

DOMINION OF CANADA

---

TREATY SERIES, 1928

No. 4

INTERNATIONAL CONVENTION

(SECOND OPIUM)

RELATING TO DANGEROUS DRUGS

*WITH PROTOCOL*

---

Signed at Geneva, the 19th February, 1925  
Canadian Ratification deposited the 27th June, 1928



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929

43 207 589  
b 1627909





## SECOND OPIUM CONVENTION

Signed at Geneva, February 19, 1925.

(Canadian Ratification Deposited June 27, 1928).

ALBANIA, GERMANY, AUSTRIA, BELGIUM, BRAZIL, THE BRITISH EMPIRE, CANADA, THE COMMONWEALTH OF AUSTRALIA, THE UNION OF SOUTH AFRICA, NEW ZEALAND, THE IRISH FREE STATE AND INDIA, BULGARIA, CHILE, CUBA, DENMARK, SPAIN, FRANCE, GREECE, HUNGARY, JAPAN, LATVIA, LUXEMBURG, NICARAGUA, THE NETHERLANDS, PERSIA, POLAND, PORTUGAL, THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, SIAM, SUDAN, SWITZERLAND, CZECHOSLOVAKIA AND URUGUAY.

Taking note of the fact that the application of the provisions of the Hague Convention of January 23rd, 1912, by the Contracting Parties has produced results of great value, but that the contraband trade in and abuse of the substances to which the Convention applies still continue on a great scale;

Convinced that the contraband trade in and abuse of these substances cannot be effectually suppressed except by bringing about a more effective limitation of the production or manufacture of the substances, and by exercising a closer control and supervision of the international trade, than are provided for in the said Convention;

Desirous therefore of taking further measures to carry out the objects aimed at by the said Convention and to complete and strengthen its provisions;

Realizing that such limitation and control require the close co-operation of all the Contracting Parties;

Confident that this humanitarian effort will meet with the unanimous adhesion of the nations concerned;

Have decided to conclude a Convention for this purpose.

The High Contracting Parties have accordingly appointed as their Plenipotentiaries:

*The President of the Supreme Council of Albania:*  
M. B. Blinishti, Director of the Albanian Secretariat accredited to the League of Nations.

*The President of the German Reich:*  
M. H. von Eckardt, Envoy Extraordinary and Minister Plenipotentiary.

*The President of the Austrian Republic:*  
M. Emerich Pflugl, Minister Plenipotentiary, Representative of the Austrian Federal Government accredited to the League of Nations.

*His Majesty the King of the Belgians:*  
M. Fernand Peltzer, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;  
Dr. Ferdinand de Myttenaere, Chief Inspector of Pharmacies.

*The President of the United States of Brazil:*  
Dr. Humberto Gotuzzo, Medical Director of the Rio de Janeiro Mental Hospital;  
Dr. Pedro Pernambuco, Professor in the Faculty of Medicine at the University of Rio de Janeiro.



*His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:*

Sir Malcolm Delevingne, K.C.B., Assistant Under-Secretary of State;  
and

*for the Dominion of Canada:*

The Honourable R. Dandurand, Senator, Delegate to the Sixth Assembly of the League of Nations;

*for the Commonwealth of Australia:*

Mr. M. L. Shepherd, I.S.O., Official Secretary for the Commonwealth of Australia in Great Britain;

*for the Union of South Africa:*

Mr. J. S. Smit, High Commissioner for the Union of South Africa in the United Kingdom;

*for the Dominion of New Zealand:*

The Honourable Sir James Allen, K.C.B., High Commissioner for New Zealand in the United Kingdom;

*for the Irish Free State:*

Mr. Michael MacWhite, Representative of the Irish Free State accredited to the League of Nations;

*for India:*

Mr. R. Sperling, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

*His Majesty the King of the Bulgars:*

M. Dimitri Mikoff, Chargé d'Affaires in Switzerland.

*The President of the Republic of Chile:*

M. Emilio Bello-Codesido, Ambassador, President of the Chilean Delegation to the Sixth Assembly of the League of Nations.

*The President of the Cuban Republic:*

M. Aristides de Agüero y Bethencourt, Envoy Extraordinary and Minister Plenipotentiary to the President of the German Reich and to the President of the Austrian Republic.

*His Majesty the King of Denmark:*

M. A. Oldenburg, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Representative of Denmark accredited to the League of Nations.

*His Majesty the King of Spain:*

M. E. de Palacios, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

*The President of the French Republic:*

M. G. Bourgeois, French Consul;

M. A. Kircher, Director of Customs and Excise in Indo-China.

*His Serene Highness the Governor of Hungary:*

Dr. Zoltán Baranyai, Head of the Royal Hungarian Secretariat accredited to the League of Nations.

*His Majesty the Emperor of Japan:*

M. S. Kaku, former Civil Governor of the General Government of Taiwan;  
M. Yotaro Sugimura, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations.



*The President of the Latvian Republic:*

M. W. G. Salnais, Minister of Social Welfare.

*Her Royal Highness the Grand Duchess of Luxemburg:*

M. Charles Vermaire, Luxemburg Consul at Geneva.

*The President of the Republic of Nicaragua:*

M. A. Sottile, Nicaraguan Consul at Geneva, Permanent Delegate accredited to the League of Nations.

*Her Majesty the Queen of the Netherlands:*

M. W. G. van Wettum, Member of the Advisory Committee of the League of Nations on the Traffic in Opium and other Dangerous Drugs;  
Dr. J. B. M. Coebergh, Chief Inspector of Public Health Service;  
M. A. D. A. de Kat Angelino, Secretary for Chinese Affairs to the Government of the Netherlands Indies.

*His Imperial Majesty the Shah of Persia:*

His Highness Prince Mirza Riza Khan Arfa-od-Dovleh, Ambassador, Representative of the Imperial Government accredited to the League of Nations.

*The President of the Polish Republic:*

Dr. W. Chodzko, former Minister of Public Health, Delegate of the Polish Government to the "Office international d'hygiène publique."

*The President of the Portuguese Republic:*

M. Bartholomeu Ferreira, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;  
Dr. Rodrigo J. Rodrigues, Governor of Macao.

*His Majesty the King of the Serbs, Croats and Slovenes:*

M. M. Yovanovitch, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

*His Majesty the King of Siam:*

His Serene Highness Prince Damras, Chargé d'Affaires to the Netherlands.

*His Excellency the Governor-General of the Sudan:*

Sir Wasey Sterry, C.B.E., Legal Secretary to the Government of Sudan.

*The Swiss Federal Council:*

M. Paul Dinichert, Minister Plenipotentiary, Head of the Foreign Affairs Division of the Federal Political Department.

*The President of the Czechoslovak Republic:*

M. Ferdinand Veverka, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Representative accredited to the League of Nations.

*The President of the Republic of Uruguay:*

M. Enrique E. Buero, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

who, after communicating their full powers, found in good and due form, have agreed as follows:



## CHAPTER I.—DEFINITIONS

## ARTICLE 1

The Contracting Parties agree to adopt the following definitions for the purpose of the present Convention:

*Raw Opium*.—"Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L., which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

*Medicinal Opium*.—"Medicinal opium" means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

*Morphine*.—"Morphine" means the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}NO_3$ .

*Diacetylmorphine*.—"Diacetylmorphine" means diacetylmorphine (diacetylmorphine, heroin) having the formula  $C_{21}H_{23}NO_5$ .

*Coca Leaf*.—"Coca leaf" means the leaf of the *Erythroxylon Coca Lamarck* and the *Erythroxylon novo-granatense* (Morris) Hieronymus and their varieties belonging to the family of Erythroxylaceæ and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation.

*Crude Cocaine*.—"Crude cocaine" means any extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine.

*Cocaine*.—"Cocaine" means methyl-benzoyl lævo-ecgonine ( $[\alpha] D_{20}^{\circ} = -16^{\circ}4$ ) in 20 per cent solution of chloroform, of which the formula is  $C_{17}H_{21}NO_4$ .

*Ecgonine*.—"Ecgonine" means lævo-ecgonine ( $[\alpha] D_{20}^{\circ} = -45^{\circ}6$  in 5 per cent solution of water), of which the formula is  $C_9H_{15}NO_3 \cdot H_2O$ , and all the derivatives of lævo-ecgonine which might serve industrially for its recovery.

*Indian Hemp*.—"Indian hemp" means the dried flowering or fruiting tops of the pistillate plant *Cannabis sativa* L. from which the resin has not been extracted, under whatever name they may be designated in commerce.

## CHAPTER II.—INTERNAL CONTROL OF RAW OPIUM AND COCA LEAVES

## ARTICLE 2

The Contracting Parties undertake to enact laws and regulations to ensure the effective control of the production, distribution and export of raw opium, unless laws and regulations on the subject are already in existence; they also undertake to review periodically, and to strengthen as required, the laws and regulations on the subject which they have enacted in virtue of Article 1 of the Hague Convention of 1912 or of the present Convention.

## ARTICLE 3

Due regard being had to the differences in their commercial conditions, the Contracting Parties shall limit the number of towns, ports or other localities through which the export or import of raw opium or coca leaves shall be permitted.



### CHAPTER III.—INTERNAL CONTROL OF MANUFACTURED DRUGS

#### ARTICLE 4

The provisions of the present Chapter apply to the following substances:

- (a) Medicinal opium;
- (b) Crude cocaine and ecgonine;
- (c) Morphine, diacetylmorphine, cocaine and their respective salts;
- (d) All preparations official and non-official (including the so-called anti-opium remedies) containing more than 0.2 per cent of morphine or more than 0.1 per cent of cocaine;
- (e) All preparations containing diacetylmorphine;
- (f) Galenical preparations (extract and tincture) of Indian hemp;
- (g) Any other narcotic drug to which the present Convention may be applied in accordance with Article 10.

#### ARTICLE 5

The Contracting Parties shall enact effective laws or regulations to limit exclusively to medical and scientific purposes the manufacture, import, sale, distribution, export and use of the substances to which this Chapter applies. They shall co-operate with one another to prevent the use of these substances for any other purposes.

#### ARTICLE 6

The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting the substances to which this Chapter applies, as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall:

- (a) Confine the manufacture of the substances referred to in Article 4 (b), (c) and (g) to those establishments and premises alone which have been licensed for the purpose.
- (b) Require that all persons engaged in the manufacture, import, sale, distribution, or export of the said substances shall obtain a license or permit to engage in these operations;
- (c) Require that such persons shall enter in their books the quantities manufactured, imports, exports, sales and all other distribution of the said substances. This requirement shall not necessarily apply either to supplies dispensed by medical practitioners or to sales by duly authorized chemists on medical prescriptions, provided in each case that the medical prescriptions are filed and preserved by the medical practitioner or chemist.

#### ARTICLE 7

The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery to or possession by any unauthorized persons of the substances to which this Chapter applies.

#### ARTICLE 8

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office international d'Hygiène publique in Paris, finding that any preparation containing any of the narcotic drugs referred to in the present Chapter cannot give rise to the drug habit on account of the medicaments



with which the said drugs are compounded and which in practice preclude the recovery of the said drugs, the Health Committee shall communicate this finding to the Council of the League of Nations. The Council will communicate the finding to the Contracting Parties, and thereupon the provisions of the present Convention will not be applicable to the preparation concerned.

#### ARTICLE 9

Any Contracting Party may authorize the supply to the public by chemists, at their own discretion, as medicines, for immediate use in urgent cases, of the following opiate official preparations: tincture of opium, Sydenham laudanum and Dover powder. The maximum dose, however, which may be supplied in such cases must not contain more than 25 centigrammes of official opium, and the chemist must enter in his books the quantities supplied, as provided in Article 6 (c).

#### ARTICLE 10

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office international d'Hygiène publique in Paris, finding that any narcotic drug to which the present Convention does not apply is liable to similar abuse and productive of similar ill-effects as the substances to which this Chapter of the Convention applies, the Health Committee shall inform the Council of the League accordingly and recommend that the provisions of the present Convention shall be applied to such drug.

The Council of the League shall communicate the said recommendation to the Contracting Parties. Any Contracting Party which is prepared to accept the recommendation shall notify the Secretary-General of the League who will inform the other Contracting Parties.

The provisions of the present Convention shall thereupon apply to the substance in question as between the Contracting Parties who have accepted the recommendation referred to above.

### CHAPTER IV.—INDIAN HEMP

#### ARTICLE 11

1. In addition to the provisions of Chapter V of the present Convention which shall apply to Indian hemp and the resin prepared from it, the Contracting Parties undertake:

(a) To prohibit the export of the resin obtained from Indian hemp and the ordinary preparations of which the resin forms the base (such as hashish, esrar, chiras, djamba) to countries which have prohibited their use, and, in cases where export is permitted, to require the production of a special import certificate issued by the Government of the importing country stating that the importation is approved for the purposes specified in the certificate and that the resin or preparations will not be re-exported;

(b) Before issuing an export authorization under Article 13 of the present Convention, in respect of Indian hemp, to require the production of a special import certificate issued by the Government of the importing country and stating that the importation is approved and is required exclusively for medical or scientific purposes.

2. The Contracting Parties shall exercise an effective control of such a nature as to prevent the illicit international traffic in Indian hemp and especially in the resin.



## CHAPTER V.—CONTROL OF INTERNATIONAL TRADE

## ARTICLE 12

Each Contracting Party shall require a separate import authorization to be obtained for each exportation of any of the substances to which the present Convention applies. Such authorization shall state the quantity to be imported, the name and address of the importer and the name and address of the exporter.

The import authorization shall specify the period within which the importation must be effected and may allow the importation in more than one consignment.

## ARTICLE 13

1. Each Contracting Party shall require a separate export authorization to be obtained for each exportation of any of the substances to which the present Convention applies. Such authorization shall state the quantity to be exported, the name and address of the exporter and the name and address of the importer.

2. The Contracting Party, before issuing such export authorization, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person or establishment applying for the export authorization.

Each Contracting Party agrees to adopt, so far as possible, the form of import certificate annexed to the present Convention.

3. The export authorization shall specify the period within which the exportation must be effected, and shall state the number and date of the import certificate and the authority by whom it has been issued.

4. A copy of the export authorization shall accompany the consignment, and the Government issuing the export authorization shall send a copy to the Government of the importing country.

5. The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorization, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually imported.

6. If a less quantity than that specified in the export authorization is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorization and on any official copy thereof.

7. In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be accepted by the Government of the exporting country in place of the import certificate provided for above. In such a case, the export authorization shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse.

## ARTICLE 14

For the purpose of ensuring the full application and enforcement of the provisions of the present Convention in free ports and free zones, the Contracting Parties undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise therein the same supervision and control, in respect of the substances covered by the said Convention, as in other parts of their territories.



This Article does not, however, prevent any Contracting Party from applying, in respect of the said substances, more drastic provisions in its free ports and free zones than in other parts of its territories.

#### ARTICLE 15

1. No consignment of any of the substances covered by the present Convention which is exported from one country to another country shall be permitted to pass through a third country, whether or not it is removed from the consignment by means of a special authorization (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph) which accompanies the consignment and is produced to the competent authorities of that country.

2. The competent authorities of any country through which a consignment of any of the substances covered by the present Convention is permitted to pass shall take all due measures to prevent the diversion of the consignment (or the diversion certificate) which accompanies it, unless the government of that country has authorized that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate, in accordance with Article 13, from the Government of the country to which it is proposed to divert the consignment, and shall contain the same particulars as are required by Article 13 to be stated in an export authorization together with the name of the country from which the consignment was originally exported. All the provisions of Article 13 which are applicable to an export authorization shall be applicable equally to the diversion certificate.

Further, the Government of the country authorizing the diversion of the consignment shall detain the copy of the original export authorization (or diversion certificate) which accompanied the consignment on arrival in its territory, and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorized.

3. In cases where the transport is being effected by air, the preceding provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the said provisions shall be applied so far as the circumstances permit.

4. Paragraphs 1 to 3 of this Article are without prejudice to the provisions of any international agreement which limits the control which may be exercised by any of the Contracting Parties over the substances to which the present Convention applies when in direct transit.

5. The provisions of this Article shall not apply to transport of the substances by post.

#### ARTICLE 16

A consignment of any of the substances covered by the present Convention which is landed in the territory of any Contracting Party and placed in a bonded warehouse shall not be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorization shall be issued by the said authorities in respect of each consignment so withdrawn and shall take the place of the export authorization for the purpose of Articles 13, 14 and 15 above.

#### ARTICLE 17

No consignment of the substances covered by the present Convention which is passing in transit through the territories of any Contracting Party or which is being stored there in a bonded warehouse may be subjected to any process which would alter the nature of the substances in question or, without the permission of the competent authorities, the packing.



## ARTICLE 18

If any Contracting Party finds it impossible to apply any provision of this Chapter to trade with another country by reason of the fact that such country is not a party to the present Convention, such Contracting Party will only be bound to apply the provisions of this Chapter so far as the circumstances permit.

## CHAPTER VI.—PERMANENT CENTRAL BOARD

## ARTICLE 19

A Permanent Central Board shall be appointed, within three months from the coming into force of the present Convention.

The Central Board shall consist of eight persons who, by their technical competence, impartiality and disinterestedness, will command general confidence. The members of the Central Board shall be appointed by the Council of the League of Nations.

The United States of America and Germany shall be invited each to nominate one person to participate in these appointments.

In making the appointments, consideration shall be given to the importance of including on the Central Board, in equitable proportion, persons possessing a knowledge of the drug situation, both in the producing and manufacturing countries on the one hand and in the consuming countries on the other hand, and connected with such countries.

The members of the Central Board shall not hold any office which puts them in a position of direct dependence on their Governments.

The members shall be appointed for a term of five years, and they will be eligible for re-appointment.

The Central Board shall elect its own President and shall settle its rules of procedure.

At meetings of the Board, four members shall form a quorum. The decisions of the Board relative to Articles 24 and 26 shall be taken by an absolute majority of the whole number of the Board.

## ARTICLE 20

The Council of the League of Nations shall, in consultation with the Board, make the necessary arrangements for the organization and working of the Board, with the object of assuring the full technical independence of the Board in carrying out its duties under the present Convention, while providing for the control of the staff in administrative matters by the Secretary-General.

The Secretary-General shall appoint the secretary and staff of the Board on the nomination of the Board and subject to the approval of the Council.

## ARTICLE 21

The Contracting Parties agree to send in annually before December 31st, to the Permanent Central Board set up under Article 19, estimates of the quantities of each of the substances covered by the Convention to be imported into their territory for internal consumption during the following year for medical, scientific and other purposes.

These estimates are not to be regarded as binding on the Government concerned, but will be for the purpose of serving as a guide to the Central Board in the discharge of its duties.

Should circumstances make it necessary for any country, in the course of the year, to modify its estimates, the country in question shall communicate the revised figures to the Central Board.



## ARTICLE 22

1. The Contracting Parties agree to send annually to the Central Board, in a manner to be indicated by the Board, within three (in the case of paragraph (c), five) months after the end of the year, as complete and accurate statistics as possible relative to the preceding year, showing:

- (a) Production of raw opium and coca leaves;
- (b) Manufacture of the substances recovered by Chapter III, Article 4 (b) (c) and (g) of the present Convention and the raw material used for such manufacture. The amount of such substances used for the manufacture of other derivatives not covered by the Convention shall be separately stated;
- (c) Stocks of the substances covered by Chapters II and III of the present Convention in the hands of wholesalers or held by the Government for consumption in the country for other than Government purposes;
- (d) Consumption, other than for Government purposes, of the substances covered by Chapters II and III of the present Convention;
- (e) Amounts of each of the substances covered by the present Convention which have been confiscated on account of illicit import or export; the manner in which the confiscated substances have been disposed of shall be stated, together with such other information as may be useful in regard to such confiscation and disposal.

The statistics referred to in paragraphs (a) to (e) above shall be communicated by the Central Board to the Contracting Parties.

2. The Contracting Parties agree to forward to the Central Board, in a manner to be prescribed by the Board, within four weeks after the end of each period of three months, the statistics of their imports from and exports to each country of each of the substances covered by the present Convention during the preceding three months. These statistics will, in such cases as may be prescribed by the Board, be sent by telegram, except when the quantities fall below a minimum amount which shall be fixed in the case of each substance by the Board.

3. In furnishing the statistics in pursuance of this Article, the Governments shall state separately the amounts imported or purchased for Government purposes, in order to enable the amounts required in the country for general medical and scientific purposes to be ascertained. It shall not be within the competence of the Central Board to question or to express any opinion on the amounts imported or purchased for Government purposes or the use thereof.

4. For the purposes of this Article, substances which are held, imported, or purchased by the Government for eventual sale are not regarded as held, imported or purchased for Government purposes.

## ARTICLE 23

In order to complete the information of the Board as to the disposal of the world's supply of raw opium, the Governments of the countries where the use of prepared opium is temporarily authorized shall, in a manner to be prescribed by the Board, in addition to the statistics provided for in Article 22, forward annually to the Board, within three months after the end of the year, as complete and accurate statistics as possible relative to the preceding year showing:

- (1) The manufacture of prepared opium, and the raw material used for such manufacture;
- (2) The consumption of prepared opium.



It is understood that it shall not be within the competence of the Board to question or to express any opinion upon these statistics, and that the provisions of Article 24 are not applicable to the matters dealt with in this Article, except in cases where the Board may find that illicit international transactions are taking place on an appreciable scale.

#### ARTICLE 24

1. The Central Board shall continuously watch the course of the international trade. If the information at its disposal leads the Board to conclude that excessive quantities of any substance covered by the present Convention are accumulating in any country, or that there is a danger of that country becoming a centre of the illicit traffic, the Board shall have the right to ask, through the Secretary-General of the League, for explanations from the country in question.

2. If no explanation is given within a reasonable time or the explanation is unsatisfactory, the Central Board shall have the right to call the attention of the Governments of all the Contracting Parties and of the Council of the League of Nations to the matter, and to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country in regard to the said substances. The Board shall at the same time notify the Government of the country concerned of the recommendation made by it.

3. The country concerned shall be entitled to bring the matter before the Council of the League.

4. The Government of any exporting country which is not prepared to act on the recommendation of the Central Board shall also be entitled to bring the matter before the Council of the League.

If it does not do so, it shall immediately inform the Board that it is not prepared to act on the recommendation, explaining, if possible, why it is not prepared to do so.

5. The Central Board shall have the right to publish a report on the matter and communicate it to the Council, which shall thereupon forward it to the Governments of all the Contracting Parties.

6. If in any case the decision of the Central Board is not unanimous, the views of the minority shall also be stated.

7. Any country shall be invited to be represented at a meeting of the Central Board at which a question directly interesting it is considered.

#### ARTICLE 25

It shall be the friendly right of any of the Contracting Parties to draw the attention of the Board to any matter which appears to it to require investigation, provided that this Article shall not be construed as in any way extending the powers of the Board.

#### ARTICLE 26

In the case of a country which is not a party to the present Convention, the Central Board may take the same measures as are specified in Article 24, if the information at its disposal leads it to conclude that there is a danger of the country becoming a centre of the illicit traffic; in that case the Board shall take the action indicated in the said Article as regards notification to the country concerned. Paragraphs 3, 4 and 7 of Article 24 shall apply in any such case.



## ARTICLE 27

The Central Board shall present an annual report on its work to the Council of the League. This report shall be published and communicated to all the Contracting Parties.

The Central Board shall take all necessary measures to ensure that the estimates, statistics, information and explanations which it receives under Articles 21, 22, 23, 24, 25 or 26 of the present Convention shall not be made public in such a manner as to facilitate the operations of speculators or injure the legitimate commerce of any Contracting Party.

## CHAPTER VII—GENERAL PROVISIONS

## ARTICLE 28

Each of the Contracting Parties agrees that breaches of its laws or regulations by which the provisions of the present Convention are enforced shall be punishable by adequate penalties, including in appropriate cases the confiscation of the substances concerned.

## ARTICLE 29

The Contracting Parties will examine in the most favourable spirit the possibility of taking legislative measures to render punishable acts committed within their jurisdiction for the purpose of procuring or assisting the commission in any place outside their jurisdiction of any act which constitutes an offence against the laws of that place relating to the matters dealt with in the present Convention.

## ARTICLE 30

The Contracting Parties shall communicate to one another, through the Secretary-General of the League of Nations, their existing laws and regulations respecting the matters referred to in the present Convention, so far as this has not already been done, as well as those promulgated in order to give effect to the said Convention.

## ARTICLE 31

The present Convention replaces, as between the Contracting Parties, the provisions of Chapters I, III and V of the Convention signed at The Hague on January 23, 1912, which provisions remain in force as between the Contracting Parties and any States Parties to the said Convention which are not Parties to the present Convention.

## ARTICLE 32

1. In order as far as possible to settle in a friendly manner disputes arising between the Contracting Parties in regard to the interpretation or application of the present Convention which they have not been able to settle through diplomatic channels, the parties to such a dispute may, before resorting to any proceedings for judicial settlement or arbitration, submit the dispute for an advisory opinion to such technical body as the Council of the League of Nations may appoint for this purpose.

2. The advisory opinion shall be given within six months commencing from the day on which the dispute has been submitted to the technical body unless this period is prolonged by mutual agreement between the parties to the dispute. The technical body shall fix the period within which the parties to decide whether they will accept the advisory opinion given by it.



3. The advisory opinion shall not be binding upon the parties to the dispute unless it is accepted by each of them.

4. Disputes which it has not been found possible to settle either directly or on the basis of the advice of the above-mentioned technical body shall, at the request of any one of the parties thereto, be brought before the Permanent Court of International Justice, unless a settlement is attained by way of arbitration or otherwise by application of some existing convention or in virtue of an arrangement specially concluded.

5. Proceedings shall be opened before the Permanent Court of International Justice in the manner laid down in Article 40 of the Statute of the Court.

6. A decision of the parties to a dispute to submit it for an advisory opinion to the technical body appointed by the Council of the League of Nations, or to resort to arbitration, shall be communicated to the Secretary-General of the League of Nations and by him to the other Contracting Parties, which shall have the right to intervene in the proceedings.

7. The parties to a dispute shall bring before the Permanent Court of International Justice any question of international law or question as to the interpretation of the present Convention arising during proceedings before the technical body or arbitral tribunal, decision of which by the Court is, on the demand of one of the parties, declared by the technical body or arbitral tribunal to be necessary for the settlement of the dispute.

#### ARTICLE 33

The present Convention, of which the French and English texts are both authentic, shall bear to-day's date and shall be open for signature until the 30th day of September, 1925, by any State represented at the Conference at which the present Convention was drawn up, by any Member of the League of Nations, and by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

#### ARTICLE 34

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to the Members of the League which are signatories of the Convention and to the other signatory States.

#### ARTICLE 35

After the 30th day of September, 1925, the present Convention may be acceded to by any State represented at the Conference at which this Convention was drawn up and which has not signed the Convention, by any Member of the League of Nations, or by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Accession shall be effected by an instrument communicated to the Secretary-General of the League of Nations to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to all the Members of the League of Nations signatories of the Convention and to the other signatory States.

#### ARTICLE 36

The present Convention shall not come into force until it has been ratified by ten Powers, including seven of the States by which the Central Board is to be appointed in pursuance of Article 19, of which at least two must be permanent Members of the Council of the League. The date of its coming into force



shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of the necessary ratifications. Thereafter, the present Convention will take effect in the case of each Party ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the day of its coming into force.

#### ARTICLE 37

A special record shall be kept by the Secretary-General of the League of Nations showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and the Members of the League at all times; it shall be published as often as possible, in accordance with the directions of the Council.

#### ARTICLE 38

The present Convention may be denounced by an instrument in writing addressed to the Secretary-General of the League of Nations. The denunciation shall become effective one year after the date of the receipt of the instrument of denunciation by the Secretary-General, and shall operate only in respect of the Contracting Party which makes it.

The Secretary-General of the League of Nations shall notify the receipt of any such denunciations to all Members of the League of Nations signatories or adherents to the Convention and to the other signatory or adherent States.

#### ARTICLE 39

Any State signing or acceding to the present Convention may declare, at the moment either of its signature, ratification or accession, that its acceptance of the present Convention does not include any or all of its colonies, overseas possessions, protectorates, or overseas territories under its sovereignty or authority, or in respect of which it has accepted a mandate on behalf of the League of Nations, and may subsequently accede, in conformity with the provisions of Article 35, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 38 shall apply to any such denunciation.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

DONE at Geneva, the nineteenth day of February, one thousand nine hundred and twenty-five, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all the States represented at the Conference and to all Members of the League of Nations.

ALBANIA:

B. BLINISHTI.

GERMANY:

H. von ECKARDT.

(Translation)

Subject to the reservation annexed to the Proces-verbal of the plenary meeting of February 16, 1925. H. v. E.



## AUSTRIA:

Emerich PFLUGL.  
(Translation)

Subject to the provisional suspension of the application of Article 13, paragraph 4, the corresponding clause of Article 15, and Article 22, paragraph 2.

In view of the special circumstances in which it is situated, the Federal Government reserves the right to suspend provisionally, for so long as those circumstances continue, the application of the above-mentioned clauses providing for the despatch of a copy of the export authorization or diversion certificate to the Government of the importing country. The Federal Government will, however, continue to apply the system of import and export certificates adopted on the recommendation of the Advisory Committee for Traffic in Opium and other Dangerous Drugs. For the same reasons, and again so long as the said special circumstances continue, the Federal Government reserves the right to suspend provisionally the application of the clause providing for the forwarding of quarterly statistics to the Central Board. It will, however, continue to make an annual report.\*

## BELGIUM:—

Fernand PELTZER.  
Dr. Ferd. de MYTTENAERE.

## BRAZIL:

Pedro PERNAMBUCO F.  
H. GOTUZZO.

## BRITISH EMPIRE:

Malcolm DELEIVINGNE.

## CANADA:

R. DANDURAND.

## COMMONWEALTH OF AUSTRALIA:

M. L. SHEPHERD.

## UNION OF SOUTH AFRICA:

J. S. SMIT.

## NEW ZEALAND:

J. ALLEN.

Under Article 39 on behalf of New Zealand the Convention is accepted for the Mandated territory of Western Samoa. J. A. September 11, 1925.

## INDIA:

R. SPERLING.

## IRISH FREE STATE:

Michael MacWHITE.

## BULGARIA:

D. MIKOFF.

## CHILE:

Emilio BELLO-C.

## CUBA:

Aristides de Aguero y BETHENCOURT.

## DENMARK:

A. OLDENBURG.

(Translation)

(Subject to ratification.)

## SPAIN:

Emilio de PALACIOS.

\* This reservation was withdrawn on May 27, 1926.



## FRANCE:

G. BOURGOIS.

A. KIRCHER.

(Translation)

The French Government is compelled to make all reservations, as regards the colonies, protectorates and mandated territories under its authority, as to the possibility of regularly producing, within the strictly prescribed time-limit, the quarterly statistics provided for in paragraph 2 of Article 22.

## GREECE:

Ad referendum

Vassili DENDRAMIS.

## HUNGARY:

Dr. Baranyai ZOLTAN.

## JAPAN:

S. KAKU.

Y. SUGIMURA.

## LATVIA:

W. G. SALNAIS.

## LUXEMBURG:

Ch. G. VERMAIRE.

## NICARAGUA:

A. SOTTILE.

## THE NETHERLANDS:

v. WETTUM.

J. B. M. COEBERGH.

A. D. A. de Kat ANGELINO.

## PERSIA:

Prince ARFA-OD-DOVLEH MIRZA RIZA KHAN.

(Translation)

Ad referendum and subject to the League of Nations, complying with the request made by Persia in the Memorandum O.D.C. 24.

## POLAND:

CHODZKO.

## PORTUGAL:

A. M. Bartholomeu FERREIRA.

R. J. RODRIGUES.

## KINGDOM OF THE SERBS, CROATS, AND SLOVENES:

M. JOVANOVITCH.

## SIAM:

DAMRAS.

## SUDAN:

WASEY STERRY.

## SWITZERLAND:

PAUL DINICHERT.

(Translation)

With reference to the declaration made by the Swiss Delegation at the 30th plenary meeting of the Conference, concerning the forwarding of the quarterly statistics provided for in Article 22, paragraph 2.

## CZECHOSLOVAKIA:

Ferdinand VEVERKA.

## URUGUAY:

E. E. BUERO.



ANNEX

MODEL FORM OF IMPORT CERTIFICATE

INTERNATIONAL OPIUM CONVENTION

Certificate of Official Approval of Import

I hereby certify that the Ministry of.....being the Ministry charged with the administration of the law relating to the dangerous drugs to which the International Opium Convention of ( ) applies, has approved the importation by

- (a) .....
of (b) .....
from (c) .....
subject to the following conditions
(d) .....
and is satisfied that the consignment proposed to be imported is required:

- (1) For legitimate purposes (in the case of raw opium and the cocoa leaf) 1 ;
(2) Solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the Convention applies and Indian hemp).

Signed on behalf of the Ministry of.....

(Signature).....

(Official Rank).....

(Date).....

1 Where the use of prepared opium has not yet been suppressed and it is desired to import the raw opium for the manufacture of prepared opium, the certificate should be to the effect that the raw opium to be imported is required for the purpose of manufacturing prepared opium for use under Government restrictions pending complete suppression, and that it will not be re-exported.



## PROTOCOL

The undersigned, representatives of certain States signatory to the Convention relating to Dangerous Drugs signed this day, duly authorized to that effect.

Taking note of the Protocol signed the eleventh day of February one thousand nine hundred and twenty-five by the representatives of the States signatory to the Agreement signed on the same day relating to the Use of Prepared Opium:

Hereby agree as follows:

### I

The States signatory to the present Protocol, recognizing that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorized.

### II

The question whether the undertaking referred to in Article I has been completely executed shall be decided, at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.

### III

The present Protocol shall come into force for each of the signatory States at the same time as the Convention relating to Dangerous Drugs signed this day. Articles 33 and 35 of the Convention are applicable to the present Protocol.

In faith whereof the present Protocol was drawn up at Geneva the nineteenth day of February, 1925, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all States represented at the Conference and to all Members of the League of Nations.

ALBANIA:

B. BLINISHTI

GERMANY:

H. von ECKARDT

BRITISH EMPIRE:

Malcolm DELEIVINGNE

CANADA:

W. A. RIDDELL

COMMONWEALTH OF AUSTRALIA

M. L. SHEPHERD

UNION OF SOUTH AFRICA:

J. S. SMIT



- NEW ZEALAND:  
J. ALLEN
- INDIA:  
R. SPERLING
- BULGARIA:  
D. MIKOFF
- CHILE:  
Emilio BELLO-C.
- CUBA:  
Aristides DE AGÜERO Y BETHENCOURT
- GREECE:  
*Ad referendum*  
Vassili DENDRAMIS
- JAPAN:  
S. KAKU  
Y. SUGIMURA
- LATVIA:  
W. G. SALNAIS
- LUXEMBURG:  
Ch. G. VERMAIRE
- NICARAGUA:  
A. SOTTILE
- THE NETHERLANDS:  
v. Wettum  
J. B. M. COEBERGH  
A. D. A. de KAT ANGELINO
- PERSIA:  
Prince ARFA-OD-DOVLEH MIRZA RIZA KHAN
- PORTUGAL:  
A. M. Bartholomeu FERREIRA  
R. J. RODRIGUES
- KINGDOM OF THE SERBS, CROATS AND SLOVENES:  
M. JOVANOVITCH
- SIAM:  
DAMRAS
- SUDAN:  
WASEY STERRY
- CZECHOSLOVAKIA:  
Ferdinand VEVERKA

LIBRARY E A / BIBLIOTHÈQUE A E



3 5036 01011816 7



