

PROTOCOL AMENDING THE AGREEMENTS, CONVENTIONS, AND PROTOCOLS ON NARCOTIC DRUGS

Note: The Protocol was concurred in by the Senate, S.R. No. 92, May 17, 1949. The Philippine instrument of ratification was signed by the President, May 9, 1959 and was deposited with the UN, December 11, 1950, The Protocol entered into force December 11, 1946, and with respect to the Philippines, December 11, 1950. It was proclaimed by the President, Proc. Nos, 313 and 314, s. 1956.

Reference: This Protocol is also published in 12 UNTS, p. 179. The Presidential proclamations are published in 52 O. G., p. 1190 and p. 3869.

The States Parties to the present Protocol, considering that under the International Agreements, Conventions and Protocols relating to narcotic drugs which were concluded on 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, the League of Nations was invested with certain duties and functions for whose continued performance it is necessary to make provision in consequence of the dissolution of the League, and considering that it is expedient that these duties and functions should be performed henceforth by the United Nations and the World Health Organization or its Interim Commission, have agreed upon the following provisions:

ARTICLE I

The States Parties to the present Protocol undertake that as between themselves they will, each in respect of the instruments to which it is a party, and in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to those instruments which are set forth in the Annex to the present Protocol.

ARTICLE II

1. It is agreed that, during the period preceding the entry into force of the Protocol in respect of the International Convention relating to Dangerous Drugs of 19 February 25, and in respect of the International Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, the Permanent Central Board and the Supervisory Body as at present constituted shall continue to perform their functions. Vacancies in the membership of the Permanent Central Board may during this period be filled by the Economic and Social Council.

2. The Secretary-General of the United Nations is authorized to perform at once the duties hitherto discharged by the Secretary-General of the League of Nations in connection with the Agreements, Conventions and Protocols mentioned in the Annex to the present Protocol.

3. States which are Parties to any of the instruments which are to be amended by the present Protocol are invited to apply the amended texts of those instruments so

soon as the amendments are in force even if they have not yet been able to become Parties to the present Protocol.

4. Should the amendments to the Convention relating to Dangerous Drugs of 19 February 1925, or the amendments to the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, come into force before the World Health Organization is in a position to assume its functions under these Conventions, the functions conferred on that Organization by the amendments shall, provisionally, be performed by its Interim Commission.

ARTICLE III

The functions conferred upon the Netherlands Government under articles 21 and 25 of the International Opium Convention signed at The Hague on 23 January 1912, and entrusted to the Secretary-General of the League of Nations with the consent of the Netherlands Government, by a resolution of the League of Nations Assembly dated 15 December 1920, shall henceforward be exercised by the Secretary-General of the United Nations.

ARTICLE IV

As soon as possible after this Protocol has been opened for signature, the Secretary-General shall prepare texts of the Agreements, Conventions and Protocols revised in accordance with the present Protocol and shall send copies for their information to the Government of every Member of the United Nations and every non-member State to which this Protocol has been communicated by the Secretary-General.

ARTICLE V

The present Protocol shall be open for signature or acceptance by any of the States Parties to the Agreements, Conventions and Protocols on narcotic drugs on 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, to which the Secretary-General of the United Nations has communicated a copy of the present Protocol.

ARTICLE VI

States may become Parties to the present Protocol by

- (a) signature without reservation as to approval,
- (b) signature subject to approval followed by acceptance or
- (c) acceptance.

Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

ARTICLE VII

1. The present Protocol shall come into force in respect of each Party on the date upon which it has been signed on behalf of that Party without reservation as to approval, or upon which an instrument of acceptance has been deposited.

2. The amendments set forth in the Annex to the present Protocol shall come into force in respect of each Agreement, Convention and Protocol when a majority of the