CONCLUSIONS

(1) The Cabinet Committee on International Narcotics Control, which is responsible for the formulation and coordination of all policies and programs relating to the fight against the illegal entry of narcotics into the United States, is both inefficient and ineffective. Comprised of autonomous departments, bureaus, and agencies of the Federal Government, the Committee conducts its business on a person-to-person level rather than institutionally. U.S. anti-narcotics programs, therefore, are often formulated in an ad hoc fashion rather than upon a well conceived, well thought out, well coordinated manner. As a result the following questionable decisions and programs have emerged:

(a) Yet another intelligence group, the Office of National Narcotics Intelligence (ONNI) has been formed in spite of the fact that the Bureau of Narcotics and Dangerous Drugs' Office of Strategic Intelligence (OSI) was already in existence and possessed the necessary intelligence capabilities which must be developed by the new group before it can operate at all.

(b) Twenty-five Customs agents have been sent overseas to collect narcotics intelligence. This program will result in a duplication of effort. The Central Intelligence Agency, the Bureau of Narcotics and Dangerous Drugs (BNDD), the Department of State, and other U.S. Government agencies are already collecting such intelligence. The problem in the past was not a lack of intelligence but an inability to exploit it properly.

(c) BNDD and Customs agents in foreign posts are involved in intelligence collection efforts although many of them do not speak the language of the country in which they operate.

(d) The decision to make a preemptive purchase of opium from the Chinese Irregular Forces in northern Thailand set a bad precedent which could encourage increased production in the Golden Triangle.

(2) In Southeast Asia, where most of the world's illicit opiates are produced, all U.S. Mission components have been mobilized in the fight to suppress the narcotics traffic. Coordination both within the missions and between the missions and most host governments has improved over the past several months. There is no evidence that any U.S. Government agency is implicated in the narcotics traffic in Southeast Asia.

(3) The use of opium has been accepted and tolerated in many Southeast Asian countries. These attitudes are beginning to change as a result of the increasing use of heroin among the area's youth and there is a growing willingness to cooperate with the United States and the U.N. in international efforts to control the production of and trafficking in opiates.
(4) Under present circumstances, however, the elimination of opium and heroin production in the Golden Triangle is not possible. Even if the efforts of Laos and Thailand to control the production of and trafficking in opium and its derivatives, morphine and heroin, are completely successful, which is unlikely, the problem cannot possibly be solved as long as the Government of Burma fails to declare war on producers and traffickers in Burma.

(5) The Burmese Government blames the United States for a large part of the illicit arms trafficking in Southeast Asia, claiming that much of the weaponry in the possession of the insurgents is of U.S. origin. This situation has had a negative effect upon U.S. efforts to gain Burmese cooperation in the narcotics suppression programs.

(6) Suppression efforts have been temporarily successful in northern Thailand. While there is no assurance that this situation will continue there are indications that alternate smuggling routes are being developed westward through Burma, Bangladesh, and in other directions.

(7) While efforts have been made by the Thai Government to resettle Chinese Irregular Forces who have been traditionally involved in the opium trade, there is no assurance that they will not continue to engage in the production of and trafficking in opiates.

(8) It is widely believed that the production of and trafficking in opium and its derivatives have had the support of high ranking government officials in Laos, especially Gen. Ouan Rathikoun, former Chief of the Imperial General Staff and presently serving in the National Assembly as a delegate from Luang Prabang. The extent of Ouan's involvement may never be known.

(9) Despite the stringent antidrug law recently passed by South Vietnam, individuals involved in narcotics traffic risk minimal punishment.

(10) Given the current situation, there is a limit to the amount of financial and material assistance that the countries of Southeast Asia can usefully absorb. U.S. narcotics assistance programs should, therefore, be based upon a realistic assessment of what can be effectively utilized.

(11) Acetic anhydride is an essential element in the production of heroin. The bulk of this chemical used in Southeast Asia heroin laboratories is processed in Japan. There are no government restrictions, controls, or monitoring of its export.

(12) Efforts to fight the illicit production of and trafficking in narcotics in Southeast Asia will require regional programs, regional cooperation, and a complete and frank exchange of intelligence on producers, financiers, traffickers, routes, and users. Intergovernmental cooperation in the Southeast Asia region, which has been slow in developing, must be vigorously pushed by the United States.
RECOMMENDATIONS

(1) The Cabinet Committee on International Narcotics Control, in its present form, should be abolished.

(a) In its place, an International Narcotics Control Board should be established which would be headed by a White House based official appointed by the President.

(b) The head of the Board, which would be a full-time job, should be authorized to preside over the formulation of policies and programs relating to international narcotics control.

(2) The Office of National Narcotics Intelligence should be transferred to BNDD and integrated with that Bureau's Office of Strategic Intelligence.

(3) Only personnel who speak the language of the country in which they operate should be assigned to intelligence collection duties abroad.

(4) Congress should authorize and appropriate international narcotics control assistance funds on a line item basis to insure that funding requests do not become excessive.

(5) Steps should be taken to preclude interagency competition for international narcotics control assistance funds. These funds should be expended on programs which will have the greatest impact whether such program originates in the Bureau of Narcotics and Dangerous Drugs or AID.

(6) Congress should require periodic reports from the executive branch showing the amount of assistance furnished to each country, including the type, quality, and value of equipment furnished. This report should also contain data giving amounts spent by all agencies of the Federal Government on international narcotics control programs, including personnel salaries, allowances, and U.S. overhead costs.

(7) The United States should enforce the provisions of section 505 of the Foreign Assistance Act of 1961, as amended, and insure that all countries receiving U.S. military assistance provide the same degree of security protection afforded such articles by the United States.

(8) The United States should continue to apply diplomatic and economic pressures at the highest levels of government in Southeast Asia to insure that there is no weakening of the narcotics suppression efforts which have been started, particularly in Laos, Thailand, and South Vietnam.

(a) Where conclusive evidence shows high ranking or influential figures to be involved in narcotics, the U.S. Government should strongly urge those governments to prosecute
such individuals more vigorously than has been the case in the past.

(b) If these efforts are unsuccessful, the United States should terminate all economic and military assistance to that country.

(9) Crop substitution programs should be developed as expeditiously as possible.

(10) The United States should conduct an intensive campaign both bilaterally and multilaterally to encourage the Government of Burma to cooperate fully in the antinarcotics effort in Southeast Asia.

(11) The U.S. Government should request the Japanese Government to establish controls and restrictions on the export of acetic anhydride.

(12) The United States should initiate efforts to gain the cooperation of Bangladesh in the worldwide effort to control the smuggling of narcotics.

(13) If U.S. officials in Hong Kong are not able to impress upon British authorities the importance of, and the need for, cooperation in the antinarcotics effort, then the Department of State should bring this matter to the attention of Her Majesty's Government in London.

(14) The United States should make a concerted effort in the United Nations to promote increased funding and support for the U.N. Drug Abuse Control Fund.
APPENDIX A

SCOPE OF THE U.S. HEROIN PROBLEM

The use of heroin in the United States has reached crisis proportions. It is now estimated that there are between 500,000 and 600,000 heroin users in the United States, a substantial increase over the mid-1971 estimate of 315,000 addicted.¹

Precise statistics on heroin abuse are difficult to collect. It is, therefore, likely that there are more addicts than current assessments indicate. For example, the White House Special Action Office for Drug Abuse Prevention has stated “that all available data seems to indicate that drug abuse in the United States is rising.”

In New York City, drug abuse is the largest single cause of death for persons between the ages of 15 and 35. Last year, there was 1,259 confirmed drug-related deaths in that city.²

Heroin is not only a scourge to those who use it—it is also a cancer to the society upon which it feeds.

Reliable estimates indicate that the average addict spends about $30 per day on heroin. Some spend as much as $100 per day.

Roughly, this means that if there are 500,000 addicts spending $30 per day on heroin, the cost per day is $15 million, or approximately $5,475 million per year. If there are 600,000 heroin addicts, the daily cost would be approximately $18 million while the yearly cost would exceed $6,570 million. A large majority must turn to crime to support their habits.

HEROIN ADDICTION AND CRIME IN THE UNITED STATES

In May 1971 Congressmen Morgan F. Murphy and Robert Steele in a report to the Committee on Foreign Affairs stated that:

Reliable authorities estimate that the addict would have to steal goods worth at least four or five times the cost of his habit per year to support that habit.

If 75 percent of those addicted resorted to crime • • • the cost in crime committed to sustain the habit would be in excess of $8 billion per year at a minimum.

Based upon this formula, 500,000 to 600,000 heroin addicts would commit crimes involving property, cash, and other tangibles worth between $16 and $20 billion per year.

HEROIN CONSUMED IN THE UNITED STATES

It is estimated that the heroin addict population in the United States requires from 10 to 12 tons of heroin per year. Since it requires 10 tons of opium to produce 1 ton of heroin, it would only take between 100 and 120 tons of opium to satisfy these needs.

¹ The increase in the number estimated is due in part to refined techniques of identification and detection. It, therefore, should not be construed that the number of addicts doubled during the past year.
² The Bureau of Narcotics and Dangerous Drugs announced in December that there was evidence of a heroin shortage in New York City and Washington, D.C. and prices were rising. Such a shortage, however, has not occurred in other major metropolitan areas.

(65)
There are two separate markets for opium—the licit and the illicit. According to "The World Opium Survey 1972," published by the Cabinet Committee on International Narcotics Control, the licit market used 1,500 tons of the world’s opium production in 1971 while the illicit market consumed an additional 1,000 tons.

Most of the world’s licit opium is used to manufacture medicinal opiates and is grown in India and Turkey. In 1971, the two countries probably accounted for close to 99 percent of total world opium exports. Now that Turkey has decided to discontinue cultivation of the opium poppy, India will most likely become the source of practically all of the legal opium used in the non-Communist world.

### World Licit Production of Opium, By Country

<table>
<thead>
<tr>
<th>Crop year</th>
<th>Total</th>
<th>India</th>
<th>Turkey</th>
<th>U.S.S.R.</th>
<th>Iran</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>739</td>
<td>179</td>
<td>147</td>
<td>86</td>
<td>307</td>
<td>21</td>
</tr>
<tr>
<td>1951</td>
<td>832</td>
<td>410</td>
<td>284</td>
<td>84</td>
<td>21</td>
<td>23</td>
</tr>
<tr>
<td>1952</td>
<td>849</td>
<td>272</td>
<td>370</td>
<td>104</td>
<td>83</td>
<td>19</td>
</tr>
<tr>
<td>1953</td>
<td>1,007</td>
<td>489</td>
<td>295</td>
<td>92</td>
<td>145</td>
<td>25</td>
</tr>
<tr>
<td>1954</td>
<td>509</td>
<td>341</td>
<td>96</td>
<td>103</td>
<td>92</td>
<td>41</td>
</tr>
<tr>
<td>1955</td>
<td>660</td>
<td>281</td>
<td>175</td>
<td>109</td>
<td>61</td>
<td>33</td>
</tr>
<tr>
<td>1956</td>
<td>643</td>
<td>270</td>
<td>220</td>
<td>105</td>
<td>41</td>
<td>48</td>
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<td>1957</td>
<td>589</td>
<td>377</td>
<td>40</td>
<td>147</td>
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<tr>
<td>1958</td>
<td>775</td>
<td>511</td>
<td>144</td>
<td>93</td>
<td>27</td>
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<td>1959</td>
<td>900</td>
<td>593</td>
<td>149</td>
<td>132</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>1,253</td>
<td>711</td>
<td>323</td>
<td>169</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>1961</td>
<td>1,037</td>
<td>709</td>
<td>157</td>
<td>120</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>1962</td>
<td>1,203</td>
<td>755</td>
<td>284</td>
<td>148</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>1963</td>
<td>993</td>
<td>538</td>
<td>263</td>
<td>172</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>1964</td>
<td>787</td>
<td>501</td>
<td>73</td>
<td>188</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>1965</td>
<td>754</td>
<td>483</td>
<td>77</td>
<td>177</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>1966</td>
<td>871</td>
<td>339</td>
<td>126</td>
<td>201</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>1967</td>
<td>662</td>
<td>368</td>
<td>104</td>
<td>181</td>
<td>8</td>
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<tr>
<td>1968</td>
<td>615</td>
<td>585</td>
<td>111</td>
<td>116</td>
<td>3</td>
<td></td>
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<tr>
<td>1969</td>
<td>1,219</td>
<td>958</td>
<td>117</td>
<td>217</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>1,157</td>
<td>794</td>
<td>51</td>
<td>227</td>
<td>78</td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>1,149</td>
<td>943</td>
<td>150</td>
<td>200</td>
<td>156</td>
<td></td>
</tr>
</tbody>
</table>

1 Data for 1950-69 are from International Narcotics Control Board reports, data for 1970-71 are estimated. Data for India, Turkey, and Iran refer to opium containing 10 percent moisture. The U.S.S.R. and most other countries have not provided information to the United Nations on the moisture content of their opium.

2 Ending July 30 of the stated year.

3 Because of rounding, components may not add to the totals shown.

4 Including Yugoslavia (40 tons in 1966, reduced to 1 ton in 1970), Japan (4 tons or less annually), Pakistan (12 tons annually), Bulgaria (7 tons in 1952, reduced to little or none in recent years). Data on licit production in China and North Vietnam are not available.

5 Not available.

Because of the very nature of the terminology—illicit production—precise estimates of the amount of opium produced illegally are not available. As a result of improved intelligence collection and more vigorous efforts on the part of governments involved, however, it is possible to approximate the amount of opium produced in 1971 for the illicit opium market.

As can be seen in the following table—of the estimated 990 to 1,210 tons of the world’s illegal opium, 700 tons, or more than one-half of the total, is believed to be produced in Burma, Laos, and Thailand.
### Estimated Illicit Opium Output, by Major Producers, 1971

<table>
<thead>
<tr>
<th>Country</th>
<th>Metric Tons</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>100</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>100</td>
</tr>
<tr>
<td>Turkey</td>
<td>35-80</td>
</tr>
<tr>
<td>Pakistan</td>
<td>20-100</td>
</tr>
<tr>
<td>Burma, Thailand, and Laos</td>
<td>700</td>
</tr>
<tr>
<td>Mexico</td>
<td>10-20</td>
</tr>
<tr>
<td>Other&lt;sup&gt;1&lt;/sup&gt;</td>
<td>20-50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>900-1,210</strong></td>
</tr>
</tbody>
</table>

<sup>1</sup> Mainly Eastern Europe.
<sup>2</sup> Additional amounts probably are produced in Latin America, North Africa, and the Far East.
APPENDIX B

TRANSLATION OF A LETTER PREPARED BY NATIONAL ASSEMBLY DEPUTY AND FORMER LAO ARMED FORCES COMMANDER-IN-CHIEF GENERAL OUAN RATHIKOUN ON APRIL 10, 1972

The following is a "translation of a letter prepared by National Assembly Deputy and former Lao Armed Forces Commander-in-Chief General Quan Rathikoun" and sent by him to Prime Minister Souvanna Phouma "on April 10, 1972." The letter was subsequently sent to all members of the National Assembly under a covering letter signed by the President of the National Assembly Phoui Sananikone.

"The Sixth National Assembly passed the government bill banning the cultivation of the opium poppy and the trafficking of opium in the Kingdom.

"The law was passed quickly and the cultivators of the opium poppy, the opium addicts and the opium traders were not given advance warning.

"On June 1, 1970, I wrote a report on opium growing areas in Laos and sent it to you. My report was later published in the Xat Lao newspaper and in booklets. It is a report on facts about the living conditions of the people in six northern provinces—Houa Khong, Phongsaly, Sayaboury, Sam Neur, Xieng Kouang and Luang Prabang, the opium growing areas in Laos.

"Some foreigners and Laotians have assumed that I, General Quan Rathikoun, was involved in trading and trafficking of illicit opium in Laos. Though I am blamed, I am still proud of the service I have performed for helping my compatriots. Born in this nation, I am very proud of the part I have played in liberating our country, on many occasions at the risk of my life.

"I am writing to you in all sincerity and telling you the truth. I wish to ask that you yourself try to better the living conditions of the people who live in the mountains.

"I have never been interested in opium because, born in Luang Prabang, I used to see the cultivation of the opium poppy and the private and official trading in opium each year. I saw that the Government permitted some merchants to purchase opium from hilltribesmen and sell it to the Government. From 1945 to 1954, when I was involved in guerrilla work in northern Laos, I saw opium poppy plantations in every village of the Meo, the Eko, the Kouy, the Muser and the Lanten (Lantene) peoples. Therefore, I have been able to write about the facts in my booklet.

"In 1955 when I was the Commander of Military Region I, I officially reported to the Government that a plane of Thai merchants frequently landed at a tobacco plantation at Ban Ton Pheung (possibly PC 1545), Houa Khong Province. After receiving my report, the Government ordered us to try to arrest the Thai merchants. In its order, the Government said that it would award us if we could arrest them. After receiving the order, we planned to arrest the Thai merchants who carried opium. In arresting them, there was a firefight and two of our soldiers were killed. One of those who carried opium was killed, two of them were wounded, and three of them, who were Thais, were arrested. We captured 950 kilograms of opium hidden inside empty bomb casings.

"By order of the Government, all prisoners were sent to Luang Prabang where they were sentenced to imprisonment by the Court. The captured opium was sent to Vientiane as ordered.

"The military officers and men who carried out their duty of suppressing the opium merchants fully expected to receive awards. However, after long waiting, they have not yet received them.

"In Vientiane, the captured opium was delivered to the Central Warehouse of the Customs Department where it hardened to such a degree that it could no longer be refined. In 1960, the year of the Kong Le coup, when the captured opium was inspected, it had hardened completely.

(68)
“In 1963, General Phoumi Nosavan, Deputy Prime Minister and Minister of Finance, issued an order permitting me to control opium and the opium traders. The order is herewith attached:

‘AUTHORIZATION

A. Mr. Saveng, Manager of the SACDA Company in Vientiane is authorized to proceed with the purchase and sale of opium within the Kingdom of Laos.

B. The circulation of the products belonging to said company within the territory of Laos will be free and assured by the Ministry of National Security of which General Ouan Rathikoun is the permanent representative.

C. The sale of this opium to the smokers of Laos is absolutely prohibited, except with the special authorization of the Ministry of National Security.

D. As the representative of the Ministry, General Ouan Rathikoun is empowered to deliver all authorization in view of facilitating the functioning of the company.

E. The details of application will be made in a new contract between General Ouan Rathikoun, representative of the Ministry, and Mr. Saveng, representative of the SACDA Company.

Vientiane, 7 October 1963
Vice President of the Council of Ministers
Signed and Sealed
Division General
Phoumi Nosavan”

“After being ordered to do so in 1963, I learned about those who traded in opium and about the quantity of opium produced in Laos and sent from Burma. I also learned of the number of opium addicts in Vientiane.

“After having controlled opium for five months, I saw that it was not good to continue to control it because such control was criticized by foreigners. I then sent my report to General Phoumi, informing him that it was not good to control opium because all merchants were transacting their sales and purchases outside the established channels, since they were losing money by remaining in channels.

“General Phoumi then issued an official order for stopping the control of opium on 2 May 1964.

“At that time, after the Government had issued its order for stopping the control of opium, General (Thao) Ma was Commander-In-Chief of the Royal Lao Air Force. Instead of commanding all 1,250 men of the Air Force, General Thao Ma controlled only 40 pilots of the T-28 planes. He did not control the transportation personnel and the personnel of other section of the Air Force. That caused a lack of discipline among officers of the Air Force. These officers were hired to transport things and they did so because they needed money. There was no discipline in the Air Force and the men of the Air Force played the game of nepotism until General Thao Ma flew to another country after he bombed a military camp in Vientiane.

“In 1966, after General Thao Ma had fled, General Sourith was appointed Commander-In-Chief of the Royal Lao Air Force, a position which he still holds.

“I called a meeting of the Air Force officers from throughout the country at the Wattay Air Force Camp.

“I asked them to maintain discipline in the Air Force and prohibited them from being hired to transport illicit goods. After being told by some of the Air Force officers about their poor living conditions, I decided to allow them to transport goods on the condition that the transportation must be organized and made under only one chief’s orders; there must be no transportation of private goods for any officer of the Air Force; the transportation must occur in the Kingdom of Laos only; here must be no transportation of goods outside the Kingdom of Laos; and it must be the duty of the merchants themselves to transport goods outside of Laos.

“Seventy percent of the income from this activity went to the Air Force, 15 percent to the pilots, 10 percent to those who worked on the ground, and five percent to the mechanics.

“At the same time, I contacted the U.S. Government asking it to aid the Air Force. I told the U.S. Government that if the Air Force was given aid, it would stop completely the transportation of opium. My request was considered by the
U.S. Government. Later, in 1969-70, the U.S. Government sent its administrative experts to investigate. After their three-month investigation, no change was made. Later, in 1971, the U.S. Government began to pay sufficient per diem to pilots. At the present time, the U.S. Government still pays them per diem.

"Reports on Opium.—Since the year 1963, I have known that there are three kinds of opium transported by the merchants.

"A. Raw opium for sale in the Singapore, Malaysia, and Hong Kong markets.

"B. 100 percent manufactured opium that can be smoked immediately, for sale only in Saigon, South Vietnam.

"C. Morphine for sale in Hong Kong and other unknown places.

"Later in 1971, no raw opium and morphine were known to be transported through Laos. Only 100 percent manufactured opium was seen. Heroin, another kind of narcotics, has also been seen. It has been transported to the Saigon market.

"The new kind of narcotics (heroin) can be carried by the merchants themselves in small cases. Therefore, they stopped hiring the Air Force to transport opium in late 1971. The Air Force also was no longer interested in the transportation of narcotics because its men were being paid sufficient per diem.

"At the same time, in late 1971, the Government also had enacted the Narcotics Law.

"To produce heroin, there must be a special chemist, good equipment, and many kinds of chemical ingredients so the Lao people do not know how to produce it.

"Opium Factory.—In the year 1963, a factory for manufacturing opium was set up in Luang Prabang. Later, when the merchants were ordered to stop manufacturing opium, they moved their factory to a place North of Ban Honel He (PC-3597) bordering Burma, where they secretly manufactured it. They also manufactured it at a Yao village in the area North of Ban Nam Kheung (PC-3657 or PC-3054).

"In fact, the merchants secretly manufactured opium at various places on the Burma border.

"In 1971, the Ho came to Laos from Burma and Chiang Mai. They established two factories for producing heroin in the area of Nam Kheung, North of Houei Sai. They hired technicians from Hong Kong. At the beginning of their work, none knew that they were producing heroin. All understood that they were producing ordinary opium. After six months of production, some knew that they were producing heroin. After being informed that they were producing heroin, I ordered the Honel Sai Provincial Commander to order them to stop their production immediately. I told the commander to let the merchants know that if they refused to stop their work we would arrest them immediately. After receiving the order, the merchants stopped their work. In October 1971, they moved their equipment back to Burma. Only low grade equipment was left in the area North of Houei Sai.

"I believe that there is now no heroin production factory in Laos. The illegal factories were operating for only six months.

"Proposal for Running the Cultivation of the Opium Poppy, the Trafficking of Opium, and the Trading of Opium—First of all, the merchants must be prohibited from trading in opium and they must be told to run other businesses which are better and honest.

"Next, the people must be prohibited from cultivating the opium poppy.

"I understand that the U.S. Government has allocated considerably large amounts of money for the narcotics suppression program. News reports said that the United States has given $20 million to the Turkish Government for the suppression of opium, which will be used in its development program under which its people will grow other crops instead of the opium poppy.

"Early this month, the U.S. Government also gave $2 million to the Thai authorities, which will be used in their attempts to suppress opium. In addition, the news reports said that the Thai authorities and the International Police purchased opium from the hill tribesmen living along the Burmese border areas and sent it to be kept in Chiang Mai. Most peoples possessing opium in areas bordering Burma are of the Kuomintang group, the General Li group, and the General Tuan group. These authorities bought about 30 tons of opium from the groups for almost $2.6 million.

"In Burma, the Burmese Government refused to allow the United Nations officials concerned with narcotics to get involved in its affairs. The Burmese Government itself will suppress opium. I understand that it is very difficult to
suppress opium in that country because there is much opium in the Shan State. There is also much opium in the areas that cannot be controlled by the Burmese Government, particularly in the areas on the path leading to Lipa. There is also much opium in areas bordering China that cannot be controlled by the Burmese Government.

"In order to suppress the trafficking of opium from Burma to Laos and the trafficking of it in Laos, I propose that the Government ask the U.S. Government for money. I do not think that we need for U.S. $1 million for suppressing the opium trade.

"In fact, opium traders have together invested their funds and established their companies and hired managers to run their businesses. If the Government suppresses the companies, the traders will break up their partnerships and run other businesses and the opium trafficking will no longer exist. I want the Government to purchase the opium that the traders have on hand to be destroyed or used for medicinal purposes. These purchases would be on condition that the traders did not continue to trade in opium. I understand that the traders will be glad to stop trading in opium because they will be safe.

"Many people who cultivated the opium poppy in the six northern provinces had moved to live in areas controlled by the Government. Only those who live in the Neo Lao Hak Sat (NLHS)—controlled areas in Phongsaly, Muong Sai, Nam Tha and Muong Houn continue to cultivate the opium poppy. The Government should take this opportunity to ask the United States Government to provide it with equipment for clearing the lands and divide the land among those hill tribesmen as suggested by my booklet attached herewith."
APPENDIX C

THE RESULT OF THE FEASIBILITY STUDY ON THE OPIUM SUPPRESSION IN THE ROYAL LAOS

(By Gen. Ouan Rathikoun)

Opium is considered one of the narcotics, destroying health and properties of the world. I have been following up the "opium" story since 1962 which was the time of Finance Minister General Phoumy Norsavane, who ordered me to control opium and opium addicts. I have launched a heavy campaign on opium growing, opium trading, opium trafficking and opium marketing. I can give you the figure number of opium and tell you the necessity of opium growing to the best of my knowledge.

I therefore studied hard in an effort to tackle down the opium problem, especially opium growing, and can give you the details as follows:

WHY DO WE GROW OPIUM? No one knows where the opium originally came from. But some Chinese people said the Europeans had brought the opium in Asia for growing and smoking. The substantial evidence on this allegation could not be proved, it's just rumor.

The opium can grow in the hilly and mountainous area with cool climate. Consequently, the opium is stretchingly grown up along the Himalayas Range up to the Gulf of Tonkin. The countries in which the opium is available or grown are Turkey, India, Burma, Thailand, Laos, China and North Vietnam. Most of the opium is abundant in India, Burma, China and Turkey. In Laos, the opium grows in some Khouengs such as Phong Saly, Houa Khong, Louang Prahang, Samneua, Xieng Khounang, Xayabouri and a certain area east of Khoueng Khammouane. The 20-30 tons of opium product are harvested in Laos yearly. But its quantity is depended on the seasons. Most of the opium in foreign markets is exported from Burma, India, China and Turkey. The opium in Laos is mostly consumed locally though some is sent to Saigon, South Vietnam, for sale. Morphine and heroin are processed in Burma and Thailand; the Royal Laos of Kingdom does not know how to process them nor use them.

Some countries do not prohibit the people to smoke opium. So the hilltribemen can smoke. But some countries such as Thailand did not allow the people to smoke opium, Morphine and heroin are therefore processed from opium. I dare say that morphine and heroin which have been sent out for sale in Europe and the U.S. must not be from Laos because the Laotian people do not produce them for sale and do not know what drug is called heroin. Heroin should be processed from the countries which can grow a great deal of opium, such as Burma, India, Turkey, Thailand and Mainland China. There is a possibility that Red Chinese are conducting a retaliatory campaign through drugs against European and American people who firstly introduced opium in China in the olden days. We can jump into the conclusion that wherever Chinese are living, there is opium trade more or less.

NECESSITY OF GROWING OPIUM IN THE ROYAL LAOS OF KINGDOM

Geographically speaking, Laos has had opium since the ancient time because opium is one of the Laotians' trade. I'm speaking what I have known and seen when I spent over ten years with the hilltribemen conducting our guerrilla units in the mountainous area. Laos is situated along the Mekhong River, bordering Vietnam to the east. Most of the terrain in Laos are hilly and mountainous, only some parts in the central Laos are plain while northern and eastern Laos are densely jungles. The population in Laos is totally 3 million. There are 46 tribes, included big and small ones. Almost half of the population is living in the mountainous areas, in which they mainly grow rice as their staple food. Rice in the high land has never grown up by flood water but by rain. It is necessary for me to talk about how the tribesmen are living because they have to face
economic problems in their daily life every year. The cultivation of rice on the hill spends 10 months in a year. The tribesmen have to clear the forest in January or February for their next coming crops, leaving the cut-down trees dried in the sun until they are burnt in April or May. If it rains before April or May, the trees will not be burnt, and that means no rice growing in that year. After the trees are burnt and the land is ready for plough but if there is no rain in June, sowing of rice seeds cannot be made. Sometimes, in June and July there is heavy rain, making the land too good for the rice seeds to grow but the grasses growing rapidly. If the grass is not destroyed, the rice cannot be grown and given its yield. Speaking in a short cut, the rice grows very well and can give the yield but many various natural damages such as fire, insects, beast animals, etc. destroy their crops. Concluded that there is no certainty for the tribesmen to receive the product which they spend almost a year to cultivate unless the grains of rice are kept in the barn. Some families do not have grains enough to consume all year around. Every year the tribesmen have to exchange their rice for what they need such as salt, clothings, medicines and others, excluding education for their children.

Each family can receive at most 500 muns of rice paddy or 30 sacks of milled rice a year. If the rice is sold, it can bring in not over 180,000 kip. Judging from the above reason, the tribesmen must grow other crops so that they can survive themselves in the jungle. Opium is one of the crops which the tribesmen grow beside their rice field. Also opium will grow well if the weather in that year is pretty cool; if not the opium will die. Many other factors hamper the growing of opium, such as fertilized land, fog, etc. Supposed that the opium grows well in the fine circumstances, each family will get the product not over 6 Pong or 24-3 kilogrammes which cost about 70,000 kip. The opium which the tribesmen grow will be able to support their families when the hard-time comes, the rice in the field cannot produce good product, the opium will be sold or exchanged for their necessities. The annual products are conclusively brought in about 250,000 kip in the good year for each family.

**HOW THE OPIUM IN LAOS IS EXCHANGED**

The opium is regarded a media of exchange between the tribesmen and the merchants in Laos. The methods of exchange can be made as following:

Many big companies in Vientiane which import some commodities to sell in the country have to be taxed, and some of them are in debt. The commodities which the tribesmen or the population in the mountainous areas need are clothings, household utensils, medicines, etc. The merchants from such remote Kouengs as Xamtha, Phong Saly, Xiang Khouang, Sam Neua, Muong, Xay, Nam Bak, etc. come into Vientiane to place an order of those goods from the big companies have to pay the companies in cash or in credit sometimes. The merchants in those Kouengs mostly sell the goods to the tribesmen, who come down from the mountains and do not have cash to pay. They normally use the opium they bring along with to exchange for what they need. What can the merchant do when they do not have cash to buy the goods in Vientiane? They, of course, have to wait until some men go up and buy the opium they receive from the tribesmen. The company in Vientiane by no means do receive opium when the merchants do not have money to pay. What can the merchants do if no opium trader goes to buy the opium from them? The merchants will not come to buy goods from Vientiane and the tribesmen will not be able to exchange their opium for the goods, and everything will be halted, even the companies in Vientiane or the nation's economic as a whole. Year after year if the event repeats itself, how can the country of Laos remain? The government must inevitably face the economic crisis. The worst situation will come up in the hard year when the opium product cannot be marketed. That means the year of death for all people of Laos.

Turning to the opium merchants who buy the opiums from the remote Kouengs, they send the opium to foreign lands for sale in various forms. They know that South Vietnamese in South Vietnam prefer "cooked" opium, they cook for them; they know Singapore and Malaysia prefer "raw" opium, they do as the markets want. In fact, the opium merchants have brought foreign exchanges into the country as well as various commodities. Ironically speaking, most of the opium merchants in Laos run their business in Saigon. South Vietnam, only, because the Saigon market needs the cooked opium at 1,200 kilogrammes or 2,400 kilogrammes of raw opium. Some years, the opium grown in Laos was not sufficient to meet the demand of the Saigon market, particularly
when the weather in that year was bad. This indicated that only 20-30 tons of opium can be yearly produced in Laos. The opium markets in Singapore, Malaysia, Indonesia and Hongkong receive the opium from Burma which channel through Thailand—the most convenient country, but most of the opium sent from Burma is the raw one.

Judging from various circumstances, opium grown in Southeast Asia should be consumed in Southeast Asian countries only. But the opium sent to Europe and America is mostly from India and Turkey, which are nearer and have better communication lines. The masterminds of processed heroin must be by all means in Thailand and Burma on the grounds that heroin was produced after the ban of smoking opium by using the pipe and the fire-lamp in the reign of late Field Marshal Sarith Thanarath.

**How Can We Suppress and Solve the Problem of Growing Opium?**

As I studied from the methods of the World Organization, the suppression campaign has to be launched against its trafficking and its trading. It means that we have to crack down the opium merchants not to suppress the opium growing. This will lead to decreasing number of opium year by year to the nonexistence. There are two different methods to eradicate the opium business. They are:

1. To stop its trading and delivering to foreign countries.
2. To ban any opium growing and destroy all its seeds.

The World Narcotics Suppression Organization has been so far launching a drastic campaign of arresting merchants and halting opium traffic only. No other better methods that the Organization can work out now.

In order to suppress the merchants dealing in opium and delivering it abroad, the Organization should have a fund for buying all opium from the remote Khouengs. The opium which the Organization buys can be used in medical treatment, and if some of it is left, the Organization should throw it away into the ocean. The Organization can do like this every year. But doing this, there will be no end, and the countries which finance the destruction operations will not be tolerate. As for the banning of growing opium, I think that it is a better way but the Organization has to provide a great amount of fund. The budget allocated to the Organization for suppressing the narcotics dealers should be given to the tribesmen as follows:

1. To provide the tribesmen with enough food.
2. To provide them with clothings.
3. To provide them with medicines, hospital and doctors.
4. To provide them with houses.
5. To provide them with schools, teachers and teaching materials.
6. To provide them with self-defense.

As I already mentioned, over one million population in Laos is living in the mountainous areas. They all have to work hard for their sole product in a year. The opium crop sometimes cannot bring their families good living. Now, I’m going to tell you about the six existing problems that I call upon the Organization to provide aids to.

1. Food: This is the prolonged problem that has not been thrashed out since the ancient time, because the gross production in each family when the rain is in season does not cost over 250,000 kip.
2. Clothing: The tribesmen do not have time to make cloth as they have to engage themselves in growing rice and opium. They have never grown cotton before. Rice and opium are regarded significant products of these people for exchanging.
3. Shelters: Most of the tribesmen’s houses are temporarily built; they have to move to other places whenever their farmland cannot bring them good products—that’s about 2 years their thatched houses with 3-stepped ladder will be moved. They normally are not fond of their houses because of no beauty at all.
4. Public Health: The public health for these people is considered very bad. Most of the new babies—70 per cent got pneumonia and some died; they do not have clothes, just get warm from sitting near fire. The government cannot set up a hospital for them on the grounds that there are not many houses and each house is located dispersely. The sick people have never got used to medicines but spiritual things. Sometimes the villagers have to abandon their houses when some of them die of unknown diseases. They believe in ghost or bad spirits. The major problem which causes the people to believe in superstition is that the government
cannot send out the administration authorities to give them the right instruction for good health.

5. Very few tribesmen living in the hilly areas will receive education because of no good communication. A school cannot be set up as the children do not live together in a village. There are many problems about giving education for those children; the government is now facing an acute shortage of teachers. The number of teachers in Laos is totally 3,000-4,000 while the number of villages all over Laos is 11,000. Supposesly, a school is set up in a remote area and some teachers are sent there, there may not be children to attend the school, because most of the parents badly need their children to help earn living, and then it’s pretty sure that the school will be abandoned.

6. Security: Owing to not many people in each village, self-defense with arms cannot be provided. If the government provides the villages with arms, the enemy can easily take them away. Besides, the people are easily fallen to prey to the enemy by the reason that they are uneducated, the government officials cannot reach them and the enemy can launch an instigation. It is obvious that any area the enemy can control the FAR cannot retake but on the contrary, the area where the government officials can reach and give the citizen some education, the enemy cannot capture it because the citizen will fight to the end.

I used to study and see a method of President Magsaysay in Philippines in 1956 in connection with the evacuation of all tribesmen living on the mountains down to the plain, providing plots of land and various facilities. This method can prevent the people from being instigated by the opponent but it must take time. When late President Magsaysay launched his campaign of tribesmen evacuation, he had to face many problems—enemy propaganda against the government, fierce fighting, etc. until he won the hearts of the people.

After my study of the Laotian population from 1960 up to present, I know that some of the population were living on the hills in north and east Laos, bordering China and Vietnam. Some of those have already moved their families to settle down in the plain along the Mekong River and various Se rivers but some still lived in big groups on the mountains. Up to one-third of the total population of Laos or 600,000 (must be one-fifth as the total population is 3 million/Asawa) are willing to move down from the hilly areas. I have an idea that the government can take this opportunity to tell those people if the government will provide some plots of land for them to settle down. They will by all means agree with the government whenever they make sure that their new place is better than the one they are living in now. This will lead to the solution to the said six problems. For instance, economically speaking, if the tribesmen move down to cultivate the plain land, at least 500 muns of rice grains in five months each family will bring in. And they can spend the other 7 months in a year to grow other crops, raise 4 pigs each family and others. Judging from the rough estimation, living in the plain can make their life better than that on the mountain. Talking about the clothing problem when they move down, they can live more comfortably because the weather down the hills is warmer. They will have much more time to work. Some women can grow cotton and weave for their own clothings. Besides, buying clothings down the hills is cheaper and better.

On the shelter problem, the tribesmen can live together in a village of more than 50 houses can be built permanently and lastly for their next generations. When they live in a better circumstances and good environment, they will have to love and cherish what they have. Many countries in the world have tried to organize the house-hold project. I see that the “Irsealeee” project is a better one which we should adopt and adapt to the Laotian custom.

On public health question, when they live in a community, the government can provide them a hospital or health station or good instruction on health. Comparable to living on the hill, when they are sick all of the family members have to watch them with no medical treatment—resulting in loss of valuable time.

Concerning education problem, the government or the Ministry of Education can set up a school for them and send teachers to teach the children in all levels. This will make those children at least literate people of Laos. As for smart children, they can further their studies up to university level. In addition to the children given education in school, the able-bodied young men will be able to serve the country as soldiers. They will learn how to be good compatriots and they will have many friends from various villages which they can help each other. These men eventually will have good knowledge and bravery
to fight the enemy. After the tribesmen move down to the settlement, the subsequent development will follow. There will be roads linking with each community and town, and not so long the settlement will be civilized once society is set up.

I have realized that the new community will create good understanding and relationship between the Lao people because marriage life in the new world of those tribes can bring about unity, leading to no split of the nation.

I'm pretty sure what I have said above will solve many problems and get rid of various conflicts, such as:

—self-selfish, family-selfish, city-selfish, but bring about worldwide knowledge, sacrifices and donation.

Turning to security and peace, this is the most significant problem of the country, because the enemy have created bad attitudes and no self-confidence to the people of Laos. The enemy have instigated the people to fight against the government for the purpose of overthrowing the Royal throne. If the tribesmen can move down, there have to be a massive training among them as follows:

To educate them to realise the importance of peace and happiness.
To arrange them in group for any possible action.
To train them to assemble arms and provide them with weapons.
To impose rules and regulations.

When the children are brought up in good way, they will realise that they have to fight for country. This programme takes time because we have to prepare everything ready to cope with the present situation. Now the FAL needs manpower to serve the nation so that peace will come. Various disputes or conflicts between compatriots cause no peace, and only peace can bring about happiness to the people from all walks of life.

**RESERVATION OF FOREST AND WATER**

As I have studied about reserving forest and water, we should not cut down the trees. We can cut the trees down but we have to grow young trees in their places. Many students who studied abroad, France, Canada and India, and come back to serve the country but cannot solve this problem. If you can fly in a plane to upnorth, you will see many points of the mountains and hills being dried, compared to the plain at the foot of the hills or mountains, many parts of the fertile land are abundant of trees. A great deal number of our relatives abandoned their home villages from the abordering areas closed to China and Vietnam to settle down their life in the new area, leaving some families on the mountain. Anyhow, up to 600,000 people of various tribes have been in an exodus since 1960. They were afraid earlier that they would be killed if they moved down because the weather down the hill was very hot for them to be alive. Now, Meo and Nhao tribesmen are cultivating their land in the plain, and some others on the mountain are willing to move down too. This is a golden opportunity for the government to take. Some un cleared parts of land in the plain should be prepared for our relatives who will abandon their opium farmland to join us. If most of the tribesmen or all of them come down, many problems will be thrashed out. In order to maintain peace in the refugees' communities, the government should send out some educated officials to live with them, training them in various aspects, particular politics.

Whenever they all move down, the national budget or the national gross will come up to 50 times. Besides their self-reliance, they will bring in national income to Laos. Laos can solve the problem of opium whenever all of the tribesmen move to live in the plain settlements, because they will not be able to grow opium in the warm climate.

Vientiane, June 1, 1970.

Gen. OUAN RATHIKOUN.
APPENDIX D

TEXT OF SEPTEMBER 28, 1971 UNITED STATES-THAI MEMORANDUM OF UNDERSTANDING

The Royal Thai Government and the Government of the United States, being parties to the Single Convention on Narcotic Drugs of 1961, and other international agreements on the control of illicit narcotics and dangerous drugs whether vegetal or chemical derivative, recognizing that drug addiction and drug abuse present a threat to their respective societies and to the peoples of other nations, accepting the cessation of opium production and the ending of the cultivation of the poppy as international goals, and having issued on August 23, 1971, a joint statement expressing their deep concern over the growth in drug abuse and drug addiction in many parts of the world, reafirm their desire and intention to cooperate with each other in actions to be taken against the supply of illicit narcotics and dangerous drugs for the purposes of abuse, and against international traffic which serves as a channel connecting production with use, and to discourage the demand for such narcotics and drugs for such purposes, and agree as follows:

(1) Disruption and elimination of narcotics trafficking, processing and storage both within the two countries and across their borders through stringent law enforcement efforts and other means, is the most promising means of achieving significant early reduction of narcotics supplies and, as a matter of first priority, maximum effort will be made to cooperate in this respect. The principal problem facing Thailand is recognized by the two parties to be the illegal transit through Thai territory of certain types of dangerous drugs and narcotics. The Royal Thai Government agrees to make additional police and other officials and other resources and facilities available for its programs to interdict the narcotics traffic. The United States Government, in its part, and wherever it has jurisdiction and authority, agrees to reinforce surveillance and control of drug traffic and drug use. It will also lend its unstinted cooperation in such fields as training, equipment, advisory assistance and other mutually agreed support to make programs of the Royal Thai Government more effective.

(2) The two governments agree to exert their efforts to work with the countries concerned to achieve elimination of illicit agricultural production of poppies. As regards Thailand where effective measures have for many years been taken by the Royal Thai Government to prevent certain hill tribe elements from indulging in such production, further efforts are needed to support the Royal Thai Government's endeavors to bring about the transformation of regions where some poppies are still grown illegally into viable economies based on other types of agriculture and other sources of livelihood. It is further agreed that programs already launched by the Royal Thai Government will be enlarged and that additional programs will be designed so that the desired economic and social change may be realized and that work on such programs will proceed expeditiously. The two governments see the need for each to contribute, as available, area and social expertise, technical and agricultural knowledge, personnel and required equipment. Attainment of this goal will involve, inter alia, more effective research into and application of existing knowledge concerning possible crop substitution, other alternative economic production activities and marketing aspects.

(3) Medical and social rehabilitation of narcotics and drug users and addicts must be a key component of an integrated attack on the narcotic problem. In this connection the two governments agree that the efforts will be made to increase and improve the effectiveness and availability of rehabilitation services. The United States Government will make available, in support of Thai efforts, medical and related social counseling facilities, personnel and equipment and other resources, as needed and available, to implement programs designed to alleviate the dependence on narcotics and drugs of users and addicts and to assist their re-entry into society.
(4) A comprehensive education and public information program is an important aspect of narcotics and drug control and this can be achieved through programs designed to publicize widely the medical and social and economic dangers of narcotics and drugs and to insure the public awareness and understanding of the programs that will be necessary to their full acceptance. The two parties agree to cooperate with each other and to employ existing assets, to the maximum extent feasible, in this effort.

(5) It is important to the combating of international narcotics and drug production and trafficking that the coordinated cooperation of many countries be obtained. Thus, the two governments agree to the desirability of encouraging and cooperating with United Nations and other multilateral programs to combat drug abuse and control traffic in narcotics.

(6) The Joint Planning Groups already established by the two governments will serve as a primary means of policy liaison in furtherance of the programs which are to be undertaken in implementation of this agreement.

(7) In order to carry out the purposes of this Memorandum of Understanding, they will promptly proceed with the preparation and implementation of specific projects and programs within the field of narcotic and drug control.
### APPENDIX E

**RECENT SNO SEIZURES AND ARRESTS IN NORTHERN THAILAND**

<table>
<thead>
<tr>
<th>Name, place, and case number</th>
<th>Date seized (kilos)</th>
<th>Defendants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw opium:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lamphun: WB-72-0004</td>
<td>June 9, 1972</td>
<td>16.00</td>
</tr>
<tr>
<td>Chiang Mai, 3 villages, WB-72-0005</td>
<td>July 8, 1972</td>
<td>259</td>
</tr>
<tr>
<td>Mae Sai: WB-72-0009</td>
<td>July 23, 1972</td>
<td>63</td>
</tr>
<tr>
<td>WB-72-0010</td>
<td>July 24, 1972</td>
<td>2,190</td>
</tr>
<tr>
<td>Total (raw opium)</td>
<td></td>
<td>4,148</td>
</tr>
<tr>
<td>Morphine base: WB-72-0010</td>
<td>do.</td>
<td>712</td>
</tr>
<tr>
<td>Smoking opium: WB-72-0010</td>
<td>do.</td>
<td>353</td>
</tr>
<tr>
<td>No. 4 heroin: WB-72-0010</td>
<td>do.</td>
<td>7</td>
</tr>
<tr>
<td>Total seizures (15 defendants)</td>
<td></td>
<td>4,720</td>
</tr>
</tbody>
</table>

4,720 kilos opiates is the equivalent of 17,050 lbs. of raw opium (7,750 times 2.2)

In addition:

**Vehicles:**
- 1 Jeep
- 1 Landrover
- 1 Tank Truck with special compartment

**Weapons:**
- 11 M-1 US Carbines
- 9 US .30 calibre rifles
- 1 US M-79 grenade launcher
- 1 Chinese automatic hand gun
- 5 hand weapons, not further identified
- 1 US grenade

**Ammunition:**
- For .30 calibre rifles, M-16 Rifles and the M-60 machinegun

**Laboratory equipment:**
- 47 drums of chloroform and other chemicals and apparatus used in the making of morphine base and #4 heroin were seized as result of leads developed from the raid on the Tank Truck at Lamphun, June 9, 1972

(79)
APPENDIX F

DECREES LAW NO. 008/TT/SLU ON THE ERADICATION OF TOXIC, NARCOTIC AND DANGEROUS SUBSTANCES

(Promulgated by President Thieu on August 12, 1972)

Considering Ordinance No. 60 dated Sept. 27, 1955 on opium and modifying Decree dated July 16, 1919 which was amended by Decree No. 49/1011 dated July 26, 1949 on toxic, narcotic, and dangerous substances;
Considering law No. 005/72 dated June 28, 1972 delegating to the RVN President the power to promulgate by Decree Laws necessary measures in the domains of Security, Defense, Economy and Finance within a six-months period.

After the Ministerial Council's discussions.

Decree Law

Article 1: Ordinance No. 60 dated Sept. 27, 1955 on opium is abolished and a Decree dated July 16, 1919 amended by Decree No. 49/1011 dated July 26, 1949 on toxic, narcotic and dangerous substances is modified.

Article 2: Three name-lists of toxic drugs (A) narcotics (B) and dangerous substances (C) established along with this Decree-Law are to replace three lists A, B, C attached to Decree dated July 16, 1919 amended by Decree No. 49/1011 dated July 26, 1949.

Chapter I

Violations and punitive measures.

Article 3: Penal servitude for life penalty will be given to those who use narcotics not for medical and teaching purpose or violate the regulations in force on narcotics. Violations include import, export, speculation, cultivation, distillation, transportation of the following kinds of narcotics: opium, mor- phine and heroin, cocaine, pethidine. The offender, if belonging to a well-organized group will be subject to death penalty.

Solitary confinement penalty will also be handed down to those who use substances in list B not for medical or instruction purpose, or violate the regulations in force on narcotics. Act regarded as violations are import, export, cultivation, distillation, transportation, speculation and concession of narcotics of list B including marijuana, (root, branches, leaves, browse resin of Cannabis). The limited hard labor penalty is envisaged for violators who are members of an organization.

Article 4: Speculation of narcotics listed in Article 3 at shops or private residences for in-place consumers is prohibited throughout the RVN territory.

The speculator will be given confinement penalty. Offenders who are the speculators or admit minor youths will receive limited hard labor penalty.

Consumers of narcotics including marijuana, and Cannabis plants not for medical purpose under whatever form will be subject to one year to five years of imprisonment and fined from VN$ 5,000 to VN$ 100,000.

Article 5: As for toxic substances likely to cause addiction:

—Amphetamine group such as Maxiton, substances of similar character or effect such as Dexamphetamine, Methamphetamine, Phenmetrazine group such as Obesitol: Methyphenidate group and Pipradol group.

—Sleeping drugs: Barbiturates such as Binoctal, Immeroctal and substances of the same category.

Punitive measures are fixed as follows:

a—Those who, not for medical or instruction purpose and not in accordance with the regulations in-force on narcotics, toxic and dangerous substances, hoard, transport, produce, distill, import, export, keep in warehouse or concede the above-mentioned hard drugs will be sentenced to from one year to five years of imprisonment and fined from VN$ 5,000 to VN$ 100,000. The confinement penalty is reserved for those violators who are members of organization.

(80)
b—Consumers of toxic and sleeping drugs under any forms contrary to the medical therapeutic method will be subject to three months to three years of imprisonment and must pay a fine from VN$ 1,000 to VN$ 50,000.

Article 6: As for substances which help create illusion in List A including LSC, Mescaline, Psilocybine, DMT, STT or DOM, and substances of the same distillation and category, punitive measures will be limited labor penalty for those who hoard, transport, produce, distill, export, import, concede and use these substances not for medical purpose, or in accordance with the regulations-in-force on narcotics. The violators, if belonging to an organization, will be sentenced to hard labor for life.

Consumers of these toxic substances under any forms not for therapeutic purpose as acknowledged in physicians prescriptions will be sentenced to one year to five years of imprisonment and fined VN$ 5,000 to VN$ 100,000.

Article 7: Physicians, pharmacists, dentists, veterinarians who intentionally provide means for violators prescribed in Articles 3, 4 and 5 and Article 6 of this Decree-Law will be subject to the same penalty given to the offenders.

Any misuses in the issuance of prescription authorizing the use and distribution of toxic, narcotic and dangerous substances contrary to the regulations in force will be also subject to punitive measures stipulated in Article 5 clause b of this Decree-Law.

In addition to the penalties, the Court may order the closure of the related consultation office or pharmacy for a period from six months to two years. Besides the Health Minister will ask the Physicians' Union Council, the Pharmacists' Union or the Dentists' Union to adopt disciplinary measures against the offenders.

In case of repetition of the offense, besides the penalties said above, the Court may order the definite closure of the medical consultation office or pharmacy.

Chapter II

De-intoxication

Article 8.—De-intoxication is enforced in separate agencies to be set up by an Order of the Prime Minister or in national hospitals and private consultation office legally recognized in accordance with the demands.

Subject to compulsory treatment at the above-mentioned agencies are addicts of toxic, narcotic and dangerous substances said in this Decree-Law, who are either arrested or voluntarily report for the treatment.

Those who try to escape from the hospitals will be sentenced to imprisonment terms from three months to three years and fined from VN$1,000 to VN$50,000.

Chapter III

General provisions

Article 9.—In parallel with the penalties said in the foregoing Articles, the Court will order the seizure of:

—Narcotics, marijuana, toxic and dangerous substances along with transportation means and materials used to conceal the offense.
—Substances used for the distillation and materials used for the cultivation, distillation or the containers of the seized substances.
—Necessary materials and equipments for the use of narcotics, toxic and dangerous substances under all forms.

Article 10.—The offenders will not be entitled to suspended execution of sentence given to cases of offenses envisaged in this Decree-Law.

However, over 55-year-old or sick opium smokers may be entitled to suspended execution of sentence in accordance with the laws in force.

Article 11.—The Prime Minister will fix by an order the detailed application of this Decree-Law whenever necessary.

The Prime Minister may change, by virtue of a Decree signed upon the proposal of the Health Minister, the narcotics toxic and dangerous substances mentioned in Articles 3, 5 and 6 as well as in the A, B, C lists supplemented to this Decree-Law.
Article 12.—During the whole period in which the state of war or martial law is proclaimed, the trial of violators of Article 3 of this Decree-Law belongs to the competence of the Military Field Court.

However, the Ordinary Court can still continue to handle the case if military authorities do not claim for the right to prosecute the violators before the Military Field Court.

Article 13.—All articles contrary to this Decree-Law are abolished.

Article 14.—This Decree-Law is promulgated under the emergency procedures and printed in the official journal of the Republic of Vietnam. (PD/26)