demand. At the first meeting of the Opium Advisory Committee of 1921, various statistical reports on opium during the 10 years from 1910 to 1920 were asked for, and they were submitted to the second meeting of the Advisory Committee. But there were discrepancies in the amounts mentioned in the reports submitted by Japan, Great Britain and America, especially between the amount of export from the country of shipment and that of import into the country of destination. It was pointed out that Japan's import had exceeded her estimated demand of 450 milligrams of raw opium per capita per annum.

(2) The above-mentioned excess was said to have been made into morphine and heroin and was smuggled into China, India and the South Seas areas. At the 18th meeting of the Advisory Committee (1934) figures were cited on the manufacture of morphine and heroin in Japan, as shown in the following table, questioning Japan's claim that the whole amount of the heroin was used for domestic consumption. The matter continued to engage the attention of the Advisory Committee at its later meetings.

Table No. 1

| Morphine | | | |
|----------|---|-------------------------------|---------|
| | Amounts reported from various countries to the League of Nations (Unit, Kilogram) | Amounts Manufactured in Japan | Ratio % |
| 1928 | 46,166 | 2,390 | 5.2 |
| 1929 | 57,792 | 1,989 | 3.4 |
| 1930 | 38,556 | 1,904 | 4.9 |
| 1931 | 30,457 | 1,446 | 4.8 |
| 1932 | 25,656 | 1,832 | 7.1 |

Table No. 2.

| Heroin | | | |
|--------|---|-------------------------------|---------|
| | Amounts reported from various countries to the League of Nations (Unit, Kilogram) | Amounts Manufactured in Japan | Ratio % |
| 1928 | 7,811 | 1,745 | 22.3 |
| 1929 | 3,652 | 1,590 | 43.5 |
| 1930 | 4,088 | 1,396 | 34.2 |
| 1931 | 1,249 | 688 | 55.1 |
| 1932 | 1,315 | 734 | 55.8 |

(3) Japan was accused of importing large quantities of coca leaves for the manufacture of cocaine. The figures of cocaine manufacture in Japan, which were brought out at the 18th meeting of the Advisory Committee are as follows:

Table No. 3

| Cocaine | | | |
|---------|---|-------------------------------|---------|
| | Amounts reported from various countries to the League of Nations (Unit, Kilogram) | Amounts Manufactured in Japan | Ratio % |
| 1928 | 7,200 | 1,420 | 19.7 |
| 1929 | 6,434 | 1,215 | 18.8 |
| 1930 | 5,838 | 1,192 | 20.4 |
| 1931 | 4,612 | 1,008 | 21.8 |
| 1932 | 3,973 | 931 | 13.4 |

Questions were raised after the 12th meeting of the Advisory Committee of 1929 concerning seizures of Japanese-made cocaine in India and other British colonies.

(4) In Japan proper crimes relating to prepared opium were liable to comparatively heavy punishment under the Criminal Code, while penalties

for offenses concerning narcotic drugs were relatively light under ministerial ordinances.

This was pointed out after the 15th meeting of the Advisory Committee of 1932.

(5) A great deal of the narcotics seized on the Pacific coast of America was alleged to be of Japanese origin. The case of the Chichibu-maru smuggling of cocaine into America in 1934 was cited as an instance.

(6) Japanese ships were charged with transporting Persian opium to China and also smuggling the same into other countries on the way. For instance, at the 14th meeting of the Advisory Committee (1931) the case of the Japanese ships Kohatsu-maru and Daisoku-maru transporting Persian opium and the case of the Thames-maru were discussed, and the case of the Hinode-maru smuggling opium into French Indo-China was brought up for discussion at the 17th meeting of the Advisory Committee (1933).

(7) Japanese residents, particularly Koreans, in China, abused extra-territoriality and conducted illicit traffic. But the penal provisions were so lax and the illicit traffic was so large and extensive that control was almost impossible. The case of illicit sale of the morphine and cocaine manufactured by the Taisho Pharmaceutical Company and the Koto Pharmaceutical Company, the case of seizure of the Fujizuru brand cocaine at Hongkong and in India, the case of the S.S. Egura smuggling the Fujizuru brand cocaine into Rangoon, and the frequent smuggling of narcotic drugs into China, especially into North China by Japanese nationals were taken up one after another at the Advisory Committee meetings.

(8) Japan was held responsible for the maladministration of opium and other narcotics control in Manchukuo. For instance, the question of Japanese loans to Manchukuo on the revenue from the monopoly of opium and the problem of Manchurian opium were discussed at the 16th meeting of the Advisory Committee (1932) and the 17th meeting of the Advisory Committee (1933) respectively.

The International Military Tribunal for the Far East confirmed in its judgment the following facts concerning Japan's opium and other narcotics control:

Concerning Japan's overseas narcotic control during the period from the Manchurian Incident to her surrender, it is recognized that Japan sanctioned and developed the traffic in opium and other narcotics drugs

in order to finance her operations in Manchuria and to weaken the resisting power of China.

During this period Japan was under obligation, as a party to the International Opium Convention of 1912 and the Second Opium Conference Convention of 1925, to restrict the manufacture and sale of narcotic drugs in the Chinese territory and to prevent the smuggling of narcotics into China with a view to assisting her in exterminating the habit of opium-smoking. On the other hand, China promulgated the Opium-smoking Prohibition Law, effective from July 25, 1929, in order to fulfill her obligations under the conventions mentioned above, and had a program to suppress gradually the production and consumption of opium by 1940. However, Japan had the principal source of opium and other narcotic drugs in Korea and Formosa at the time of the Mukden Incident, 1931 and for some time after that. At Seoul, Korea, the Japanese Government operated a factory for manufacturing opium and other narcotic drugs. At Shinei, Formosa, there was a factory where from 200 to 300 kilograms of cocaine were produced monthly. Wherever the Japanese troops went in China, there appeared at their heels Japanese and Korean peddlers of opium, who sold their goods without control of the authorities concerned, and even officers and men of the Japanese army were engaged in this traffic and made good profits. Japan promulgated in the occupied area of China opium laws based on the principle of gradual suppression under the International Opium Conventions of 1912, 1925, and 1931, but these laws resulted in the establishment of monopoly agencies of opium and narcotics which, contrary to their purpose, encouraged the practice of opium-smoking in order to increase the revenue.

It may be stated that this shameful situation was ascribable principally to the following factors:

- (1) The central Government offices and the oversea Government agencies concerned did not fully recognize the importance of narcotic control.
- (2) Administrative power was not exercised properly in Korea, Formosa and Kwantung Leased Territory. The overseas administrative power of the Ministry of Colonial Affairs, or the Ministry of Greater East Asia later, was not strong enough, and the central Government offices were ignored.
- (3) The central Government offices and the oversea Government agencies concerned could not prevent the armed forces and unscrupulous camp fol-

lowers from indulging in evil ventures and practices with regard to opium and narcotic drugs.

(4) Koreans in the area under extraterritorial jurisdiction and the Japanese troops stationed in China and Formosa were either utterly ignorant of, or wilfully ignored, the moral, social and international implications of their misdeeds.

4. MEASURES TAKEN AFTER THE WAR'S END BY THE GENERAL HEADQUARTERS OF THE ALLIED POWERS AND THE JAPANESE GOVERNMENT

A. Legislative measures

Under series of memorandums issued by the General Headquarters of the Allied Powers after the war's end in respect to opium and other narcotic drugs, notable reforms have been carried out in the control of narcotics. For example, (1) the prohibition of import, export and manufacture of narcotic drugs, of cultivation of narcotic plants, and of manufacture and possession of diacetylmorphine and its preparations; (2) the establishment of the licensing system, and; (3) imposition of certain obligations on narcotic dealers have been stipulated by Welfare Ministry Orders Nos. 44 and 45 of 1945, and No. 25 of 1946.

Under the Regulations for Controlling Narcotics (Welfare Ministry Order No. 25 of 1946), the manufacture of narcotic drugs was prohibited, but this prohibition has been removed by a SCAP Memorandum dated 28 June 1947. The said Regulations were replaced by the Narcotic Control Law (Annex 2-A), Law No. 123 of 10 July 1948 in order to suppress completely the misuse of narcotics and at the same time to ensure an adequate supply necessary for therapeutical and scientific purposes. Under this Law, the scope of punishable acts was extended and the penalty was made heavier.

The Narcotic Control Law consists of 6 Chapters (General Provisions, Licence, Narcotic Dealers, Supervision, Sundry Provisions and Penalty) and Supplementary Provisions, containing 75 Articles all total.

The main features of the Law are as follows:

- (1) In order to prevent illicit traffic in narcotics and illegal use of same, the licensing system is established in respect to the persons who deal

with narcotics (Chapter 2) and any person other than those licensed is prohibited from dealing with narcotics (Chapter 3).

(2) In order to eradicate narcotic habit, it is made the responsibility of doctors to report addicts to the competent authorities (Article 41), administration of narcotics to them is prohibited (Article 39) and special punishment is provided for addicts who disturb public peace (Article 4, Item 4).

(3) There is established a system for traffic in narcotics (Articles 12, 20, 24, 28, 33, and 34), legal formalities are required for all the phases of such traffic (Articles 13 and 45), and narcotic dealers are required to keep records of all transactions so as to make clear the locations of narcotics as well as who are responsible persons.

(4) In order to enable the administrative offices to take appropriate measures in respect to the manufacture, storing and consumption of narcotics, dealers are required to submit prescribed reports to the competent authorities (Articles 21, 25, 31, 35, and 47).

(5) Penal provisions are made stricter than those in the old Pharmaceutical Law, offenders being liable to less than five years of penal servitude or fine of less than Y 50,000, or to both (Chapter 6).

The present Law incorporates the provisions of all the existing international conventions pertaining to opium and other narcotic drugs; as for instance, (a) the definitions of opium and other narcotic drugs (Article 1, the Geneva Convention of 1925, and Article 1, the 1931 Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs); (b) the items to be entered in the book by narcotic dealers (Article 6, the Geneva Convention of 1925); (c) the importation of the drugs by narcotic drug importers, (Article 12, the Convention of 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs).

In the meantime, under the Marijuana Control Law (Law No. 124) which was enacted on the same day as the Narcotic Control Law, marijuana is treated separately from opium and other narcotic drugs in view of the nature of the plant as an agricultural product.

The measures taken in accordance with GHQ instructions are listed in Annex 4.

B. Administrative Reorganization

(1) Reorganization and Expansion of the Control Administration

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At the time of the termination of the war, narcotic control administration was in charge of only three officials of the Pharmaceutical Affairs Section of the Public Health Bureau, the Ministry of Welfare. The number of staff members was gradually increased to 12. On 2 April, 1947, the Narcotic Drugs Section was newly established in the Medical Affairs Bureau of the Ministry and the fixed number of personnel has since been increased to 26.

(2) Narcotic control officers and assistant control officers were appointed in Tokyo and local prefectures in accordance with Imperial Ordinance No. 152 of March, 1946, but in local prefectures, the narcotic control officer has become the prefectural officer as a result of the promulgation of the Regulations for the Enforcement of the Local Autonomy Law. Furthermore, some prefectural control officers have been vested with judicial power by Law No. 112 of 27 September, 1947, under which they were authorized to visit and search any place for narcotic drugs and marijuana. On 10 December, 1948, the number of prefectural control officers was increased from 200 to 250 by Law No. 238 for a Partial Amendment to the Narcotic Control Law (Annex 2-B) which also authorized them to carry small types of weapons.

(Note) The Government introduced the Law Amending Partially the Narcotic Control Law and the Marijuana Control Law to the Diet, on February 8, 1950, so that the status of prefectural narcotic control officers will be changed to that of the central government by April 1, 1950, and that the narcotic control administration may be strengthened.

(3) Disposition of Opium and Other Narcotics in Japan at the War's End

The raw materials and manufactured articles in the possession of the military authorities forming some 70% of the narcotics in Japan at the war's end and the raw materials and semi-manufactured narcotic drugs possessed by private firms were gathered and stored at Yokohama and Kobe by SCAP authorities. However, finished products were turned over to the Japanese Government in accordance with the Memorandum dated 12 October, 1945, and the Government stored them at Sapporo, Sendai, Tokyo (2 places), Niigata, Osaka (4 places), Okayama, Takamatsu and Fukuoka. The Ministry of Welfare has subsequently released the stored goods to private firms.

The raw materials possessed by the military authorities and raw materials and semi-manufactured drugs owned by private firms have also been turned

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over to the Japanese Government in accordance with the Memorandum of 28 June, 1947 and these are being used for manufacture of narcotic drugs for medical and scientific purposes at Tokyo by the Takeuchi and Sankyo Pharmaceutical Companies and at Osaka by the Takeuchi and Dai Nihon Pharmaceutical Companies.

In September, 1946, the United Nations asked the Japanese Government through the General Headquarters of Allied Forces to report the amount of production of narcotic drugs during the past 15 years (1930-45). Accordingly, the Ministry of Welfare submitted a report with the following contents:

- a. The seeds of narcotic plants available in Japan and the descriptions of raw materials and semi-manufactured drugs in stock classified by kind, location and owner.
- b. The location of factories for processing narcotic drugs and the owners of factories and capacity of each type of factories.
- c. The descriptions as to the manufacture and consumption of narcotic drugs (The amounts of manufacture and consumption for each year between 1930-45 were stated respectively).

The report was incomplete as no thorough investigation was possible due to the lack of time and personnel. Later, the General Headquarters having made for itself a comparative study of the said report, the data held by pharmaceutical firms and the reports previously submitted to the Permanent Central Opium Board by the Japanese Government, and pointed out the fact that, whereas the amount of heroin produced in 1937-38 given in the report to the United Nations was only 860 lbs. actually the drug was secretly manufactured to the amount of over 3 tons during the same period. The Japanese Government was subjected to censure on the ground that it had wilfully neglected its obligations under the international conventions. As a result of this incident, a technical expert of the Ministry of Welfare was dismissed, and two others were transferred.

(4) Reports to the United Nations

Since 1947, Japan has been submitting to the United Nations the following 8 kinds of reports out of the 9 the parties to the 1931 Convention are required to submit (Japan is not required to submit the annual statistics of prepared opium).

- a. Quarterly statistics of import and export of opium (Since 1946).

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- b. Annual statistics of import and export of methylmorphine and ethylmorphine (Since 1946).
- c. Annual estimate of raw materials. (do)
- d. Estimate of narcotic drugs manufactured. (do)
- e. Estimate of annual consumption. (do)
- f. Annual statistics of production of raw materials and manufacture of drugs. (do)
- g. Statistics of the confiscated narcotics. (do)
- h. Annual statistics of stocks (Since 1945).

C. Judicial Measures

Along with the legislative measures for widening the scope of control and tightening penal regulations, and the administrative measures for completing and strengthening control organs, there have been adopted judicial measures after the end of the war for strict enforcement of penal regulations. The police now take up even such minor offenses as were formerly overlooked, and refer them to the public procurator's office. Violation cases, therefore, have risen considerable, but the number of actual offenders is believed to have decreased. It may be added that foreigners in general and Formosans are tried in Occupation Forces' Courts.

The cases of violations of narcotic control handled by Japanese officials in 1948 and 1949 are as follows:

| | 1948 | 1949 |
|--|-------|-------|
| Violations of narcotic control | 1,746 | 2,954 |
| Cases sent to the procurator's office | 1,070 | 1,998 |
| Smuggling of heroin | 2 | 9 |
| Opium-smoking | 3 | 19 |
| Illegal cultivation of poppies | 11 | 20 |
| Illegal traffic in narcotics | 394 | 982 |
| Illegal possession of narcotics | 469 | 711 |
| Addicts who menaced the public welfare | 0 | 14 |
| Swindling of narcotics | 14 | 7 |
| Theft of narcotics | 18 | 34 |
| Intimidation | 0 | 7 |
| Supply of narcotics to the addicts | 92 | 97 |

(17)

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| | | |
|---|----|----|
| Keeping defective record of narcotics | 14 | 20 |
| Negligence of making report | 0 | 4 |
| Defective facilities for the sorting of narcotics | 13 | 3 |
| Private use of narcotics | 39 | 54 |
| Others | 1 | 17 |

5. CONCLUSION

Since the Allied occupation of Japan, the Japanese Government has, as stated before, been taking legislative, administrative and judicial measures to exercise control over opium and narcotics in the country.

Article 4 of the Narcotic Control Law provides for the absolute prohibition of the following acts:

- (1) Cultivation of the plants from which narcotics are produced;
- (2) Export of narcotics;
- (3) Possession, importation, manufacture, preparation, subdivision, use, delivery for use, giving or receiving of highly poisonous diacetylmorphine, its salts and all things which contain such substances; and
- (4) Disturbance of the public peace or loss of self-control through narcotic addiction.

The international criticisms leveled at Japan in the past had to do with what occurred mostly in Formosa, Korea, and Kwantung Province as well as the areas where Japan had extraterritoriality. Now that those territories are no longer under her control, it is out of question that she will ever resume the role of international villain in opium traffic.

Japan has now a new elaborate and effective machinery of control. Her domestic laws and regulations are drawn up scrupulously in line with international conventions. She is fully prepared to participate at any time in the international narcotic administration carried on under the auspices of the United Nations.

ANNEX 1.

International Conventions and Agreements on Narcotic
Drugs and Japan

| Convention or Agreement | Date & Place of Signing | Relationship to Japan |
|--|--------------------------------------|--|
| Resolutions of the International Opium Commission | Feb. 26, 1909 Shanghai | Participated in the Commission |
| International Opium Convention (Convention Internationale de l'Opium) | Jan. 23, 1912 The Hague | Ratification deposited and the Convention promulgated on January 10, 1920. |
| Conclusive Protocol of the International Conference on Opium (Protocole de Clôture de la Conférence Internationale de l'Opium) | " " | Signed |
| Conclusive Protocol of the Second International Conference on Opium-1913 (Protocole de Clôture de la Deuxième Conférence Internationale de l'Opium-1913) | July 9, 1913 The Hague | " " |
| Conclusive Protocol of the Third International Conference on Opium-1914 (Protocole de Clôture de la Troisième Conférence Internationale de l'Opium-1914) | June 23, 1914 The Hague | " " |
| (The Covenant of the League of Nations, Art. 23 (c)) | | |
| (Treaty of Peace between the Allied and Associated Powers and Germany (Art. 295); | June 28, 1919 Versailles | Ratification informed Dec. 26, 1919 |
| and Austria (Art. 247); | Sept. 10, 1919 Saint-Germain-en-Laye | Oct. 14, 1920 |
| and Hungary (Art. 230); | June 4, 1920 Trianon | July 21, 1921 |
| and Bulgaria (Art. 174)) | Nov. 27, 1919 Neuilly-sur-Seine | May 26, 1921 |
| Agreement, the First Opium Conference | Feb. 11, 1925 Geneva | Ratified on July 26, 1928. Promulgated on December 28, 1928. |

| | | |
|---|--------------------------------------|--|
| Protocol, the First Opium Conference | Feb. 11, 1925 Geneva | Ratified on July 26, 1928. Promulgated on December 28, 1928. |
| Final Act, the First Opium Conference | " | Signed |
| Convention, the Second Opium Conference | Feb. 19, 1925 Geneva | Ratified on July 26, 1928. Promulgated on December 28, 1928. |
| Protocol, the Second Opium Conference | " | " |
| Final Act, the Second Opium Conference | " | Signed |
| Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs | July 13, 1931 Geneva | Ratified on April 17, 1935. Promulgated on June 12, 1935. |
| Protocol of Signature of the Conference Drawing up the above Convention | " | Signed |
| Final Act of the Conference Drawing of the above Convention | " | " |
| Agreement for the Suppression of the Use of Opium for Smoking | Nov. 27, 1931 Bangkok | Ratified on December 2, 1936. Promulgated on April 31, 1937. |
| Final Act of the Conference Drawing up the above Agreement | " | Signed |
| Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs | June 26, 1936 Geneva | Signed Not yet ratified |
| Protocol of Signature, Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs | " | " |
| Protocol Amending the Agreement, Conventions and Protocols on Narcotic Drugs concluded at the Hague on 23 January 1912, at Geneva on 11 February 1925, and 19 February 1925, and 13 July 1931, at Bangkok on 27 November 1931 and at Geneva on 26 June 1936 | Dec. 11, 1946 Lake Success, New York | Agreed in principle with the provisions on September 16, 1948. Ratified by thirty-six countries (as of September 13, 1948.) |

Annex to the above Protocol

1. Agreement Concerning the Manufacture of, Internal Trade in, and Use of Prepared Opium, with Protocol and Final Act, Signed at Geneva on February 11, 1925. Came into force on October 27, 1947.
 2. International Convention Relating to Dangerous Drugs, with Protocol, Signed at Geneva on February 19, 1925. Came into force on February 3, 1948.
 3. International Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, with Protocol of Signature, Signed at Geneva on July 13, 1931. Came into force on November 21, 1947.
 4. Agreement for the Control of Opium-Smoking in the Far East, with Final Act, Signed at Bangkok on November 27, 1931. Came into force on October 27, 1947.
 5. International Convention for the Suppression of Illicit Traffic in Dangerous Drugs, Signed at Geneva on June 1936. Came into force on October 10, 1947.
- Protocol Bringing Under International Control Drugs Outside the Scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as Amended by the Protocol Signed at Lake Success on 11 December 1946. Resolution to conclude the Protocol was adopted by the Economic and Social Council at its 7th session.

ANNEX 2-A.

Narcotic Control Law (Law No. 123 of 1948)

Chapter I. General Provisions

Article 1. The term "Narcotics" as used in this Law shall mean:

- 1) Opium and coca leaves (except decocainized coca leaves);
- 2) All alkaloids extracted from opium or coca leaves, their derivatives and their salts;
- 3) Synthetic preparations designated by the Minister of Welfare which are liable to similar abuse and cause similar ill-effects as opium or as substances mentioned in the preceding item;
- 4) Preparations which contain the substances mentioned in the above three items.

Article 2. The term "Narcotic Dealer" as used in this Law shall mean: Narcotic importer, narcotic manufacturer, narcotic compounder, narcotic producer, narcotic central wholesale dealer, narcotic local wholesale dealer, narcotic retail dealer, narcotic practitioner, narcotic administrator, narcotic research worker, and retail dealer in exempt narcotic preparations.

2. The term "Narcotic Importer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of importing narcotics.
3. The term "Narcotic Manufacturer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of manufacturing narcotics (signifying transformation by means of chemical process or refining, and referred to as the same hereinafter).
4. The term "Narcotic Compounder" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of compounding narcotics (signifying preparing narcotic drugs or preparations other than manufacturing, and referred to as the same hereinafter).
5. The term "Narcotic Producer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of producing

narcotic drugs or preparations to be sold not by mixing or compounding but merely by transferring the contents of one package or a number of packages to one or more packages of the same or of greater or smaller size.

6. The term "Narcotic Central Wholesale Dealer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of selling narcotics to narcotic local wholesale dealers.
7. The term "Narcotic Local Wholesale Dealer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of selling narcotics to narcotic retail dealers, narcotic practitioners, narcotic administrators or narcotic research workers.
8. The term "Narcotic Retail Dealer" as used in this Law shall mean a person licensed by the Minister of Welfare for profession of selling narcotics which are prepared by a licensed pharmacist according to the prescription issued by a narcotic practitioner in the course of his professional narcotic only.
9. The term "Narcotic Practitioner" as used in this Law shall mean a doctor, dentist or veterinary surgeon licensed by the Minister of Welfare to administer, dispense, prescribe or otherwise distribute narcotics for medical purpose to persons other than himself or to domestic animals.
10. The term "Narcotic Administrator" as used in this Law shall mean a person in a hospital or dispensary licensed by the Minister of Welfare for position of responsibility to receive and hold narcotics to be used in that hospital or dispensary.
11. The term "Narcotic Research Worker" as used in this Law shall mean a person licensed by the Minister of Welfare for use of narcotics for the purpose of research.
12. The term "Dealer in Exempt Narcotic Preparations" as used in this Law shall mean a person licensed by the Minister of Welfare for selling narcotics which contain not more than 0.4 per cent of opium, or not more than 0.05 per cent of morphine and its salts, or not more than 0.2 per cent of codeine, hydrocodeine or their salts, but which do not contain other narcotics, (hereinafter called exempt narcotic preparations) to a person other than narcotic dealer.

Article 3. A person other than a narcotic dealer shall not possess, import, manufacture, compound, produce, dispense, prescribe, receive or give away narcotics or use narcotics for the purpose of research; however,

this provision shall not be applicable when a person receives narcotic from narcotic practitioners or buys and possesses narcotics, in accordance with the provisions of this Law, from narcotic retail dealers or from dealers in exempt narcotic preparations.

2. Narcotic dealers shall not do any act mentioned in the main clause of the preceding paragraph except in the course of performing their own profession.
3. A person who possesses narcotics under authority of this Law shall not use them for any purpose other than what he is authorized to possess for.

Article 4. No person shall commit the following acts:

- 1) Cultivation of plant which produces narcotics;
- 2) Export of narcotics;
- 3) The possession, importation, manufacture, compounding, producing, administering, dispensing, giving away or receiving of diacetylmorphine, its salt, compound, or preparation thereof;
- 4) Becoming addicted to narcotics so as to be a menace to the public welfare because of his addiction or to lose his self-control as a result of narcotic addiction.

Chapter II. License

Article 5. A person who is qualified to be licensed as a narcotic dealer shall be one of the following and at the same time, one recognized by the Minister of Welfare as proper to be licensed:

- 1) For narcotic importer: importer of medicines who either is a licensed pharmacist himself or employs a licensed pharmacist;
- 2) For narcotic manufacturer; narcotic compounder, or narcotic producer: manufacturer of medicines who either is a licensed pharmacist himself or employs a licensed pharmacist;
- 3) For narcotic central wholesale dealer or local wholesale dealer: seller of medicines who either is a licensed pharmacist himself or employs a licensed pharmacist;
- 4) For narcotic retail dealer: proprietor of pharmacy;
- 5) For narcotic practitioner: physician, dentist or veterinary surgeon;
- 6) For narcotic administrator: physician, dentist or pharmacist;
- 7) For narcotic research worker: scientific research worker recognized

by the Minister of Welfare as having sufficient knowledge and technique relating to narcotics;

8) For dealer in exempt narcotic preparations: seller of medicines.

Article 6. The Ministry of Welfare shall keep a registration book of narcotic dealers, in which matters concerning licenses as narcotic dealers shall be registered.

2. Matters to be registered in accordance with the provision of the preceding paragraph shall be provided for by Ministerial Ordinance.

Article 7. When the Minister of Welfare approves a license for a person as a narcotic dealer, he shall register the said person in the registration book of narcotic dealers and then issue the license.

2. The license mentioned in the preceding paragraph shall not be transferred or loaned to other persons.

Article 8. The license of a narcotic dealer shall be effective from the date of issuance to December 31st of the same year.

Article 9. A person who is going to be registered in the registration book of narcotic dealers in accordance with the provision of Art. 7, shall pay the registration fee to the National Treasury according to the following classification:

Narcotic importer, narcotic manufacturer, narcotic compounder, narcotic producer, or narcotic central wholesale dealer:

1,000 yen

Narcotic local wholesale dealer:

700 yen

Narcotic retail dealer, narcotic practitioner, narcotic administrator or dealer in exempt narcotic preparations:

100 yen

Narcotic research worker:

50 yen

Article 10. When a narcotic dealer wishes to apply for cancellation of license, he shall file an application in accordance with the provisions of Ministerial Ordinance.

2. In case of death or dissolution of a narcotic dealer, the heir (the custodian of the property, when the heir is not known; the same hereinafter) or the liquidator shall report the fact in accordance with the provisions of Ministerial Ordinance.

3. When the Minister of Welfare receives the application mentioned in

paragraph 1 or the report mentioned in the preceding paragraph of this Article, he shall delete the registration of the said person from the registration book of narcotic dealers.

Article 11. Change of registration in the registration book of narcotic dealers, reissuance of license, return of license and other necessary matters concerning the registration book of narcotic dealers and licensing of narcotic dealers which are not mentioned in the preceding five Articles shall be provided for by Ministerial Ordinance.

2. A person who applies for change of registration in the registration book of narcotic dealers or reissuance of narcotic dealer's license shall pay the fee of 10 yen to the National Treasury.

Chapter III. Narcotic Dealers

Article 12. A narcotic dealer shall not purchase or receive narcotics from a person who is not a narcotic dealer; however, this provision shall not apply in the case of the main clause of Art. 17 or Art. 43, Par. 3.

Article 13. When a narcotic dealer purchases, receives, sells or gives away narcotics other than exempt narcotic preparations, from or to another narcotic dealer, he shall deliver a transfer form or receipt form issued by the Government to the other party by entering all necessary informations and placing his name and seal on the form.

2. A person who has received the transfer form or receipt form in accordance with the provision of the preceding paragraph shall keep it for the period of two years.

Article 14. A narcotic dealer shall prepare a book for each business office and enter in it the name and quantity of the narcotics imported, manufactured, compounded, produced, received, sold, administered, or dispensed, the date of import, manufacture, compounding, producing, receipt, sale, administering, or dispensing, and also the name and address of the person from whom narcotics were received and to whom narcotics were sold.

2. In the hospital or dispensary where there is a narcotic administrator, the said narcotic administrator shall be required to enter in the book the name and quantity of narcotics which narcotic practitioners in such institution have administered, or dispensed in the said hospital or dispensary, and the date of administering or dispensing. In this case, the