

LIMITING MANUFACTURE AND REGULATING DISTRIBUTION OF NARCOTIC DRUGS

Convention and protocol of signature signed at Geneva July 13, 1931
*Senate advice and consent to ratification, with reservations and understandings, March 31, 1932*¹
*Ratified by the President of the United States, with reservations and understandings, April 8, 1932*¹
Ratification of the United States deposited with the Secretary-General of the League of Nations April 28, 1932
Entered into force July 9, 1933
Proclaimed by the President of the United States July 10, 1933
*Amended by protocol of December 11, 1946;*² *supplemented by protocols of November 19, 1948,*³ *and June 23, 1953*⁴
*Terminated by single convention of March 30, 1961,*⁵ *as between contracting parties to the single convention*

48 Stat. 1543; Treaty Series 863

CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS

The President of the German Reich; the President of the United States of America; the President of the Argentine Republic; the Federal President of the Austrian Republic; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Majesty the King of Great Britain, Ireland and the British Dominions Beyond the Seas, Emperor of India; the President of the Republic of Chile; the President of the Republic of Costa Rica; the President of the Republic of Cuba; His Majesty the King of Denmark and Iceland; the President of the Polish Republic, for the Free City of Danzig; the President of the Dominican Republic; His Majesty the King of Egypt; the President of the Provisional Government of the Spanish Republic; His Majesty

¹ For text of U.S. reservations and understandings, made at time of signature and maintained in the Senate's resolution of advice and consent and in the President's ratification, see p. 21.

² TIAS 1671, *post*, vol. 4, and 62 Stat. 1796; TIAS 1859.

³ 2 UST 1629; TIAS 2308.

⁴ 14 UST 10; TIAS 5273.

⁵ 18 UST 1407; TIAS 6298.

the Emperor and King of the Kings of Abyssinia; the President of the French Republic; The President of the Hellenic Republic; the President of Guatemala; His Majesty the King of Hejaz, Nejd and Dependencies; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Republic of Liberia; the President of the Republic of Lithuania; Her Royal Highness the Grand Duchess of Luxemburg; the President of the United States of Mexico; His Serene Highness the Prince of Monaco; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; His Imperial Majesty the Shah of Persia; the President of the Polish Republic; the President of the Portuguese Republic; His Majesty the King of Roumania; I Capitani Reggenti of the Republic of San Marino; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Republic of Uruguay; the President of the United States of Venezuela,

Desiring to supplement the provisions of the International Opium Conventions, signed at The Hague on January 23rd, 1912,⁶ and at Geneva on February 19th, 1925,⁷ by rendering effective by international agreement the limitation of the manufacture of narcotic drugs to the world's legitimate requirements for medical and scientific purposes and by regulating their distribution,

Have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries:

The President of the German Reich:

M. Werner Freiherr von Rheinbaben, "Staatssekretär z.D.";

Dr. Waldemar Kahler, Ministerial Counsellor at the Ministry of Interior of the Reich.

The President of the United States of America:

Mr. John K. Caldwell, of the Department of State;

Mr. Harry J. Anslinger, Commissioner of Narcotics;

Mr. Walter Lewis Treadway, M.D., F.A.C.P., Assistant Surgeon-General, United States Public Health, Service Chief, Division of Mental Hygiene;

Mr. Sanborn Young, Member of the Senate of the State of California.

The President of the Argentine Republic.

Dr. Fernando Perez, Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy.

The Federal President of the Austrian Republic:

M. Emerich Pflügl, Envoy Extraordinary and Minister Plenipotentiary, Permanent Representative accredited to the League of Nations;

⁶ TS 612, ante, vol. 1, p. 855.

⁷ 81 LNTS 317. The United States did not become a party.

Dr. Bruno Schultz, Police Director and “Conseiller aulique”, Member of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

His Majesty the King of Belgium:

Dr. F. de Myttenaere, Principal Inspector of Chemistry at Hal.

The President of the Republic of Bolivia:

Dr. M. Cuellar, Member of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

The President of the Republic of the United States of Brazil:

M. Raul do Rio Branco, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

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

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

Sir Malcolm Delevingne, K.C.B., Permanent Deputy-Under-Secretary in the Home Office.

For the Dominion of Canada:

Colonel C. H. L. Sharman, C.M.G., C.B.E., Chief Narcotic Division, Department of Pensions and National Health;

Dr. Walter A. Riddell, M.A., Ph.D., Dominion of Canada Advisory Officer accredited to the League of Nations.

For India:

Dr. R. P. Paranjpye, Member of the Council of India.

The President of the Republic of Chile:

M. Enrique Gajardo, Member of the Permanent Delegation accredited to the League of Nations.

The President of the Republic of Costa Rica:

Dr. Viriato Figueredo Lora, Consul at Geneva.

The President of the Republic of Cuba:

M. Guillermo de Blanck, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations;

Dr. Benjamin Primelles.

His Majesty the King of Denmark and Iceland:

M. Gustav Rasmussen, Chargé d'affaires at Berne.

The President of the Polish Republic (for the Free City of Danzig):

M. François Sokal, Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

The President of the Dominican Republic:

M. Charles Ackermann, Consul-General at Geneva.

His Majesty the King of Egypt:

T. W. Russell Pasha, Chief of Police of Cairo and Director of the Central Bureau for Information with regard to Narcotics.

The President of the Provisional Government of the Spanish Republic:

M. Julio Casares, Head of Section at the Ministry for Foreign Affairs.

His Majesty the Emperor and King of the Kings of Abyssinia:

Count Lagarde, Duke of Entotto, Minister Plenipotentiary, Representative accredited to the League of Nations.

The President of the French Republic:

M. Gaston Bourgois, Consul of France.

The President of the Hellenic Republic:

M. R. Raphaël, Permanent Delegate accredited to the League of Nations.

The President of the Republic of Guatemala:

M. Luis Martínez Mont, Professor of Experimental Psychology in Secondary Schools of State.

His Majesty the King of Hejaz, Nejd and Dependencies:

Cheik Hafiz Wahba, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty.

His Majesty the King of Italy:

M. Stefano Cavazzoni, Senator, Former Minister of Labour.

His Majesty the Emperor of Japan:

M. Setsuzo Sawada, Minister Plenipotentiary, Director of the Japanese Bureau accredited to the League of Nations;

M. Shigeo Ohdachi, Secretary at the Ministry for Home Affairs, Head of the Administrative Section.

The President of the Republic of Liberia:

Dr. Antoine Sottile, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

The President of the Republic of Lithuania:

Dr. Dovas Zaunius, Minister for Foreign Affairs.

M. Juozas Sakalauskas, Head of Section at the Ministry for Foreign Affairs.

Her Royal Highness the Grand-Duchess of Luxemburg:

M. Charles Vermaire, Consul at Geneva.

The President of the United States of Mexico:

M. Salvador Martínez de Alva, Permanent Observer accredited to the League of Nations.

His Serene Highness the Prince of Monaco:

M. Conrad E. Hentsch, Consul-General at Geneva.

The President of the Republic of Panama:

Dr. Ernesto Hoffman, Consul-General at Geneva.

The President of the Republic of Paraguay:

Dr. Ramón V. Caballero de Bedoya, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic, Permanent Delegate accredited to the League of Nations.

Her Majesty the Queen of the Netherlands:

M. W. G. van Wettum, Government Adviser for International Opium Questions.

His Imperial Majesty the Shah of Persia:

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

The President of the Polish Republic:

M: Witold Chodźko, Former Minister.

The President of the Portuguese Republic:

Dr. Augusto de Vasconcellos, Minister Plenipotentiary, General Director of the Portuguese Secretariat of the League of Nations;

Dr. Alexandro Ferraz de Andrade, First Secretary of Legation, Chief of the Portuguese Office accredited to the League of Nations.

His Majesty the King of Roumania:

M. Constantin Antoniadé, Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations.

I Capitani Reggenti of the Republic of San Marino:

Professor C. E. Ferri, Advocate.

His Majesty the King of Siam:

His Serene Highness Prince Damras, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, Permanent Representative accredited to the League of Nations.

His Majesty the King of Sweden:

M. K. I. Westman, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The Swiss Federal Council:

M. Paul Dinichert, Minister Plenipotentiary, Chief of the Division for Foreign Affairs of the Federal Political Department;

Dr. Henri Carrière, Director of the Federal Service of Public Health.

The President of the Czechoslovak Republic:

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

The President of the Republic of Uruguay:

Dr. Alfredo de Castro, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The President of the United States of Venezuela:

Dr. L. G. Chacín-Itriago, Chargé d'Affaires at Berne, Member of the Medical Academy of Caracas.

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

CHAPTER I. DEFINITIONS

Article 1

Except where otherwise expressly indicated, the following definitions shall apply throughout this Convention:

1. The term "Geneva Convention" shall denote the International Opium Convention signed at Geneva on February 19th, 1925.

2. The term "the drugs" shall denote the following drugs whether partly manufactured or completely refined:

` Group I

Sub-Group (a):

(i) Morphine and its salts, including preparations made directly from raw or medicinal opium and containing more than 20 per cent of morphine;

(ii) Diacetylmorphine and the other esters of morphine and their salts;

(iii) Cocaine and its salts, including preparations made direct from the coca leaf and containing more than 0.1 per cent of cocaine, all the esters of ecgonine and their salts;

(iv) Dihydrohydroxycodeinone (of which the substance registered under the name of eucodal is a salt); dihydrocodeinone (of which the substance registered under the name of dicodide is a salt), dihydromorphinone (of which the substance registered under the name of dilaudide is a salt), acetyl-dihydrocodeinone or acetyldemethylodihydrothebaine (of which the substance registered under the name of acedicone is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

Sub-Group (b).

Ecgonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except methylmorphine (codeine), ethylmorphine and their salts.

Group II

Methylmorphine (codeine), ethylmorphine and their salts.

The substances mentioned in this paragraph shall be considered as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall respectively denote Groups I and II of this paragraph.

3. "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.

"Medical opium" means raw opium which has undergone the processes 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" means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}O_3N$.

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_3O)_2O_3N$).

"Coca leaf" means the leaf of the *Erythroxylon* Coca Lamarck and the *Erythroxylon novogranatense* (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.

"Cocaine" means methyl-benzoyl laevo-ecgonine ($[\alpha]_D^{20} = -16^\circ 4$) in 20 percent solution of chloroform of which the formula is $C_{17}H_{21}O_4N$.

"Ecgonine" means laevo-ecgonine ($[\alpha]_D^{20} = -45^\circ 6$ in 5 per cent solution of water), of which the formula is $C_9H_{15}O_3N.H_2O$, and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.

The following drugs are defined by their chemical formulæ as set out below:

Dihydrohydroxycodeinone	$C_{17}H_{24}O_4N$	
Dihydrocodeinone	$C_{17}H_{24}O_3N$	
Dihydromorphinone	$C_{17}H_{19}O_3N$	
Acetyldihydrocodeinone or Acetyldemethylodihydro- thebaine. }	$C_{20}H_{23}O_4N$	($C_{17}H_{17}(C_2H_3O)O_3N$)
Dihydromorphine	$C_{17}H_{21}O_3N$	
Morphine-N-Oxide	$C_{17}H_{19}O_4N$	
Thebaine	$C_{10}H_{17}O_3N$	
Methylmorphine (codeine)	$C_{18}H_{21}O_3N$	($C_{17}H_{17}(CH_3O)O_2N$)
Ethylmorphine	$C_{19}H_{23}O_3N$	($C_{17}H_{17}(C_2H_5O)O_2N$)
Benzylmorphine	$C_{21}H_{25}O_3N$	($C_{17}H_{17}(C_7H_7O)O_2N$)

4. The term "manufacture" shall include any process of refining.

The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

The term "estimates" shall denote estimates furnished in accordance with Articles 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

CHAPTER II. ESTIMATES

Article 2

1. Each High Contracting Party shall furnish annually, for each of the drugs in respect of each of his territories to which this Convention applies, to the Permanent Central Board, constituted under Chapter VI of the Geneva Convention, estimates in accordance with the provisions of Article 5 of this Convention.

2. In the event of any High Contracting Party failing to furnish, by the date specified in paragraph 4 of Article 5, an estimate in respect of any of his territories to which this Convention applies, an estimate will, so far as possible, be furnished by the Supervisory Body specified in paragraph 6 of Article 5.

3. The Permanent Central Board shall request estimates for countries or territories to which this Convention does not apply to be made in accordance with the provisions of this Convention. If for any such country estimates are not furnished, the Supervisory Body shall itself, as far as possible, make the estimate.

Article 3

Any High Contracting Party may, if necessary, in any year furnish in respect of any of his territories supplementary estimates for that territory for

that year with an explanation of the circumstances which necessitate such supplementary estimates.

Article 4

1. Every estimate furnished in accordance with the preceding Articles, so far as it relates to any of the drugs required for domestic consumption in the country or territory in respect of which it is made, shall be based solely on the medical and scientific requirements of that country or territory.

2. The High Contracting Parties may, in addition to reserve stocks, create and maintain Government stocks.

Article 5

1. Each estimate provided for in Articles 2 to 4 of this Convention shall be in the form from time to time prescribed by the Permanent Central Board and communicated by the Board to all the Members of the League of Nations and to the non-member States mentioned in Article 27.

2. Every estimate shall show for each country or territory for each year in respect of each of the drugs whether in the form of alkaloid or salts or of preparations of the alkaloids or salts:

(a) The quantity necessary for use as such for medical and scientific needs, including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity necessary for the purpose of conversion, whether for domestic consumption or for export;

(c) The amount of the reserve stocks which it is desired to maintain:

(d) The quantity required for the establishment and maintenance of any Government stocks as provided for in Article 4.

The total of the estimates for each country or territory shall consist of the sum of the amounts specified under (a) and (b) of this paragraph with the addition of any amounts which may be necessary to bring the reserve stocks and the Government stocks up to the desired level, or after deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall, however, not be taken into account except in so far as the High Contracting Parties concerned shall have forwarded in due course the necessary estimates to the Permanent Central Board.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that in the case of any of the drugs which are or may be included in Group II, a wider margin may be necessary than in the case of the other drugs.

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

5. Supplementary estimates shall be sent to the Permanent Central Board immediately on their completion.

6. The estimates will be examined by a Supervisory Body. The Advisory Committee on the Traffic in Opium and other Dangerous Drugs of the League of Nations, the Permanent Central Board, the Health Committee of the League of Nations and the Office international d'Hygiène publique shall each have the right to appoint one member of this Body. The Secretariat of the Supervisory Body shall be provided by the Secretary-General of the League of Nations, who will ensure close collaboration with the Permanent Central Board.

The Supervisory Body may require any further information or details, except as regards requirements for Government purposes, which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished in order to make the estimate complete or to explain any statement made therein, and may, with the consent of the Government concerned, amend any estimate in accordance with any information or details so obtained. It is understood that in the case of any of the drugs which are or may be included in Group II a summary statement shall be sufficient.

7. After examination by the Supervisory Body as provided in paragraph 6 above of the estimates furnished, and after the determination by that Body as provided in Article 2 of the estimates for each country or territory on behalf of which no estimates have been furnished, the Supervisory Body shall forward, not later than November 1st in each year, through the intermediary of the Secretary-General, to all the Members of the League of Nations and non-member States referred to in Article 27, a statement containing the estimates for each country or territory, and, so far as the Supervisory Body may consider necessary, an account of any explanations given or required in accordance with paragraph 6 above, and any observations which the Supervisory Body may desire to make in respect of any such estimate or explanation, or request for an explanation.

8. Every supplementary estimate sent to the Permanent Central Board in the course of the year shall be dealt with without delay by the Supervisory Body in accordance with the procedure specified in paragraphs 6 and 7 above.

CHAPTER III. LIMITATION OF MANUFACTURE

Article 6

1. There shall not be manufactured in any country or territory in any one year a quantity of any of the drugs greater than the total of the following quantities:

(a) The quantity required within the limits of the estimates for that country or territory for that year for use as such for its medical and scientific needs including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity required within the limits of the estimates for that country or territory for that year for conversion, whether for domestic consumption or for export;

(c) Such quantity as may be required by that country or territory for the execution during the year of orders for export in accordance with the provisions of this Convention;

(d) The quantity, if any, required by that country or territory for the purpose of maintaining the reserve stocks at the level specified in the estimates for that year;

(e) The quantity, if any, required for the purpose of maintaining the Government stocks at the level specified in the estimates for that year.

2. It is understood that, if at the end of any year, any High Contracting Party finds that the amount manufactured exceeds the total of the amounts specified above, less any deductions made under Article 7, paragraph 1, such excess shall be deducted from the amount to be manufactured during the following year. In forwarding their annual statistics to the Permanent Central Board, the High Contracting Parties shall give the reasons for any such excess.

Article 7

There shall be deducted from the total quantity of each drug permitted under Article 6 to be manufactured in any country or territory during any one year:

(i) Any amounts of that drug imported including any returned deliveries of the drug, less quantities re-exported.

(ii) Any amounts of the drug seized and utilised as such for domestic consumption or for conversion.

If it should be impossible to make any of the above deductions during the course of the current year, any amounts remaining in excess at the end of the year shall be deducted from the estimates for the following year.

Article 8

The full amount of any of the drugs imported into or manufactured in any country or territory for the purpose of conversion in accordance with the estimates for that country or territory shall, if possible, be utilised for that purpose within the period for which the estimate applies.

In the event, however, of its being impossible to utilise the full amount for that purpose within the period in question, the portion remaining unused

at the end of the year shall be deducted from the estimates for that country or territory for the following year.

Article 9

If at the moment when all the provisions of the Convention shall have come into force, the then existing stocks of any of the drugs in any country or territory exceeds the amount of the reserve stocks of that drug, which, according to the estimates for that country or territory, it is desired to maintain, such excess shall be deducted from the quantity which, during the year, could ordinarily be imported or manufactured as the case may be under the provisions of this Convention.

Alternatively, the excess stocks existing at the moment when all the provisions of the Convention shall have come into force shall be taken possession of by the Government and released from time to time in such quantities only as may be in conformity with the present Convention. Any quantities so released during any year shall be deducted from the total amount to be manufactured or imported as the case may be during that year.

CHAPTER IV. PROHIBITIONS AND RESTRICTIONS

Article 10

1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts.

2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and is consigned to the Government Department indicated in the certificate.

3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

Article 11

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending

the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office international d'Hygiène publique, decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (*a*) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (*b*) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (*b*) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate régime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

Article 12

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and

of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

CHAPTER V. CONTROL

Article 13

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

(b) The High Contracting Parties shall treat solutions or dilutions of morphine or cocaine or their salts in an inert substance, liquid or solid, which contain 0.2 per cent or less of morphine or 0.1 per cent or less of cocaine in the same way as preparations containing more than these percentages.

2. The High Contracting Parties shall apply to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith) :

(a) The provisions of Articles 6 and 7 in so far as they relate to the manufacture, import, export and wholesale trade in those drugs;

(b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use;

(c) The provisions of paragraphs 1 (b), (c) and (e) and paragraph 2 of Article 22, provided:

(i) That the statistics of import and export may be sent annually instead of quarterly, and

(ii) That paragraph 1 (b) and paragraph 2 of Article 22 shall not apply to preparations containing any of these drugs.

Article 14

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Convention nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation; provided that, if the request for export amounts to 5 kilogrammes or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded.

If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

2. If it appears from the import and export returns made to the Permanent Central Board or from the notifications made to the Board in pursuance of the preceding paragraph that the quantity exported or authorised to be exported to any country or territory exceeds the total of the estimates for that country or territory as defined in Article 5, with the addition of the amounts shown to have been exported, the Board shall immediately notify the fact to all the High Contracting Parties, who will not, during the currency of the year in question, authorise any new exports to that country except:

(i) In the event of a supplementary estimate being furnished for that country in respect both of any quantity over-imported and of the additional quantity required; or

(ii) In exceptional cases where the export in the opinion of the Government of the exporting country is essential in the interests of humanity or for the treatment of the sick.

3. The Permanent Central Board shall each year prepare a statement showing, in respect of each country or territory for the preceding year:

- (a) The estimates in respect of each drug;
- (b) The amount of each drug consumed;
- (c) The amount of each drug manufactured;
- (d) The amount of each drug converted;
- (e) The amount of each drug imported;
- (f) The amount of each drug exported;
- (g) The amount of each drug used for the compounding of preparations, exports of which do not require export authorisations.

If such statement indicates that any High Contracting Party has or may have failed to carry out his obligations under this Convention, the Board shall have the right to ask for explanations, through the Secretary-General of the League of Nations, from that High Contracting Party, and the procedure specified in paragraphs 2 to 7 of Article 24 of the Geneva Convention shall apply in any such case.

The Board shall, as soon as possible thereafter, publish the statement above mentioned together with an account, unless it thinks it unnecessary, of any explanations given or required in accordance with the preceding paragraph and any observations which the Board may desire to make in respect to any such explanation or request for an explanation.

The Permanent Central Board shall take all necessary measures to ensure that the statistics and other information which it receives under this Convention shall not be made public in such a manner as to facilitate the operations

of speculators or to injure the legitimate commerce of any High Contracting Party.

CHAPTER VI. ADMINISTRATIVE PROVISIONS

Article 15

The High Contracting Parties shall take all necessary legislative or other measures in order to give effect within their territories to the provisions of this Convention.

The High Contracting Parties shall, if they have not already done so, create a special administration for the purpose of:

- (a) Applying the provisions of the present Convention;
- (b) Regulating, supervising and controlling the trade in the drugs;
- (c) Organising the campaign against drug addiction, by taking all useful steps to prevent its development and to suppress the illicit traffic.

Article 16

1. Each High Contracting Party shall exercise a strict supervision over:

(a) The amounts of raw material and manufactured drugs in the possession of each manufacturer for the purpose of the manufacture or conversion of any of the drugs or otherwise;

(b) The quantities of the drugs or preparations containing the drugs produced;

(c) The disposal of the drugs and preparations so produced with especial reference to deliveries from the factories.

2. No High Contracting Party shall allow the accumulation in the possession of any manufacturer of quantities of raw materials in excess of those required for the economic conduct of business, having regard to the prevailing market conditions. The amounts of raw material in the possession of any manufacturer at any one time shall not exceed the amounts required by that manufacturer for manufacture during the ensuing six months, unless the Government, after due investigation, considers that exceptional conditions warrant the accumulation of additional amounts, but in no case shall the total quantities which may be accumulated exceed one year's supply.

Article 17

Each High Contracting Party shall require each manufacturer within his territories to submit quarterly reports stating:

(a) The amount of raw materials and of each of the drugs received into the factory by such manufacturer and the quantities of the drugs, or any other products whatever, produced from each of these substances. In reporting the amounts of raw materials so received, the manufacturer shall state the proportion of morphine, cocaine or ecgonine contained in or producible therefrom

as determined by a method prescribed by the Government and under conditions considered satisfactory by the Government;

(b) The quantities of either the raw material or the products manufactured therefrom which were disposed of during the quarter;

(c) The quantities remaining in stock at the end of the quarter.

Each High Contracting Party shall require each wholesaler within his territories to make at the close of each year a report stating, in respect of each of the drugs, the amount of that drug contained in preparations, exported or imported during the year, for the export or import of which authorisations are not required.

Article 18

Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted.

Article 19

The High Contracting Parties will require that the labels under which any of the drugs, or preparations containing those drugs, are offered for sale, shall show the percentage of the drugs. These labels shall also indicate the name of the drugs as provided for in the national legislation.

CHAPTER VII. GENERAL PROVISIONS

Article 20

1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes either at that time or subsequently to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin, and the drugs to be manufactured or converted as well as the names and addresses of persons or firms authorised.

2. In the event of the manufacture or conversion of any of the drugs ceasing in the territory of any High Contracting Party, he shall notify the Secretary-General to that effect, indicating the place and date at which such manufacture or conversion has ceased or will cease and specifying the drugs affected, as well as the names and addresses of persons or firms concerned.

3. The information furnished under this Article shall be communicated by the Secretary-General to the High Contracting Parties.

Article 21

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

Article 22

The High Contracting Parties shall include in the annual statistics furnished by them to the Permanent Central Board the amounts of any of the drugs used by manufacturers and wholesalers for the compounding of preparations whether for domestic consumption or for export for the export of which export authorisations are not required.

The High Contracting Parties shall also include a summary of the returns made by the manufacturers in pursuance of Article 17.

Article 23

The High Contracting Parties will communicate to each other, through the Secretary-General of the League of Nations, as soon as possible, particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers.

The particulars given shall indicate as far as possible:

- (a) The kind and quantity of drugs involved;
- (b) The origin of the drugs, their marks and labels;
- (c) The points at which the drugs were diverted into the illicit traffic;
- (d) The place from which the drugs were despatched, and the names of shipping or forwarding agents or consignors; the methods of consignment and the name and address of consignees, if known;
- (e) The methods and routes used by smugglers and names of ships, if any, in which the drugs have been shipped;
- (f) The action taken by the Government in regard to the persons involved, particularly those possessing authorisations or licences and the penalties imposed.
- (g) Any other information which would assist in the suppression of illicit traffic.

Article 24

The present Convention shall supplement the Hague Convention of 1912 and the Geneva Convention of 1925 in the relations between the High Contracting Parties bound by at least one of these latter Conventions.

Article 25

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Convention and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the Permanent Court of International Justice, if all the Parties to the dispute are Parties to the Protocol of December 16th, 1920,⁸ relating to the Statute of that Court, and, if any of the Parties to the dispute is not a Party to the Protocol of December 16th, 1920, to an arbitral tribunal constituted in accordance with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 26

Any High Contracting Party may, at the time of signature, ratification, or accession, declare that, in accepting the present Convention, he does not assume any obligation in respect of all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

Any High Contracting Party may, at any time after the expiration of the five-years period mentioned in Article 32, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration as if it were a denunciation under the provisions of Article 32.

The Secretary-General shall communicate to all the Members of the League and to the non-member States mentioned in Article 27, all declarations and notices received in virtue of this Article.

⁸ 6 LNTS 379. The United States did not become a party.

⁹ TS 536, *ante*, vol. 1, p. 577.

Article 27

The present Convention, of which the French and English texts shall both be authoritative, shall bear this day's date, and shall, until December 31st, 1931, be open for signature on behalf of any Member of the League of Nations, or of any non-member State which was represented at the Conference which drew up this Convention, or to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Article 28

The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League and to the non-member States referred to in the preceding Article.

Article 29

As from January 1st, 1932, the present Convention may be acceded to on behalf of any Member of the League of Nations or any non-member State mentioned in Article 27.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-member States mentioned in that Article.

Article 30

The present Convention shall come into force ninety days after the Secretary-General of the League of Nations has received the ratifications or accessions of twenty-five Members of the League of Nations or non-member States, including any four of the following:

France, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Netherlands, Switzerland, Turkey, and the United States of America.

Provided always that the provisions of the Convention other than Articles 2 to 5 shall only be applicable from the first of January in the first year in respect of which estimates are furnished in conformity with Articles 2 to 5.

Article 31

Ratifications or accessions received after the date of the coming into force of this Convention shall take effect as from the expiration of the period of ninety days from the date of their receipt by the Secretary-General of the League of Nations.

Article 32

After the expiration of five years from the date of the coming into force of this Convention, the Convention may be denounced by an instrument in

writing, deposited with the Secretary-General of the League of Nations. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year. Each denunciation shall operate only as regards the Member of the League or non-member State on whose behalf it has been deposited.

The Secretary-General shall notify all the Members of the League and the non-member States mentioned in Article 27 of any denunciations received.

If, as a result of simultaneous or successive denunciations, the number of Members of the League and non-member States bound by the present Convention is reduced to less than twenty-five, the Convention shall cease to be in force as from the date on which the last of such denunciations shall take effect in accordance with the provisions of this Article.

Article 33

A request for the revision of the present Convention may at any time be made by any Member of the League of Nations or non-member State bound by this Convention by means of a notice addressed to the Secretary-General of the League of Nations. Such notice shall be communicated by the Secretary-General to the other Members of the League of Nations or non-member States bound by this Convention, and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention.

Article 34

The present Convention shall be registered by the Secretary-General of the League of Nations on the day of its entry into force.

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

Done at Geneva the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the Members of the League and to the non-member States referred to in Article 27.

Germany:

FREIHERR VON RHEINBABEN
DR. KAHLER

United States of America:

JOHN K. CALDWELL
HARRY J. ANSLINGER
WALTER LEWIS TREADWAY
SANBORN YOUNG

(1) The Government of the United States of America reserves the right to

impose, for purpose of internal control and control of import into and export from territory under its jurisdiction, of opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures stricter than the provisions of the Convention.

(2) The Government of the United States of America reserves the right to impose, for purposes of controlling transit through its territories of raw

opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures by which the production of an import permit issued by the country of destination may be made a condition precedent to the granting of permission for transit through its territory.

(3) The Government of the United States of America finds it impracticable to undertake to send statistics of import and export to the Permanent Central Opium Board short of sixty days after the close of the three-months' period to which such statistics refer.

(4) The Government of the United States of America finds it impracticable to undertake to state separately amounts of drugs purchased or imported for Government purposes.

(5) Plenipotentiaries of the United States of America formally declare that the signing of the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs by them on the part of the United States of America on this date is not to be construed to mean that the Government of the United States of America recognises a regime or entity which signs or accedes to the Convention as the Government of a country when that regime or entity is not recognised by the Government of the United States of America as the Government of that country.

(6) The plenipotentiaries of the United States of America further declare that the participation of the United States of America in the Convention for limiting the manufacture of and regulating the distribution of narcotic drugs, signed on this date, does not involve any contractual obligation on the part of the United States of America to a country represented by a regime or entity which the Government of the United States of America does not recognise as the Government of that country until such country has a Government recognised by the Government of the United States of America.

J. K. C.

H. J. A.

W. L. T.

S. Y.

Argentine Republic:

Ad referendum.

FERNANDO PEREZ

Austria:

E. PFLÜGL

D^r BRUNO SCHULTZ

Belgium:

D^r F. DE MYTTENAERE

Bolivia:

M. CUELLAR

Brazil:

RAUL DO RIO BRANCO

Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations.

MALCOLM DELEIVINGNE

Canada:

C. H. L. SHARMAN

W. A. RIDDELL

India:

R. P. PARANJPYE

Chile:

ENRIQUE J. GAJARDO V.

Costa Rica:

VIRIATO FIGUEREDO LORA.

Cuba:

G. DE BLANCK

D^r B. PRIMELLES

Denmark:

GUSTAV RASMUSSEN

Free City of Danzig:

F. SOKAL

Dominican Republic:

CH. ACKERMANN

Egypt:

T. W. RUSSELL

Spain:

JULIO CASARES

Abyssinia:

C^{te} LAGARDE DUC D'ENTOTTO

France:

The French Government makes every reservation, with regard to the Colonies, Protectorates and Mandated Territories under its authority, as to the possibility of regularly producing the quarterly statistics referred to in Article 13 within the strict time-limit laid down [translation].

G. BOURGOIS

Greece:

R. RAPHAËL

Guatemala:

LUIS MARTÍNEZ MONT.

Hejaz, Nejd and Dependencies: HAFIZ WAHBA	Poland: CHODŹKO
Italy: CAVAZZONI Stefano	Portugal: AUGUSTO DE VASCONCELLOS A. M. FERRAZ DE ANDRADE
Japan: S. SAWADA S. OHDACHI	Roumania: C. ANTONIADE
Liberia: D ^r A. SOTTILE Subject to ratification by the Senate of the Republic of Liberia [translation].	San Marino: FERRI Charles Emile
Lithuania: ZAUNIUS.	Siam: DAMRAS As our Harmful Habit-forming Drugs Law goes beyond the provisions of the Geneva Convention and the present Convention on certain points, my Gov- ernment reserves the right to apply our existing law [translation].
Luxemburg: CH. G. VERMAIRE	Sweden: K. I. WESTMAN
Mexico: S. MARTÍNEZ DE ALVA	Switzerland: PAUL DINICHERT D ^r H. CARRIÈRE
Monaco: C. HENTSCH.	Czechoslovakia: ZD. FIERLINGER
Panama: D ^r ERNESTO HOFFMANN.	Uruguay: ALFREDO DE CASTRO
Paraguay: R. V. CABALLERO DE BEDOYA	Venezuela: <i>Ad referendum</i> L. G. CHACÍN ITRIAGO
The Netherlands: v. WETTUM	
Persia: A. SEPAHBODY	

PROTOCOL OF SIGNATURE

I. When signing the Convention for limiting the manufacture and regulating the distribution of narcotic drugs dated this day, the undersigned Plenipotentiaries, duly authorised to that effect and in the name of their respective Governments, declare to have agreed as follows:

If, on July 13th, 1933, the said Convention is not in force in accordance with the provisions of Article 30, the Secretary-General of the League of Nations shall bring the situation to the attention of the Council of the League of Nations, which may either convene a new Conference of all the Members of the League and non-member States on whose behalf the Convention has been signed or ratifications or accessions deposited, to consider the situation, or take such measures as it considers necessary. The Government of every signatory or acceding Member of the League of Nations or non-member State undertakes to be present at any Conference so convened.

II. The Japanese Government made the following reservation, which is accepted by the other High Contracting Parties:

Crude morphine resulting from the manufacture of prepared opium in the factory of the Government-General of Formosa and held in stock

by that Government shall not be subjected to the limitation measures provided for in this Convention.

Such stocks of crude morphine will only be released from time to time in such quantities as may be required for the manufacture of refined morphine in factories licensed by the Japanese Government in accordance with the provisions of the present Convention.

In faith whereof the undersigned have affixed their signatures to this Protocol.

Done at Geneva, the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified true copies will be transmitted to all Members of the League of Nations and to all non-member States represented at the Conference.

Germany:

FREIHERR VON RHEINBABEN
DR. KAHLER

United States of America:

JOHN K. CALDWELL
HARRY J. ANSLINGER
WALTER LEWIS TREADWAY
SANBORN YOUNG

Argentine Republic:

Ad referendum
FERNANDO PEREZ

Austria:

D^r E. PFLÜGL
D^r BRUNO SCHULTZ

Belgium:

D^r F. DE MYTENNAERE

Bolivia:

M. CUELLAR

Brazil:

RAUL DO RIO BRANCO

Great Britain and Northern Ireland and
all parts of the British Empire
which are not separate Members of
the League of Nations.

MALCOLM DELEIVINGNE

Canada:

C. H. L. SHARMAN
W. A. RIDDELL

India:

R. P. PARANJPYE

Chile:

ENRIQUE J. GAJARDO V.

Costa Rica:

VIRIATO FIGUEROA LORA

Cuba:

G. DE BLANCK
DR. B. PRIMELLES

Denmark:

GUSTAV RASMUSSEN

Free City of Danzig:

F. SOKAL

Dominican Republic:

CH. ACKERMANN

Egypt:

T. W. RUSSELL

Spain:

JULIO CASARES

Abyssinia:

C^{te} LAGARDE DUC D'ENTOTTO

France:

G. BOURGOIS

Greece:

R. RAPHAËL

Guatemala:

LUIS MARTÍNEZ MONT.

Hejaz, Nejd and Dependencies:

HAFIZ WAHBA

Italy:

CAVAZZONI Stefano

Japan:

S. SAWADA
S. OHDACHI

Lithuania:

J. SAKALAUSKAS

Luxemburg:

CH. G. VERMAIRE

Mexico:

S. MARTÍNEZ DE ALVA

Monaco:

C. HENTSCH

Panama:

Dr. ERNESTO HOFFMANN

Paraguay:

R. V. CABALLERO DE BEDOYA

The Netherlands:

My signature is subject to the reserve made by me on § 2 of Article 22 in the morning meeting of July 12th, 1931 [translation].

v. WETTUM

Persia:

A. SEPAHBODY

Poland:

CHODŹKO

Portugal:

AUGUSTO DE VASCONCELLOS

A. M. FERRAZ DE ANDRADE

Roumania:

C. ANTONIADE

San Marino:

FERRI Charles Emile

Siam:

DAMRAS

Sweden:

K. J. WESTMAN

Switzerland:

PAUL DINICHERT

D^r H. CARRIÈRE

Uruguay:

ALFREDO DE CASTRO

Venezuela:

Ad referendum

L. G. CHACÍN ITRIAGO