

14: Narcotic Drugs--1953 Protocol

14. PROTOCOL FOR LIMITING AND REGULATING THE CULTIVATION OF THE POPPY PLANT, THE PRODUCTION OF, INTERNATIONAL AND WHOLESALE TRADE IN, AND USE OF OPIUM

Done at New York on 23 June 1953

ENTRY INTO FORCE: 8 March 1963, in accordance with article 21.
 REGISTRATION: 8 March 1963, No. 6555.
 TEXT: United Nations, Treaty Series, vol. 456, p. 3.

Note: The Protocol was adopted and opened for signature by the United Nations Opium Conference, held at United Nations Headquarters, New York, from 11 May to 18 June 1953. The Conference was convened by the Secretary-General of the United Nations pursuant to resolution 436 A (XIV)¹ of 27 May 1952 of the United Nations Economic and Social Council. The Conference also adopted the Final Act and seventeen resolutions, for the text of which see United Nations, Treaty Series, vol. 456, p. 3.

State	Signature	Ratification, accession (a), succession (d)	State	Signature	Ratification, accession (a), succession (d)
					7 May 1958 <u>a</u>
Argentina		24 Mar 1958 <u>a</u>	Jordan	11 Nov 1953	
Australia		13 Jan 1955 <u>a</u>	Lebanon	23 Jun 1953	24 May 1961
Belgium		30 Jun 1958 <u>a</u>	Liechtenstein		28 Jun 1955 <u>a</u>
Brazil		3 Nov 1959 <u>a</u>	Luxembourg		31 Jul 1963 <u>d</u>
Canada	23 Dec 1953	7 May 1954	Madagascar		12 Apr 1956
Central African Republic		4 Sep 1962 <u>d</u>	Monaco	26 Jun 1953	
Chile	9 Jul 1953	9 May 1957	Netherlands	30 Dec 1953	[2 Nov 1956] ⁴
China ²		15 Oct 1962 <u>d</u>	New Zealand	28 Dec 1953	11 Dec 1959 <u>a</u>
Congo			Nicaragua		7 Dec 1964 <u>d</u>
Costa Rica	16 Oct 1953	8 Sep 1954 <u>a</u>	Niger	3 Dec 1953	10 Mar 1955
Cuba			Pakistan	28 Dec 1953	13 Apr 1954
Democratic Kampuchea	29 Dec 1953	22 Mar 1957	Panama		28 Oct 1980 <u>d</u>
Denmark	23 Jun 1953	20 Jul 1954	Papua New Guinea	23 Jun 1953	1 Jun 1955
Dominican Republic	23 Jun 1953	9 Jun 1958	Philippines	23 Jun 1953	29 Apr 1958
Ecuador	23 Jun 1953	17 Aug 1955	of Korea	23 Jun 1953	
Egypt	23 Jun 1953	8 Mar 1954	[Republic of South Viet-Nam] ⁵	23 Jun 1953	30 Apr 1964 <u>d</u>
El Salvador		31 Dec 1959 <u>a</u>	Rwanda		2 May 1963 <u>d</u>
France	23 Jun 1953	21 Apr 1954	Senegal	29 Dec 1953	9 Mar 1960
Germany, Federal Republic of ³	23 Jun 1953	12 Aug 1959	South Africa	22 Oct 1953	15 Jun 1956
Greece	23 Jun 1953	6 Feb 1963	Spain		4 Dec 1957 <u>a</u>
Guatemala		29 May 1956 <u>a</u>	Sri Lanka		16 Jan 1958 <u>a</u>
India	23 Jun 1953	30 Apr 1954	Sweden	23 Jun 1953	27 Nov 1956
Indonesia		11 Jul 1957 <u>a</u>	Switzerland	28 Dec 1953	15 Jul 1963
Iran (Islamic Republic of)	15 Dec 1953	30 Dec 1959	Turkey	23 Jun 1953	
Iraq	29 Dec 1953		United Kingdom	23 Jun 1953	15 Jan 1962 <u>d</u>
Israel	30 Dec 1953	8 Oct 1957	United Republic of Cameroon		
Italy	23 Jun 1953	13 Nov 1957	United States of America	23 Jun 1953	18 Feb 1955
Ivory Coast		8 Dec 1961 <u>d</u>	Venezuela	30 Dec 1953	
Japan	23 Jun 1953	21 Jul 1954	Yugoslavia	24 Jun 1953	31 May 1962 <u>d</u>
			Zaire		

Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

DEMOCRATIC KAMPUCHEA

The Royal Government of Cambodia expresses its intention of availing itself of the provisions of article 19 of the Protocol.

FRANCE

It is expressly declared that the French Government reserves the right, in respect of French establishments in India, to apply the transitional measures of article 19 of this Protocol, it being understood that the period mentioned in paragraph 1, sub-paragraph (b) (iii) of that ar-

title shall be fifteen years after the coming into effect of this Protocol.

The French Government likewise reserves the right in accordance with the transitional measures of article 19 to authorize the export of opium to French establishments in India for the same period of time.

INDIA

"1. It is hereby expressly declared that the Government of India, in accordance with the provisions of article 19 of this Protocol, will permit

"(i) The use of opium for quasi-medical purposes until 31 December 1959;

"(ii) The production of opium and the export thereof, for quasi-medical purposes, to Pakistan, Ceylon, Aden and the French and Portuguese possessions on the subcontinent of India for a period of fifteen years from the date of the coming into force of this Protocol; and

"(iii) The smoking of opium, for their lifetime, by addicts not under 21 years of age, registered by the appropriate authorities for that purpose on or before 30 September 1953.

"2. The Government of India expressly reserve to themselves the right to modify this declaration or to make any other declaration under

article 19 of this Protocol, at the time of the deposit by them of their instrument of ratification."

IRAN (ISLAMIC REPUBLIC OF)

"The Imperial Government of Iran, in accordance with article 25 of the Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, done at New York on 23 June 1953, and in accordance with article 16 of the Bill approved by the Iranian Parliament on 16 Bahman 1337 (7 February 1959), declares its ratification of the Protocol, and hereby further specifies that its ratification of the Protocol will in no way affect the status of the Law providing for the Prohibition of the Poppy Cultivation, as approved by Parliament on 7 Aban 1334 (30 October 1955)."

PAKISTAN

"The Government of Pakistan will permit for a period of fifteen years after the coming into effect of the said Protocol: (i) the use of opium for quasi-medical purposes; and (ii) the production of opium and/or import thereof from India or Iran for such purposes."

Territorial Application

(Article 20 of the Protocol)

<u>States:</u>	<u>Date of receipt of the notification:</u>	<u>Territories:</u>
Australia	13 Jan 1955	Papua and Norfolk Island and the Trust Territories of New Guinea and Nauru.
Belgium	30 Jun 1958	Belgian Congo and Ruanda-Urundi.
France	21 Apr 1954	Territories of the French Union.
New Zealand	2 Nov 1956	[The Cook Islands (including Niue), the Tokelau Island] ⁴ and the Trust Territory of Western Samoa.
South Africa	29 Dec 1953	South West Africa.
United States of America .	18 Feb 1955	All areas for the international relations of which the United States is responsible.

NOTES:

1/ Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 1 (E/2332), p. 28.

2/ Signed and ratified on behalf of the Republic of China on 18 September 1953 and 25 May 1954 respectively. See note concerning signatures, ratifications, accessions, etc. on behalf of China (note 2 in chapter I.1).

In communications addressed to the Secretary-General with reference to the above-mentioned signature and/or ratification, the Permanent Missions to the United Nations of Czechoslovakia, Denmark, India, the Union of

Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia stated that, since their Governments did not recognize the Nationalist Chinese authorities as the Government of China, they could not regard the said signature or ratification as valid. The Permanent Missions of Czechoslovakia and the Union of Soviet Socialist Republics further stated that the sole authorities entitled to act for China and the Chinese people in the United Nations and in international relations, and to sign, ratify, accede or denounce treaties, conventions and agreements on behalf of China, were the Government of the People's Republic of China and its duly appointed representatives.

In a note addressed to the Secretary-General, the Permanent Mission of China to the United Nations stated that the Government of the Republic of China was the only legal Government which represented China and the Chinese people in international relations and that, therefore, the allegations made in the above-mentioned communications as to the lack of validity of the signature or ratification in question had no legal foundation whatever.

3/ In a communication received on 27 April 1960, the Government of the Federal Republic of Germany stated that "the Protocol . . . will also apply to Land Berlin as from the day on which the Protocol will enter into force".

With reference to the above-mentioned statement, communications have been addressed to the Secretary-General by the Governments of Bulgaria,

Czechoslovakia, Poland, the Union of Soviet Socialist Republics, on the one hand, and by the Governments of the Federal Republic of Germany, France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, on the other hand. The said communications are identical in essence, mutatis mutandis, to the corresponding ones referred to in note 3, in chapter III.3.

4/ The instrument of denunciation of the Protocol was deposited by the Government of New Zealand on 17 December 1968 in respect of the metropolitan territory of New Zealand and in respect of the Cook Islands, Niue and Tokelau Islands, the denunciation to take effect on 1 January 1969.

5/ See note 3 in chapter III.6.

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24 April 1985

With the compliments
of the
Treaty Section

STAT

Avec les compliments
de la
Section des traités

In reference to: your telephone request of today, please
En référence à : find enclosed the up-to-date status of
the Protocol for Limiting and Regulating
the Cultivation of the Poppy Plant, the
Production of, International and
Wholesale Trade in, and Use of Opium,
done at New York on 23 June 1953.

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MEXICO

LATIN AMERICA

DRUG PROBLEMS DISCUSSED AT NATIONAL BAR ASSOCIATION MEETING

53300151 Culiacan EL SOL DE SINALOA in Spanish 16 Oct 87 p 7

[Text] Mazatlan, Sinaloa, 16 Oct (OEM)--The general coordinator of the 14th National Congress of the Federation of Mexican Bar and Attorneys' Societies and Associations, Jesus Michel Jacobo, declared that the drug traffic, far from being a merely legal problem, extends far beyond that; calling upon the Mexican Government to intensify the effort to combat this cancer, by reinforcing agencies such as ADEFAR [Program to Treat Drug Addiction] and the Youth Rehabilitation Centers.

He added: "The drug traffic is the liberation dreamed of by many; it is the reality of a few. It is the happiness of those in high places, and the tragedy of everyone."

During his remarks on the second work day of this event, the Sinaloa attorney remarked: "The causes of the drug traffic lie in the environment itself, which is later damaged or left in jeopardy: the culture, the economy, the morality, and the politics; thereby leaving existence as a whole: both individual and collective, in danger."

Addressing the representatives of 144 bar and attorneys' societies and associations countrywide, Michel Jacobo noted that the drug traffic is an economic problem because the starting point for its emergence and existence is inequality, distribution of wealth, the birth of cities, unemployment, and the shortage or complete lack of credit for making productive use of the land.

He explained that, in Mexico, as in all the countries involved in this problem, the costs of combating the drug traffic are extremely high. According to the president of the republic, Miguel de la Madrid Hurtado, as of 9 October, 25,000 forces from the Mexican Army and Navy, as well as 1,549 members of the Office of the Attorney General of the Republic, had participated in various campaigns since 31 May of last year.

Commenting on the political power of the drug traffic, Michel Jacobo cited the notorious case of Antonio Zorrilla who had vouched for prominent drug traffickers with his signature, and whose whereabouts are still unknown, oddly enough.

He stressed that, in Mexico also, the drug traffic has offered judges death or rewards; with the well-known case of the former judge of the unified circuit court, Jose de Jesus Tobaada Hernandez, who ordered the release of known drug

traffickers in exchange for a reward. Also publicized was the death of district judge Pedro Villafuerte Gallegos, on 20 September, in Cuernavaca, Morelos, for having refused to accept the reward for declaring the "innocence of a drug trafficker."

In concluding his report, the Sinaloa lawyer expressed his repudiation for the murder of judge Pedro Villafuerte Gallegos, and demanded the solution to it. He also condemned the detention of his fellow attorneys who, during the trial of Pedro Diaz Parada, among the judge's presumed killers, intervened in their defense; because it is not the duty of the attorney to concern himself with the lives of his clients, noting that he acts in their defense abiding by the Constitution, "which governs us, and our professional practice."

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Administration of Ronald Reagan, 1988 / Feb. 11

Nomination of Daniel G. Amstutz for the Rank of Ambassador While Serving as Chief United States Agricultural Negotiator for the Multilateral Trade Negotiations in Uruguay
February 11, 1988

The President today announced his intention to nominate Daniel G. Amstutz for the rank of Ambassador during his tenure of service as chief agricultural negotiator in the Uruguay round of multilateral trade negotiations.

Since 1983 Mr. Amstutz has been Under Secretary of Agriculture for International Affairs and Commodity Programs, in Washington, DC. Prior to this he was a general partner with Goldman, Sachs and Company, 1978-1982. From 1972 to 1978, he was president of Cargill Investor Services, Inc. Mr. Amstutz has also served on the trade expansion subcommittee of the President's Export Council, the administration's trade policy review group, and the Advisory Committee for the Commodity Futures Trading Commission. He is also a member of the National Commission on Agricultural Trade and Export Policy.

Mr. Amstutz graduated from Ohio State University (B.S., 1954). He was born November 8, 1932, in Cleveland, OH, and resides in Arlington, VA.

Message to the Senate Transmitting the Mexico-United States Legal Assistance Treaty

February 11, 1988

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty on Cooperation between the United States of America and the United Mexican States for Mutual Legal Assistance, signed at Mexico City on December 9, 1987.

I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to

counter more effectively trans-border criminal activities. The Treaty should be an effective tool to combat a wide variety of modern criminals including members of drug cartels, "white-collar criminals," and terrorists. The Treaty is self-executing and utilizes existing statutory authority.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: (1) the taking of testimony or statements of witnesses; (2) the provision of documents, records, and evidence; (3) the execution of requests for searches and seizures; (4) the serving of documents; and (5) the provision of assistance in procedures regarding the immobilizing, securing, and forfeiture of the proceeds, fruits, and instrumentalities of crime.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

Ronald Reagan

The White House,
February 11, 1988.

Appointment of Julian E. Kulas as a Member of the United States Holocaust Memorial Council

February 11, 1988

The President today announced his intention to appoint Julian E. Kulas, of Illinois, to be a member of the United States Holocaust Memorial Council for a term expiring January 15, 1993. This is a reappointment.

Since 1957 Mr. Kulas has been a self-employed attorney with the law office of Julian E. Kulas, and since 1977 he has been president of First Security Federal Savings Bank in Chicago, IL. Mr. Kulas is also vice president (and former president) of the Ukrainian Congress Committee of America, president of the Ukrainian-American Democratic Organization of Illinois, and chairman of the Helsinki Monitoring Committee of Chicago.

Mr. Kulas graduated from De Paul University (B.A., 1957; J.D., 1958). He was born June 5, 1933, in Boratyn, Poland. Mr. Kulas is married, has three children, and resides in River Forest, IL.