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E.O. 12958, as amended
June 22, 2004

DEPARTMENT OF STATE
Washington, D.C. 20520

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October 4, 1972

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TO : EA/ACA - Mr. Alfred Le S. Jenkins

FROM : S/NM - Nelson Gross NG

SUBJECT : Narcotics Control, People's Republic of China.

The PRC has now been approached on several occasions on the question of narcotics control. The first exchange was Marshall Green's initiative with Hsiung Hsiang-Hui, Chou's Private Secretary for Foreign Affairs, during the President's visit to China.

Subsequently the PRC delegation at the United Nations participated in the ECOSOC debate on narcotic items last May 17. This was followed immediately by discussions held between the President of the International Narcotics Control Board and Chinese representatives. President Greenfield made a statement on the subject of China at the ECOSOC meeting on May 15 as follows:

> "Both the INCB and its predecessor body the PCOB have repeatedly called attention to major gaps in their information regarding the movement and control of narcotic substances in extensive and populous areas of the world. ... Today it is a matter for profound satisfaction that, following the participation by the People's Republic of China in United Nations affairs, the most important of these gaps will hereafter be closed. The Board has already, through the appropriate diplomatic channels, sought to obtain collaboration with the Chinese authorities; and within the last few days the

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> Secretary, Mr. Dittert, and I have met with a response which we interpret as encouraging. This must be a matter for general satisfaction. For, on the most modest assessment of the advantages which could accrue to the Board for such collaboration, the addition to its fund of knowledge would in itself be a considerable gain; but the potential benefit derivable from this major reinforcement of the international narcotic control system is obviously great."

Thereafter, pursuant to instructions from the NSC, Nelson Gross and Ambassador Phillips met in New York with PRC Deputy Permanent Representative Wang (meeting reported in USUN 2887). Representative Wang was quite forthcoming, and the opportunity was provided for dialogue in depth concerning the willingness of the USG to set the record straight concerning unsubstantiated allegations that the China Mainland is an important source of narcotics for the illicit drug market overseas. It was quite apparent that on that score the Chinese Representative was quite desirous that the PRC not be the brunt of such allegations. Since that time, Congressman Halpern (R-N.Y.) has had a similar lengthy meeting with the Chinese in New York.

The Chinese stated at the Gross meeting that their participation at the ECOSOC session had been a "signal" that they were interested in exploring the subject matter and in determining the role their Government would play internationally. It is evident from these recent conversations that the Chinese are continuing to assess the position that they will adopt. It seems to me that sufficient time has elapsed for us to inquire again as to their attitude, particularly on the following points:

1. Possible PRC accession to the Single Convention and to the Amending Protocol opened for signature on March 25, 1972. The timing is appropriate since the

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Senate has now approved the Protocol. The PRC indicated some hesitancy since Nationalist China is a party to the Convention and that obstacle must be overcome. Talking points on this issue as prepared by L are attached.

2. PRC membership on the Commission on Narcotic Drugs. The next election of members will not take place until the May 1973 ECOSOC meeting, but we might continually explore this with the Chinese in order to provide every opportunity for them to join. Membership would be a plus since there would then be a vehicle for constant exchange and liaison.

I would suggest that your channel might now be the best area for discussion of these items. At the time the subject is raised, I think it would be most constructive if an exchange of experts could be discussed. For example if Gross or Jaffe could visit China or their experts visit with us (their Health Minister apparently attended the ECOSOC meeting), it would facilitate mutual contacts. The reason to anticipate a possible affirmative PRC response would be sensitivity to criticism of the PRC and its alleged opium transit. Obviously it would be most helpful to the PRC if the Administration affirmatively were able to say that the PRC in no way contributed to the illicit market.

It would be a tremendous advangage if you were able to arrange for continued discussions between our experts, since at some point we might be able to discuss actual enforcement. For example if the PRC were prepared to cooperate in suppressing the illicit narcotics traffic by trawlers moving from Thailand through Chinese territorial waters off Hong Kong, we could create a serious impediment to the traffic. Then there is even the question of PRC willingness to assure the Burmese of Peking's opposition to illegal narcotics trafficking in order to

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encourage more vigorous efforts against the illicit production and traffic in that country. In short, there is an important gap in international controls which could be filled by cooperative action between the Chinese Government and ourselves. Anything that can be done to expedite discussions in substance would be most welcome.

Attachment:

Talking Points.

Concurrence: IO/HDC - Mr. Noziglia
L/NEA - Mr. Boyd

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Presumably, the USG would not want to agree with the PRC's position that previous adherence by the ROC to the Single Convention (and other international agreements) is null and void. This is the kind of legalistic issue, however, which need not stand in the way of developing cooperative relationships between the PRC and the international community in general and the USG in particular as we move toward normalization of relations. We are reliably informed that the United Nations Secretariat no longer accepts ROC instruments of ratification for international agreements for which the UN is depositary. Unquestionably, the UN Secretariat would accept the PRC's instruments of ratification or accession without any problem whatsoever. The 1971 UN publication on parties to multilateral agreements contains an introductory note concerning signatures, ratifications, accessions etc. on behalf of China (copy attached). We would hope this would provide a satisfactory practical solution to the PRC's concern about the status of the ROC's earlier ratification of the Single Convention.

cc: L/EA

DRAFTED: L/NEA: S. M. Boyd

CLEARANCE: L/T - Mr. Bevans