

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.**CONVENTION OF JULY 13TH, 1931, FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.****SUMMARY OF THE CORRESPONDENCE EXCHANGED BETWEEN THE PARTIES TO THE CONVENTION AND THE SECRETARY-GENERAL IN CONNECTION WITH RATIFICATION OF THE CONVENTION BY JAPAN.**

On June 19th, 1934, the Secretary-General, at the request of the Japanese Government, addressed the following letter to the Governments of the States which were parties to the above-mentioned Convention, a copy being at the same time sent for information to States which had signed but not ratified the Convention.

RESERVATION TO WHICH THE JAPANESE GOVERNMENT DESIRES TO MAKE ITS RATIFICATION SUBJECT.

I have the honour to bring to your knowledge the fact that the Imperial Government of Japan has informed me that the ratification by Japan of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, concluded at Geneva on July 13th, 1931, would be subject to a reservation which it has requested me to communicate to all the other contracting parties, with the request that they will, as soon as possible, and at latest by the end of December 1934, notify to the Secretariat any objections which they may make with regard to this reservation.

The reservation in question is formulated as follows:

“ The Japanese Government declare that, in view of the necessity of close co-operation between the contracting parties in order to carry out most effectively the provisions of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931, they understand that the present position of Japan, regardless of whether she be a Member of the League of Nations or not, is to be maintained in the matter of the composition of the organs and the appointment of the members thereof mentioned in this said Convention.”

In accordance with the request of the Imperial Government of Japan, I have accordingly the honour to beg you to be so good as to inform me before December 31st, 1934, if your Government has any objections to make with regard to this reservation.

I have the honour to inform you that I am communicating the reservation for the above purpose to the Governments of all the States which are parties to the Convention of 1931 and shall not fail to transmit your reply to the Imperial Government of Japan and to the other States concerned. Copies of the present letter and of the replies thereto will also be sent to the States to which it is open to become parties to the Convention of July 13th, 1931.

The replies received from the Governments may be summarised as follows:

Afghanistan.

No objection.

Germany

No objection.

Australia.

“ His Majesty's Government in the Commonwealth of Australia being most desirous of ensuring the co-operation of the Japanese Government in carrying out most effectively the provisions of the Convention, they have no objection to the reservation which has been submitted to them, but that, as regards appointments which involve action by the Council, His Majesty's Government

in the Commonwealth of Australia do not consider that the reservation would have the effect either of limiting the freedom or modifying the composition of that body when dealing with such matters.”

Austria.

No objection.

Belgium.

No objection.

Brazil.

No objection.

United Kingdom of Great Britain and Northern Ireland.

“ His Majesty's Government in the United Kingdom are most desirous of ensuring the co-operation of the Japanese Government in carrying out most effectively the provisions of the Convention, and they have no objection to the reservation which has been submitted to them, but that, as regards appointments which involve action by the Council, it does not appear to His Majesty's Government in the United Kingdom that the reservation would have the effect either of limiting the freedom or modifying the composition of that body when dealing with such matters.”

Bulgaria.

No objection.

Canada.

No objection.

Chile.

No objection.

China.

“ The Chinese Government is most desirous of ensuring the co-operation of the Japanese Government in carrying out most effectively the provisions of the Limitation Convention of 1931, and has no objection to the reservation submitted by the Japanese Government.

“ It is, however, the understanding of the Chinese Government that this reservation cannot be so interpreted as to give it the effect of retroactively modifying existing international agreements or League decisions, which have already been accepted by the Japanese Government, and, in particular, of altering the composition or limiting the freedom of such bodies, including the Council of the League of Nations, as may be competent in accordance with the aforesaid international agreements and League decisions to take action in respect of the composition of the organs mentioned in the Convention of 1931 and the appointment of the members thereof.”

Denmark.

“ The Danish Government has no objection to the reservation in question. It desires to add, however, that it has duly noted the statements made by His Majesty's Government in the United Kingdom and by the French Government in their replies to the above-mentioned Circular Letter and associates itself with the views expressed in those statements.”

Danzig.

No objection.

Spain.

The Spanish Government stated that it had no objection to the reservation, “ provided that the latter did not imply any change or modification in the provisions of the Convention ”

United States of America.

“ In so far as the subject-matter of the reservation set forth above is within its competence, the Government of the United States of America offers no objection thereto. The Government of the United States of America is, however, constrained to point out that, except in the case of the

Office international d'Hygiène publique and of the Supervisory Body, the composition of the organs mentioned in the Convention, as well as the selection and appointment of the members thereof, is governed by international conventions to which the United States of America is not a party”

France.

“ The French Government, being most desirous of ensuring the co-operation of the Japanese Government in carrying out the provisions of the 1931 Convention, has no objection to the reservation expressed. Its interpretation of this reservation, however, is that it cannot have the effect of modifying existing agreements—that is to say of limiting the freedom of action or altering the composition of the Council when the latter proceeds to the appointment of the members of the organs instituted by the Opium Conventions.”

Greece.

No objection.

Hungary

No objection.

India.

No objection.

Iraq.

No objection.

Iran.

No objection.

Irish Free State.

No objection.

Italy

“ The Royal Government has no objection to the said reservation as formulated in the above-mentioned letter. Its interpretation of this reservation, however, is that it cannot have the effect of limiting the freedom of action or of modifying the composition of the Council of the League of Nations when the latter proceeds to the appointment of the members of the organs instituted by the Opium Conventions.”

Lithuania.

No objection.

Norway

“ The Norwegian Government has no objection to the reservation expressed by the Japanese Government with regard to the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931. The Norwegian Government associates itself with the views expressed in the statements made by the Government of His Majesty in the United Kingdom and by the French, Swedish and Netherlands Governments in their replies to the above-mentioned Circular Letter.”

Netherlands.

“ The Netherlands Government, desirous of ensuring the co-operation of the Japanese Government in carrying out the provisions of the 1931 Convention, has no objection to the reservation expressed. As regards, however, appointments which involve action by the Council, the Netherlands Government considers that the reservation cannot have the effect of limiting the freedom or modifying the composition of that body when dealing with such matters.”

Poland.

No objection.

Portugal.

No objection.

Roumania.

No objection.

Siam.

No objection.

Sudan.

No objection.

Sweden.

“ The Royal Government has no objection to the reservation in question. It desires to add however, that it has duly noted the statements made by His Majesty's Government in the United Kingdom and by the French Government in their replies to the above-mentioned Circular Letter and associates itself with the views expressed in those statements.”

Switzerland.

No objection.

Czechoslovakia.

No objection.

Turkey

No objection.

Venezuela.

No objection.

On January 30th, 1935, the following communication from the Japanese Consul-General in Geneva, dated January 23rd, 1935, was circulated to the Governments concerned by the Secretary-General.

“ Referring to my letter (A.4119/7), dated December 11th, 1933, concerning the question of a reservation which the Japanese Government desire to attach to their ratification of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931, and to your Circular Letter 101.1934.XI on the same subject, I have the honour to inform you, under instructions from my Government, that, as the period during which the various Governments were invited to file any objections to the reservation proposed by Japan has expired, the Japanese Government feel that they may act as regards ratifying the Convention on the assumption that those Governments which have not replied by the contemplated date of December 31st, 1934, have no objection to the said reservation, and at the same time I wish to request you to be good enough to notify the High Contracting Parties to the said Convention to the above effect.”

On April 8th, 1935, the Secretary-General circulated to the Governments concerned the following further communication, dated March 25th, 1935, from the Japanese Consul-General in Geneva.

“ Referring to my letter (A.5001/4) dated January 23rd, 1935, and under instructions from my Government, I have the honour to inform you that the Japanese Government, on March 25th, 1935, made the following declaration.

“ The Japanese Government declare that, in view of the necessity of close co-operation between the High Contracting Parties in order to carry out most effectively the provisions of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931, they understand that the present position of Japan, regardless of whether she be a Member of the League of Nations or not, is to be maintained in the matter of the composition of the organs and the appointment of the members thereof mentioned in the said Convention.

“ March 25th, 10 Showa (1935).

“ My Government further instruct me to request you to notify all the other High Contracting Parties to that effect.”

The ratification of the Convention by Japan was deposited on June 3rd, 1935.