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The Convention on Psychotropic Substances

A consideration of some variations it makes on the revised draft Protocol

After some years of work, the Commission on Narcotic Drugs completed a revised draft Protocol * on Psychotropic Substances, which was submitted for adoption to a United Nations Conference held in Vienna in January-February 1971. The Conference adopted the treaty, but changed its name to " Convention ". As was to be expected, the Conference made numerous other changes in the draft before it. The revised draft Protocol had been prepared by the twenty-four States which are members of the Commission on Narcotic Drugs; at the Vienna Conference seventy-one States participated. The Convention that is now open for signature was signed, subject to ratification, by twenty-three States. The Convention remains open for signature until 1 January 1972, and will enter into force after it has been accepted by forty of the States referred to in the relevant articles (cf. articles 25 and 26).

Some of the more significant changes made in the course of the adoption of the treaty are set out below. Though not all of them would be considered improvements on the original by all the States participating in the Conference, a spirit of compromise led to their acceptance.

The discussion in the following paragraphs is not intended to be an exhaustive legal study, but is intended to bring out some of the more important points of substance on which the Convention varies from the revised draft Protocol.

Preamble

The preamble was expanded, and a new concept was added that while the use of psychotropic substances for medical and scientific purposes is indispensable, " their availability for such purposes should not be unduly restricted ".

Article 2 : Scope of control of substances

This article, which in a sense is the core of the treaty, was the subject of extended discussions and negotiations, and the text that emerged in the Convention is significantly different from the draft. The criteria to be applied by the World Health Organization before a substance is placed under international control were revised, and the role of the World Health Organization was stated in a new form. Paragraphs 4 and 5 of article 2 of the new text give the new version of paragraphs 4 and 5 in the old.

The essence of the change is that WHO should communicate to the Commission an assessment of the substance according to the criteria set out, " together with recommendations on control measures, if any, that would be appropriate .... The World Health Organization's assessment shall be determinative as to medical and scientific matters . . . ". The Commission takes WHO's communication into account, and, " bearing in mind the economic, social, legal, administrative and other factors it may consider relevant ", may add the substance to one of the Schedules. The Convention also empowers the Commission to " seek further information from the World Health Organization or from other appropriate sources ".

The same procedure is applied to transfer a substance from one Schedule to another, or to delete it from the Schedules.

Paragraph 7 of article 2 goes on to set out the obligations of Parties after the Commission has decided, and it modifies the so-called " right of non-acceptance " of the Commission's decision as provided for in the original paragraph 7. Whereas the old paragraph disallowed this right with respect to substances in Schedules I and II, the new text permits a degree of non-acceptance in the case of all four Schedules, and states the different measures which must be applied to substances in each of the Schedules even by Parties which have used their right of non-acceptance. An important difference in the new text is that this system of graded obligatory controls applies only when the Commission has decided to *add* a substance to the Schedules, i.e. a substance that was previously uncontrolled. When a substance is transferred to a Schedule providing *stricter control*, a Party may give notice of non-acceptance of the stricter controls, but it is *required* to " apply as a minimum " the control measures for the Schedule from which the substance has been transferred.

The appeals procedure for a review of the decision of the Commission by the Economic and Social Council has been kept intact, and the minority view in the Commission that non-acceptance should be annulled

* Text in Vol. XXII, No. 3, *Bulletin on Narcotics*.

if the Council confirms the Commission's decision was not accepted by the Conference.

The scheme in the original article 2 (3) (*b*) for mandatory provisional application of controls in the case of substances being considered for control under Schedules I or II was not adopted in the treaty as adopted, which, however, maintains the requirement of the original article 2 (3) (*a*) that the Parties *examine the possibility* of provisional control for Schedule I and II substances.

Precursors

Article 2, in paragraph 4 of the original text, carried over the concept in article 3 (3) (iii) of the Single Convention, and required the application to a " precursor "—i.e. a substance " readily convertible " into a substance under control—of measures of control. In Vienna the complexity of controlling precursors of psychotropic substances was agreed to be so overwhelming that no absolute obligation to control them was provided. The new article 2 in paragraph 9 asks Parties " to use their best endeavours " to apply " such measures of supervision as may be practicable " to substances which may be used in the illicit manufacture of psychotropic substances, i.e. their precursors and possibly also substances essential in the chemistry of manufacture.

Article 3 : Exempted preparations

The new text carries over the provision that a preparation is subject to the same measure of control as the psychotropic substance it contains, and if it contains more than one such substance it is subject to the control measures applicable to that substance in it which is the most strictly controlled.

The new article allows Parties to exempt preparations from control, provided that they apply the requirements of licensing, record-keeping, and inspection in respect of manufacture, prohibition of, and restrictions on, export and import, reporting to the International Narcotics Control Board and penal provisions. The revised draft Protocol also required that Parties exempting preparations apply controls on international trade (old article 11, new article 12) but this was not accepted by the Conference.

In addition, the draft Protocol provided for a scheme of " universalizing " the exemption of certain preparations via the WHO/Commission machinery. This has not been expressly retained in the Convention. Since all Parties will be notified when one Party has exempted a preparation, they could also consider the option of allowing the same exemption, but now there is no international machinery to create, as it were, a symmetry of exemptions for all Parties.

Article 7 : Schedule I substances

While the severity of control to be applied to such substances as provided in the draft Protocol has been maintained, the Convention has made certain significant variations in detail. All use is prohibited except " for scientific and very limited medical purposes by duly authorized persons "; the original text spoke of prohibition of all use except " for medical and scientific purposes by research workers ". Both the old and the new text require that the exceptional use permitted should be in medical or scientific establishments or institutions directly under governmental control, or specifically approved by the Government.

The notion in the old text of requiring advance notice in the case of research on animals or laboratory research, and prior authorization in the case of any other research project, has not been retained. The emphasis in the Convention is that use for scientific and very limited medical purposes should be made by duly authorized persons, and should be carried out in medical or scientific establishments which are controlled by the Government or especially approved by it, under close governmental supervision.

The draft Protocol also provided that authorization for the distribution and use of substances for research purposes should cover only a *single delivery*, except for distribution " in the course of a single authorized research project ". The Convention replaced this stringent provision on authorizations by the straight requirement that Parties shall " restrict the amount supplied to a duly authorized person to the quantity required for his authorized purpose ".

The other noticeable difference is the widening of the class of those who may export or import the substances. The old text required both the exporter and importer to be " the competent authorities " of the country, or to be " other government agencies or institutions specifically authorized by Governments ". The new text allows export and import by the competent authorities or agencies of the Government or " other persons or enterprises which are specifically authorized by the competent authorities of their country ".

The proponents of these changes, which were accepted by the Vienna Conference, seem to have desired not to hamper research on Schedule I substances unnecessarily. The changes made while maintaining the severest controls now applied in the field of drugs—going beyond the controls, for example, on heroin under the Single Convention—at the same time allow the possibility of properly authorized serious research and very limited medical use. The changes in this article thus seem to give expression to the idea introduced in the Preamble that the availability of psychotropic substances for scientific purposes—as well as for medical purposes—" should not be unduly restricted ".

Article 11 : Records

The requirement of record-keeping, with its obvious administrative and therefore budgetary implications for the Parties, for industry and for trade, was the subject of active discussion in the Conference. Whereas the original article on records, article 10 of the draft Protocol, generally treated substances in Schedules II, III and IV on the same footing, the Convention in its corresponding article, article 11, to a certain extent makes a gradation in the record-keeping requirements for the three Schedules. It also specifies the records to be kept for Schedule I substances, in so far as their trade and distribution are authorized under article 7.

Article 12 : International trade

The export/import authorization system is applied in the Convention, as it was in the draft Protocol, to substances in Schedules I and II. The novelty in the Convention in respect of international trade relates to the export " declaration " which the Convention applies to Schedule III substances only, whereas the draft Protocol applied it also to substances in Schedule IV. The system has also been somewhat simplified in its details.

In addition the Convention took over the provisions of article 31 of the Single Convention relating to free ports and zones, to exports to post-office boxes or banks and bonded warehouses, and to shipments in transit in respect of international trade in Schedule I and II substances. The draft Protocol had omitted these requirements.

Article 13 : Export/import prohibition and restrictions

The Convention maintains the right given in the draft Protocol to a Party (old article 12) to prohibit the import into its territory of one or more substances in Schedules II, III or IV. Whereas the draft Protocol required that exporting Parties, having received notification of a prohibition of import, " shall prohibit the export " of the subtance in question, the Convention requires that the exporting Party " shall take measures to ensure " that the export does not take place.

The provision in the draft Protocol that a Party could also notify that it permits imports of substances in Schedules II, III or IV only by recipients that it specifies, is not found in the Convention.

Article 16 : Reports to be furnished by Parties

Whithout much changing the substance of what was in the draft Protocol, the Convention has clarified the information that Parties should send to the Secretary-General.

The provisions on statistical information to be furnished to the Board, however, were closely examined by the Conference, and the Convention has made certain changes from the draft Protocol :

(i) in the case of Schedule I and II substances, stocks held by wholesalers are not to be reported to the Board;

(ii) quantities of Schedule II and III substances used in the manufacture of exempt preparations are to be reported;

(iii) quantities of Schedule II, III and IV substances used for industrial purposes permitted under article 4 are also to be reported;

(iv) a Party is also obligated to give the Board, on its request, statistics for future periods regarding quantities of individual substances " exported to and imported from each country . . . ". In such cases a Party has the right to ask the Board to treat its request for information, and the information given to it, as confidential.

Article 17 : Functions of the Commission

This is a wholly new article, the first paragraph of which sets out the Commission's general role and the second of which makes the important innovation that decisions of the Commission to apply controls (article 2) or to terminate the exemption of a preparation (article 3) " shall be taken by a two-thirds majority of the members of the Commission ". The draft Protocol had been silent on the former point and as regards the latter, it had, like the Single Convention, implicitly accepted the rules of procedure of the Commission by which its decisions are taken by a majority vote.

Article 19 : Measures by the Board to ensure the execution of the provisions of the Convention

The Convention retains the article in the draft Protocol regarding the reports of the Board, but it has also added this new article, taken virtually *in toto* from article 14 of the Single Convention. A significant new idea introduced in this article is that the powers given to the Board may also apply where a Party has exercised the right of non-acceptance under article 2, paragraph 7, if " the Board has reason to believe that the aims of this Convention are being seriously endangered as a result . . . ".

Article 21 : Action against the illicit traffic

The relevant article in the draft Protocol carried over the provisions of article 35 of the Single Convention and the new Convention also generally follows that article, except that the new text states that, in execution of the obligation to assist each other in the campaign against the illicit traffic, the Parties shall

> " . . . in particular immediately transmit, through the diplomatic channel of the competent authorities designated by the Parties for this purpose, to the other Parties directly concerned, a copy of any report addressed to the Secretary-General under article 16 in connexion with the discovery of a case of illicit traffic or a seizure ".

In the discussion on illicit traffic in the Commission on Narcotic Drugs, some countries have sometimes said that they were either not informed soon enough, or not informed at all, by a neighbouring country of a case of illicit traffic which concerned them. The obligation now introduced in the Convention may serve to meet this point.

Article 22 : Penal provisions

In contrast to the analogous articles in the draft Protocol (article 18) and the Single Convention (article 36), the Convention does not give a list of the activities which, when contrary to the provisions of the Convention and when committed intentionally, must be treated as punishable offences. The Convention speaks of " any action contrary to a law or regulation " adopted by a Party " in pursuance of its obligations under the Convention ".

In its article on penal provisions the Convention also includes the progressive concept that abusers of psychotropic substances, if found to have committed offences under the Convention, may either as an alternative to, or in addition to, conviction or punishment, be made to undergo measures of treatment, rehabilitation etc. (An earlier article requires Parties to take all practicable measures for the treatment, etc., of drug abusers.)

The article contains a provision for seizure and confiscation of substances and equipment used for the commission of an offence. This notion, while found in the Single Convention, did not figure in the draft Protocol.

Article 24 : Expenses of international organs

This article, unlike the draft Protocol, makes no reference to the expenses of the World Health Organization, and instead of referring to the expenses of the United Nations, speaks of expenses of the Commission and of the Board. The latter expenses are to be borne by the United Nations as decided by the General Assembly, and in the case of Parties which are not Member States the Assembly settles the amount they shall contribute in consultation with them.

Articles 27 and 28 : Territories and regions

The Convention uses the word " territory " for non-metropolitan territories which do not conduct their own international relations, and uses the word " region ", rather than territory, for different parts of one sovereign state under the same constitutional régime.

Article 32 : Reservations

The Convention has filled in the blanks in the draft Protocol and allows reservations in respect of the following provisions :

(*a*) Article 19, paragraphs 1 and 2;

(*b*) article 27; and

(*c*) article 31.

A separate paragraph permits the making of a reservation, reminiscent of some of the transitional reservations allowed under article 49 of the Single Convention but not transitional in character.

Certain mushrooms and cacti grow, for example, in Mexico, from which some psychotropic substances * in Schedule I can be obtained, and these plants are put to magical and religious uses by certain tribes. The Convention allows a Party on whose territory these plants grow wild to make a reservation in respect of the controls in article 7 (relating to Schedule I substances), except for the provisions regarding international trade.

Schedules

The Convention lists ten substances in Schedule I, six in Schedule II, five in Schedule III and eleven in Schedule IV. These listings are virtually the same as are found in the draft Protocol, which in turn followed the recommendations made by the World Health Organization. Certain changes, however, have been made in the Convention. Phencyclidine has been moved from Schedule IV to Schedule II. Schedules I and III remain unchanged, but aminorek, chloral hydrate, chlordiazepoxide, diazepam, paraldehyde and methohexital have been deleted from Schedule IV.

* * *

The Commission on Narcotic Drugs at its 24th session in September/October 1971 in Geneva will begin the work of preparing for the entry into force of the Convention. At this time it is difficult to foresee when acceptance by forty States will be achieved, so that the Convention enters into force, but some date in 1973 may be hoped for. The Convention obviously increases the responsibilities of the Secretary-General, the Commission on Narcotic Drugs, the World Health Organization and the International Narcotics Control Board. Apart from providing for formal requirements, such as the way in which Parties will make reports or notifications to the Secretary-General or supply statistics to the Board, administrative arrangements will have to be made to absorb the increased workload.

At the same time the Conference has recommended that States try to make provisional application of the provisions of the Convention prior to its entry into force. States intending to become Parties to the Convention will also have to take preparatory steps such as drafting legislation and making administrative adjustments.

It may be hoped that the very fact that the Convention has come into being will already begin to have a salutary effect upon the problem of abuse of psychotropic substances and the extent of illicit traffic in them which came to notice, and which spurred the international community to adopt this treaty as a counter-measure.

* Such as mescaline and psilocybine.

THE CONVENTION ON PSYCHOTROPIC SUBSTANCES

PREAMBLE

The Parties,

Being concerned with the health and welfare of mankind,

Noting with concern the public health and social problems resulting from the abuse of certain psychotropic substances,

Determined to prevent and combat abuse of such substances and the illicit traffic to which it gives rise,

Considering that rigorous measures are necessary to restrict the use of such substances to legitimate purposes,

Recognizing that the use of psychotropic substances for medical and scientific purposes is indispensable and that their availability for such purposes should not be unduly restricted,

Believing that effective measures against abuse of such substances require co-ordination and universal action,

Acknowledging the competence of the United Nations in the field of control of psychotropic substances and desirous that the international organs concerned should be within the framework of that Organization,

Recognizing that an international convention is necessary to achieve these purposes,

Agree as follows:

Article 1

Use of terms

Except where otherwise expressly indicated, or where the context otherwise requires, the following terms in this Convention have the meanings given below:

(*a*) " Council " means the Economic and Social Council of the United Nations.

(*b*) " Commission " means the Commission on Narcotic Drugs of the Council.

(*c*) " Board " means the International Narcotics Control Board provided for in the Single Convention on Narcotic Drugs, 1961.

(*d*) " Secretary-General " means the Secretary-General of the United Nations.

(*e*) " Psychotropic substance " means any substance, natural or synthetic, or any natural material in Schedule I, II, III or IV.

(*f*) " Preparation " means:

(i) any solution or mixture, in whatever physical state, containing one or more psychotropic substances, or

(ii) one or more psychotropic substances in dosage form.

(*g*) " Schedule I ", " Schedule II ", " Schedule III " and " Schedule IV " mean the correspondingly numbered lists of psychotropic substances annexed to this Convention, as altered in accordance with article 2.

(*h*) " Export " and " import " mean in their respective connotations the physical transfer of a psychotropic substance from one State to another State.

(*i*) " Manufacture " means all processes by which psychotropic substances may be obtained, and includes refining as well as the transformation of psychotropic substances into other psychotropic substances. The term also includes the making of preparations other than those made on prescription in pharmacies.

(*j*) " Illicit traffic " means manufacture of or trafficking in psychotropic substances contrary to the provisions of this Convention.

(*k*) " Region " means any part of a State which pursuant to article 28 is treated as a separate entity for the purposes of this Convention.

(*l*) " Premises " means buildings or parts of buildings, including the appertaining land.

Article 2

Scope of control of substances

1. If a Party or the World Health Organization has information relating to a substance not yet under international control which in its opinion may require the addition of that substance to any of the Schedules of this Convention, it shall notify the Secretary-General and furnish him with the information in support of that notification. The foregoing procedure shall also apply when a Party or the World Health Organization has information justifying the transfer of a substance from one Schedule to another among those Schedules, or the deletion of a substance from the Schedules.

2. The Secretary-General shall transmit such notification, and any information which he considers relevant, to the Parties, to the Commission and, when the notification is made by a Party, to the World Health Organization.

3. If the information transmitted with such a notification indicates that the substance is suitable for inclusion in Schedule I or Schedule II pursuant to paragraph 4, the Parties shall examine, in the light of all information available to them, the possibility of the provisional application to the substance of all measures of control applicable to substances in Schedule I or Schedule II, as appropriate.

4. If the World Health Organization finds:

(*a*) That the substance has the capacity to produce

(i) (1) a state of dependence, and

(2) central nervous system stimulation or depression, resulting in hallucinations or disturbances in motor function or thinking or behaviour or perception or mood, or

(ii) similar abuse and similar ill effects as a substance in Schedule I, II, III or IV, and

(*b*) That there is sufficient evidence that the substance is being or is likely to be abused so as to constitute a public health and social problem warranting the placing of the substance under international control,

the World Health Organization shall communicate to the Commission an assessment of the substance, including the extent or likelihood of abuse, the degree of seriousness of the public health and social problem and the degree of usefulness of the substance in medical therapy, together with recommendations on control measures, if any, that would be appropriate in the light of its assessment.

5. The Commission, taking into account the communication from the World Health Organization, whose assessments shall be determinative as to medical and scientific matters, and bearing in mind the economic, social, legal, administrative and other factors it may consider relevant, may add the substance to Schedule I, II, III or IV. The Commission may seek further information from the World Health Organization or from other appropriate sources.

6. If a notification under paragraph 1 relates to a substance already listed in one of the Schedules, the World Health Organization shall communicate to the Commission its new findings, any new assessment of the substance it may make in accordance with paragraph 4 and any new recommendations on control measures it may find appropriate in the light of that assessment. The Commission, taking into account the communication from the World Health Organization as under paragraph 5 and bearing in mind the factors referred to in that paragraph, may decide to transfer the substance from one Schedule to another or to delete it from the Schedules.

7. Any decision of the Commission taken pursuant to this article shall be communicated by the Secretary-General to all States Members of the United Nations, to non-member States Parties to this Convention, to the World Health Organization and to the Board. Such decision shall become fully effective with respect to each Party 180 days after the date of such communication, except for any Party which, within that period, in respect of a decision adding a substance to a Schedule, has transmitted to the Secretary-General a written notice that, in view of exceptional circumstances, it is not in a position to give effect with respect to that substance to all of the provisions of the Convention applicable to substances in that Schedule. Such notice shall state the reasons for this exceptional action. Notwithstanding its notice, each Party shall apply, as a minimum, the control measures listed below:

(*a*) A Party having given such notice with respect to a previously uncontrolled substance added to Schedule I shall take into account, as far as possible, the special control measures enumerated in article 7 and, with respect to that substance, shall:

(i) require licences for manufacture, trade and distribution as provided in article 8 for substances in Schedule II;

(ii) require medical prescriptions for supply or dispensing as provided in article 9 for substances in Schedule II;

(iii) comply with the obligations relating to export and import provided in article 12, except in respect to another Party having given such notice for the substance in question;

(iv) comply with the obligations provided in article 13 for substances in Schedule II in regard to prohibition of and restrictions on export and import;

(v) furnish statistical reports to the Board in accordance with paragraph 4 (*a*) of article 16; and

(vi) adopt measures in accordance with article 22 of the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(*b*) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule II shall, with respect to that substance:

(i) require licences for manufacture, trade and distribution in accordance with article 8;

(ii) require medical prescriptions for supply or dispensing in accordance with article 9;

(iii) comply with the obligations relating to export and import provided in article 12, except in respect to another Party having given such notice for the substance in question;

(iv) comply with the obligations of article 13 in regard to prohibition of and restrictions on export and import;

(v) furnish statistical reports to the Board in accordance with paragraphs 4 (*a*), (*c*) and (*d*) of article 16; and

(vi) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(*c*) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule III shall, with respect to that substance:

(i) require licences for manufacture, trade and distribution in accordance with article 8;

(ii) require medical prescriptions for supply or dispensing in accordance with article 9;

(iii) comply with the obligations relating to export provided in article 12, except in respect to another Party having given such notice for the substance in question;

(iv) comply with the obligations of article 13 in regard to prohibition of and restrictions on export and import; and

(v) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(*d*) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule IV shall, with respect to that substance:

(i) require licences for manufacture, trade and distribution in accordance with article 8;

(ii) comply with the obligations of article 13 in regard to prohibition of and restrictions on export and import; and

(iii) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(*e*) A Party having given such notice with regard to a substance transferred to a Schedule providing stricter controls and obligations shall apply as a minimum all of the provisions of this Convention applicable to the Schedule from which it was transferred.

8. (*a*) The decisions of the Commission taken under this article shall be subject to review by the Council upon the request of any Party filed within 180 days from receipt of notification of the decision. The request for review shall be sent to the Secretary-General together with all relevant information upon which the request for review is based.

(*b*) The Secretary-General shall transmit copies of the request for review and the relevant information to the Commission, to the World Health Organization and to all the Parties, inviting them to submit comments within ninety days. All comments received shall be submitted to the Council for consideration.

(*c*) The Council may confirm, alter or reverse the decision of the Commission. Notification of the Council's decision shall be transmitted to all States Members of the United Nations, to non-member States Parties to this Convention, to the Commission, to the World Health Organization and to the Board.

(*d*) During pendency of the review, the original decision of the Commission shall, subject to paragraph 7, remain in effect.

9. The Parties shall use their best endeavours to apply to substances which do not fall under this Convention, but which may be used in the illicit manufacture of psychotropic substances, such measures of supervision as may be practicable.

Article 3

Special provisions regarding the control of preparations

1. Except as provided in the following paragraphs of this article, a preparation is subject to the same measures of control as the psychotropic substance which it contains, and, if it contains more than one such substance, to the measures applicable to the most strictly controlled of those substances.

2. If a preparation containing a psychotropic substance other than a substance in Schedule I is compounded in such a way that it presents no, or a negligible, risk of abuse and the substance

cannot be recovered by readily applicable means in a quantity liable to abuse, so that the preparation does not give rise to a public health and social problem, the preparation may be exempted from certain of the measures of control provided in this Convention in accordance with paragraph 3.

3. If a Party makes a finding under the preceding paragraph regarding a preparation, it may decide to exempt the preparation, in its country or in one of its regions, from any or all of the measures of control provided in this Convention except the requirements of:

(*a*) Article 8 (licences), as it applies to manufacture;

(*b*) Article 11 (records), as it applies to exempt preparations;

(*c*) Article 13 (prohibition of and restrictions on export and import);

(*d*) Article 15 (inspection), as it applies to manufacture;

(*e*) Article 16 (reports to be furnished by the Parties), as it applies to exempt preparations; and

(*f*) Article 22 (penal provisions), to the extent necessary for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

A Party shall notify the Secretary-General of any such decision, of the name and composition of the exempt preparation, and of the measures of control from which it is exempted. The Secretary-General shall transmit the notification to the other Parties, to the World Health Organization and to the Board.

4. If a Party or the World Health Organization has information regarding a preparation exempted pursuant to paragraph 3 which in its opinion may require the termination, in whole or in part, of the exemption, it shall notify the Secretary-General and furnish him with the information in support of the notification. The Secretary-General shall transmit such notification, and any information which he considers relevant, to the Parties, to the Commission and, when the notification is made by a Party, to the World Health Organization. The World Health Organization shall communicate to the Commission an assessment of the preparation in relation to the matters specified in paragraph 2, together with a recommendation of the control measures, if any, from which the preparation should cease to be exempted. The Commission, taking into account the communication from the World Health Organization, whose assessment shall be determinative as to medical and scientific matters, and bearing in mind the economic, social, legal, administrative and other factors it may consider relevant, may decide to terminate the exemption of the preparation from any or all control measures. Any decision of the Commission taken pursuant to this paragraph shall be communicated by the Secretary-General to all States Members of the United Nations, to non-member States Parties to this Convention, to the World Health Organization and to the Board. All Parties shall take measures to terminate the exemption from the control measure or measures in question within 180 days of the date of the Secretary-General's communication.

Article 4

Other special provisions regarding the scope of control

In respect of psychotropic substances other than those in Schedule I, the Parties may permit:

(*a*) The carrying by international travellers of small quantities of preparations for personal use; each Party shall be entitled, however, to satisfy itself that these preparations have been lawfully obtained;

(*b*) The use of such substances in industry for the manufacture of non-psychotropic substances or products, subject to the application of the measures of control required by this Convention until the psychotropic substances come to be in such a condition that they will not in practice be abused or recovered;

(*c*) The use of such substances, subject to the application of the measures of control required by this Convention, for the capture of animals by persons specifically authorized by the competent authorities to use such substances for that purpose.

Article 5

Limitation of use to medical and scientific purposes

1. Each Party shall limit the use of substances in Schedule I as provided in article 7.

2. Each Party shall, except as provided in article 4, limit by such measures as it considers appropriate the manufacture, export, import, distribution and stocks of, trade in, and use and possession of, substances in Schedules II, III and IV to medical and scientific purposes.

3. It is desirable that the Parties do not permit the possession of substances in Schedules II, III and IV except under legal authority.

Article 6

Special administration

It is desirable that for the purpose of applying the provisions of this Convention, each Party establish and maintain a special administration, which may with advantage be the same as, or work in close co-operation with, the special administration established pursuant to the provisions of conventions for the control of narcotic drugs.

Article 7

Special provisions regarding substances in Schedule I

In respect of substances in Schedule I, the Parties shall:

(*a*) Prohibit all use except for scientific and very limited medical purposes by duly authorized persons, in medical or scientific establishments which are directly under the control of their Governments or specifically approved by them;

(*b*) Require that manufacture, trade, distribution and possession be under a special licence or prior authorization;

(*c*) Provide for close supervision of the activities and acts mentioned in paragraphs (*a*) and (*b*);

(*d*) Restrict the amount supplied to a duly authorized person to the quantity required for his authorized purpose;

(*e*) Require that persons performing medical or scientific functions keep records concerning the acquisition of the substances and the details of their use, such records to be preserved for at least two years after the last use recorded therein; and

(*f*) Prohibit export and import except when both the exporter and importer are the competent authorities or agencies of the exporting and importing country or region, respectively, or other persons or enterprises which are specifically authorized by the competent authorities of their country or region for the purpose. The requirements of paragraph 1 of article 12 for export and import authorizations for substances in Schedule II shall also apply to substances in Schedule I.

Article 8

Licences

1. The Parties shall require that the manufacture of, trade (including export and import trade) in, and distribution of substances listed in Schedules II, III and IV be under licence or other similar control measure.

2. The Parties shall:

(*a*) Control all duly authorized persons and enterprises carrying on or engaged in the manufacture of, trade (including export and import trade) in, or distribution of substances referred to in paragraph 1;

(*b*) Control under licence or other similar control measure the establishments and premises in which such manufacture, trade or distribution may take place; and

(*c*) Provide that security measures be taken with regard to such establishments and premises in order to prevent theft or other diversion of stocks.

3. The provisions of paragraphs 1 and 2 of this article relating to licensing or other similar control measures need not apply to persons duly authorized to perform and while performing therapeutic or scientific functions.

4. The Parties shall require that all persons who obtain licences in accordance with this Convention or who are otherwise authorized pursuant to paragraph 1 of this article or sub-paragraph (*b*) of article 7 shall be adequately qualified for the effective and faithful execution of the provisions of such laws and regulations as are enacted in pursuance of this Convention.

Article 9

Prescriptions

1. The Parties shall require that substances in Schedules II, III and IV be supplied or dispensed for use by individuals pursuant to medical prescription only, except when individuals may lawfully obtain, use, dispense or administer such substances in the duly authorized exercise of therapeutic or scientific functions.

2. The Parties shall take measures to ensure that prescriptions for substances in Schedules II, III and IV are issued in accordance with sound medical practice and subject to such regulation, particularly as to the number of times they may be refilled and the duration of their validity, as will protect the public health and welfare.

3. Notwithstanding paragraph 1, a Party may, if in its opinion local circumstances so require and under such conditions, including record-keeping, as it may prescribe, authorize licensed pharmacists or other licensed retail distributors designated by the authorities responsible for public health in its country or part thereof to supply, at their discretion and without prescription, for use for medical purposes by individuals in exceptional cases, small quantities, within limits to be defined by the Parties, of substances in Schedules III and IV.

Article 10

Warnings on packages, and advertising

1. Each Party shall require, taking into account any relevant regulations or recommendations of the World Health Organization, such directions for use, including cautions and warnings, to be indicated on the labels where practicable and in any case on the accompanying leaflet of retail packages of psychotropic substances, as in its opinion are necessary for the safety of the user.

2. Each Party shall, with due regard to its constitutional provisions, prohibit the advertisement of such substances to the general public.

Article 11

Records

1. The Parties shall require that, in respect of substances in Schedule I, manufacturers and all other persons authorized under article 7 to trade in and distribute those substances keep records, as may be determined by each Party, showing details of the quantities manufactured, the quantities held in stock, and, for each acquisition and disposal, details of the quantity, date, supplier and recipient.

2. The Parties shall require that, in respect of substances in Schedules II and III, manufacturers, wholesale distributors, exporters and importers keep records, as may be determined by each Party, showing details of the quantities manufactured and, for each acquisition and disposal, details of the quantity, date, supplier and recipient.

3. The Parties shall require that, in respect of substances in Schedule II, retail distributors, institutions for hospitalization and care and scientific institutions keep records, as may be determined by each Party, showing, for each acquisition and disposal, details of the quantity, date, supplier and recipient.

4. The Parties shall ensure, through appropriate methods and taking into account the professional and trade practices in their countries, that information regarding acquisition and disposal of substances in Schedule III by retail distributors, institutions for hospitalization and care and scientific institutions is readily available.

5. The Parties shall require that, in respect of substances in Schedule IV, manufacturers, exporters and importers keep records, as may be determined by each Party, showing the quantities manufactured, exported and imported.

6. The Parties shall require manufacturers of preparations exempted under paragraph 3 of article 3 to keep records as to the quantity of each psychotropic substance used in the manufacture of an exempt preparation, and as to the nature, total quantity and initial disposal of the exempt preparation manufactured therefrom.

7. The Parties shall ensure that the records and information referred to in this article which are required for purposes of reports under article 16 shall be preserved for at least two years.

Article 12

Provisions relating to international trade

1. (*a*) Every Party permitting the export or import of substances in Schedule I or II shall require a separate import or export authorization, on a form to be established by the Commission, to be obtained for each such export or import whether it consists of one or more substances.

(*b*) Such authorization shall state the international non-proprietary name, or, lacking such a name, the designation of the substance in the Schedule, the quantity to be exported or imported, the pharmaceutical form, the name and address of the exporter and importer, and the period within which the export or import must be effected. If the substance is exported or imported in the form of a preparation, the name of the preparation, if any, shall additionally be furnished. The export authorization shall also state the number and date of the import authorization and the authority by whom it has been issued.

(*c*) Before issuing an export authorization the Parties shall require an import authorization, issued by the competent authority of the importing country or region and certifying that the importation of the substance or substances referred to therein is approved, and such an authorization shall be produced by the person or establishment applying for the export authorization.

(*d*) A copy of the export authorization shall accompany each consignment, and the Government issuing the export authorization shall send a copy to the Government of the importing country or region.

(*e*) The Government of the importing country or region, when the importation has been effected, shall return the export authorization with an endorsement certifying the amount actually imported, to the Government of the exporting country or region.

2. (*a*) The Parties shall require that for each export of substances in Schedule III exporters shall draw up a declaration in triplicate, on a form to be established by the Commission, containing the following information:

(i) the name and address of the exporter and importer;

(ii) the international non-proprietary name, or, failing such a name, the designation of the substance in the Schedule;

(iii) the quantity and pharmaceutical form in which the substance is exported, and, if in the form of a preparation, the name of the preparation, if any; and

(iv) the date of despatch.

(*b*) Exporters shall furnish the competent authorities of their country or region with two copies of the declaration. They shall attach the third copy to their consignment.

(*c*) A Party from whose territory a substance in Schedule III has been exported shall, as soon as possible but not later than ninety days after the date of despatch, send to the competent authorities of the importing country or region, by registered mail with return of receipt requested, one copy of the declaration received from the exporter.

(*d*) The Parties may require that, on receipt of the consignment, the importer shall transmit the copy accompanying the consignment, duly endorsed stating the quantities received and the date of receipt, to the competent authorities of his country or region.

3. In respect of substances in Schedules I and II the following additional provisions shall apply:

(*a*) The Parties shall exercise in free ports and zones the same supervision and control as in other parts of their territory, provided, however, that they may apply more drastic measures.

(*b*) Exports of consignments to a post office box, or to a bank to the account of a person other than the person named in the export authorization, shall be prohibited.

(*c*) Exports to bonded warehouses of consignments of substances in Schedule I are prohibited. Exports of consignments of substances in Schedule II to a bonded warehouse are prohibited unless the Government of the importing country certifies on the import authorization, produced by the person or establishment applying for the export authorization, that it has approved the importation for the purpose of being placed in a bonded warehouse. In such case the export authorization shall certify that the consignment is exported for such purpose. Each withdrawal from the bonded warehouse shall require a permit from the authorities having jurisdiction over the warehouse and, in the case of a foreign destination, shall be treated as if it were a new export within the meaning of this Convention.

(*d*) Consignments entering or leaving the territory of a Party not accompanied by an export authorization shall be detained by the competent authorities.

(*e*) A Party shall not permit any substances consigned to another country to pass through its territory, whether or not the consignment is removed from the conveyance in which it is carried, unless a copy of the export authorization for consignment is produced to the competent authorities of such Party.

(*f*) The competent authorities of any country or region through which a consignment of substances is permitted to pass shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the accompanying copy of the export authorization, unless the Government of the country or region through which the consignment is passing authorizes the diversion. The Government of the country or region of transit shall treat any requested diversion as if the diversion were an export from the country or region of transit to the country or region of new destination. If the diversion is authorized, the provisions of paragraph 1 (*e*) shall also apply between the country or region of transit and the country or region which originally exported the consignment.

(*g*) No consignment of substances, while in transit or whilst being stored in a bonded warehouse, may be subjected to any process which would change the nature of the substance in question. The packing may not be altered without the permission of the competent authorities.

(*h*) The provisions of sub-paragraphs (*e*) to (*g*) relating to the passage of substances through the territory of a Party do not apply where the consignment in question is transported by aircraft which does not land in the country or region of transit. If the aircraft lands in any such country or region, those provisions shall be applied so far as circumstances require.

(*i*) The provisions of this paragraph are without prejudice to the provisions of any international agreements which limit the control which may be exercised by any of the Parties over such substances in transit.

Article 13

Prohibition of and restrictions on export and import

1. A Party may notify all the other Parties through the Secretary-General that it prohibits the import into its country or into one of its regions of one or more substances in Schedule II, III or IV, specified in its notification. Any such notification shall specify the name of the substance as designated in Schedule II, III or IV.

2. If a Party has been notified of a prohibition pursuant to paragraph 1, it shall take measures to ensure that none of the substances specified in the notification is exported to the country or one of the regions of the notifying Party.

3. Notwithstanding the provisions of the preceding paragraphs, a Party which has given notification pursuant to paragraph 1 may authorize by special import licence in each case the import of specified quantities of the substances in question or preparations containing such substances. The issuing authority of the importing country shall send two copies of the special import licence, indicating the name and address of the importer and the exporter, to the competent authority of the exporting country or region, which may then authorize the exporter to make the shipment. One copy of the special import licence, duly endorsed by the competent authority of the exporting country or region, shall accompany the shipment.

Article 14

Special provisions concerning the carriage of psychotropic substances in first-aid kits of ships, aircraft or other forms of public transport engaged in international traffic

1. The international carriage by ships, aircraft or other forms of international public transport, such as international railway trains and motor coaches, of such limited quantities of substances in Schedule II, III or IV as may be needed during their journey or voyage for first-aid purposes or emergency cases shall not be considered to be export, import or passage through a country within the meaning of this Convention.

2. Appropriate safeguards shall be taken by the country of registry to prevent the improper use of the substances referred to in paragraph 1 or their diversion for illicit purposes. The Commission, in consultation with the appropriate international organizations, shall recommend such safeguards.

3. Substances carried by ships, aircraft or other forms of international public transport, such as international railway trains and motor coaches, in accordance with paragraph 1 shall be subject to the laws, regulations, permits and licences of the country of registry, without prejudice to any rights of the competent local authorities to carry out checks, inspections and other control measures on board these conveyances. The administration of such substances in the case of emergency shall not be considered a violation of the requirements of paragraph 1 of article 9.

Article 15

Inspection

The Parties shall maintain a system of inspection of manufacturers, exporters, importers, and wholesale and retail distributors of psychotropic substances and of medical and scientific institutions which use such substances. They shall provide for inspections, which shall be made as frequently as they consider necessary, of the premises and of stocks and records.

Article 16

Reports to be furnished by the Parties

1. The Parties shall furnish to the Secretary-General such information as the Commission may request as being necessary for the performance of its functions, and in particular an annual report regarding the working of the Convention in their territories including information on:

(*a*) Important changes in their laws and regulations concerning psychotropic substances; and

(*b*) Significant developments in the abuse of and the illicit traffic in psychotropic substances within their territories.

2. The Parties shall also notify the Secretary-General of the names and addresses of the governmental authorities referred to in sub-paragraph (*f*) of article 7, in article 12 and in paragraph 3 of article 13. Such information shall be made available to all Parties by the Secretary-General.

3. The Parties shall furnish, as soon as possible after the event, a report to the Secretary-General in respect of any case of illicit traffic in psychotropic substances or seizure from such illicit traffic which they consider important because of:

(*a*) New trends disclosed;

(*b*) The quantities involved;

(*c*) The light thrown on the sources from which the substances are obtained; or

(*d*) The methods employed by illicit traffickers.

Copies of the report shall be communicated in accordance with sub-paragraph (*b*) of article 21.

4. The Parties shall furnish to the Board annual statistical reports in accordance with forms prepared by the Board:

(*a*) In regard to each substance in Schedules I and II, on quantities manufactured, exported to and imported from each country or region as well as on stocks held by manufacturers;

(*b*) In regard to each substance in Schedules III and IV, on quantities manufactured, as well as on total quantities exported and imported;

(*c*) In regard to each substance in Schedules II and III, on quantities used in the manufacture of exempt preparations; and

(*d*) In regard to each substance other than a substance in Schedule I, on quantities used for industrial purposes in accordance with sub-paragraph (*b*) of article 4.

The quantities manufactured which are referred to in sub-paragraphs (*a*) and (*b*) of this paragraph do not include the quantities of preparations manufactured.

5. A Party shall furnish the Board, on its request, with supplementary statistical information relating to future periods on the quantities of any individual substance in Schedules III and IV exported to and imported from each country or region. That Party may request that the Board treat as confidential both its request for information and the information given under this paragraph.

6. The Parties shall furnish the information referred to in paragraphs 1 and 4 in such a manner and by such dates as the Commission or the Board may request.

Article 17

Functions of the Commission

1. The Commission may consider all matters pertaining to the aims of this Convention and to the implementation of its provisions, and may make recommendations relating thereto.

2. The decisions of the Commission provided for in articles 2 and 3 shall be taken by a two-thirds majority of the members of the Commission.

Article 18

Reports of the Board

1. The Board shall prepare annual reports on its work containing an analysis of the statistical information at its disposal, and, in appropriate cases, an account of the explanations, if any, given by or required of Governments, together with any observations and recommendations which the Board desires to make. The Board may make such additional reports as it considers necessary. The reports shall be submitted to the Council through the Commission, which may make such comments as it sees fit.

2. The reports of the Board shall be communicated to the Parties and subsequently published by the Secretary-General. The Parties shall permit their unrestricted distribution.

Article 19

Measures by the Board to ensure the execution of the provisions of the Convention

1. (*a*) If, on the basis of its examination of information submitted by governments to the Board or of information communicated by United Nations organs, the Board has reason to believe that the aims of this Convention are being seriously endangered by reason of the failure of a country or region to carry out the provisions of this Convention, the Board shall have the right to ask for explanations from the Government of the country or region in question. Subject to the right of the Board to call the attention of the Parties, the Council and the Commission to the matter referred to in sub-paragraph (*c*) below, it shall treat as confidential a request for information or an explanation by a government under this sub-paragraph.

(*b*) After taking action under sub-paragraph (*a*), the Board, if satisfied that it is necessary to do so, may call upon the Government concerned to adopt such remedial measures as shall seem under the circumstances to be necessary for the execution of the provisions of this Convention.

(*c*) If the Board finds that the Government concerned has failed to give satisfactory explanations when called upon to do so under sub-paragraph (*a*), or has failed to adopt any remedial measures which it has been called upon to take under sub-paragraph (*b*), it may call the attention of the Parties, the Council and the Commission to the matter.

2. The Board, when calling the attention of the Parties, the Council and the Commission to a matter in accordance with paragraph 1 (*c*), may, if it is satisfied that such a course is necessary, recommend to the Parties that they stop the export, import, or both, of particular psychotropic substances, from or to the country or region concerned, either for a designated period or until the Board shall be satisfied as to the situation in that country or region. The State concerned may bring the matter before the Council.

3. The Board shall have the right to publish a report on any matter dealt with under the provisions of this article, and communicate it to the Council, which shall forward it to all Parties. If the Board publishes in this report a decision taken under this article or any information relating thereto, it shall also publish therein the views of the Government concerned if the latter so requests.

4. If in any case a decision of the Board which is published under this article is not unanimous, the views of the minority shall be stated.

5. Any State shall be invited to be represented at a meeting of the Board at which a question directly interesting it is considered under this article.

6. Decisions of the Board under this article shall be taken by a two-thirds majority of the whole number of the Board.

7. The provisions of the above paragraphs shall also apply if the Board has reason to believe that the aims of this Convention are being seriously endangered as a result of a decision taken by a Party under paragraph 7 of article 2.

Article 20

Measures against the abuse of psychotropic substances

1. The Parties shall take all practicable measures for the prevention of abuse of psychotropic substances and for the early identification, treatment, education, after-care, rehabilitation and social reintegration of the persons involved, and shall co-ordinate their efforts to these ends.

2. The Parties shall as far as possible promote the training of personnel in the treatment, after-care, rehabilitation and social reintegration of abusers of psychotropic substances.

3. The Parties shall assist persons whose work so requires to gain an understanding of the problems of abuse of psychotropic substances and of its prevention, and shall also promote such understanding among the general public if there is a risk that abuse of such substances will become widespread.

Article 21

Action against the illicit traffic

Having due regard to their constitutional, legal and administrative systems, the Parties shall:

(*a*) Make arrangements at the national level for the co-ordination of preventive and repressive action against the illicit traffic; to this end they may usefully designate an appropriate agency responsible for such co-ordination;

(*b*) Assist each other in the campaign against the illicit traffic in psychotropic substances, and in particular immediately transmit, through the diplomatic channel or the competent authorities designated by the Parties for this purpose, to the other Parties directly concerned, a copy of any report addressed to the Secretary-General under article 16 in connexion with the discovery of a case of illicit traffic or a seizure;

(*c*) Co-operate closely with each other and with the competent international organizations of which they are members with a view to maintaining a co-ordinated campaign against the illicit traffic;

(*d*) Ensure that international co-operation between the appropriate agencies be conducted in an expeditious manner; and

(*e*) Ensure that, where legal papers are transmitted internationally for the purpose of judicial proceedings, the transmittal be effected in an expeditious manner to the bodies designated by the Parties; this requirement shall be without prejudice to the right of a Party to require that legal papers be sent to it through the diplomatic channel.

Article 22

Penal provisions

1. (*a*) Subject to its constitutional limitations, each Party shall treat as a punishable offence, when committed intentionally, any action contrary to a law or regulation adopted in pursuance of its obligations under this Convention, and shall ensure that serious offences shall be liable to adequate punishment, particularly by imprisonment or other penalty of deprivation of liberty.

(*b*) Notwithstanding the preceding sub-paragraph, when abusers of psychotropic substances have committed such offences, the Parties may provide, either as an alternative to conviction or punishment or in addition to punishment, that such abusers undergo measures of treatment, education, after-care, rehabilitation and social reintegration in conformity with paragraph 1 of article 20.

2. Subject to the constitutional limitations of a Party, its legal system and domestic law,

(*a*) (i) if a series of related actions constituting offences under paragraph 1 has been committed in different countries, each of them shall be treated as a distinct offence;

(ii) intentional participation in, conspiracy to commit and attempts to commit, any of such offences, and preparatory acts and financial operations in connexion with the offences referred to in this article, shall be punishable offences as provided in paragraph 1;

(iii) foreign convictions for such offences shall be taken into account for the purpose of establishing recidivism; and

(iv) serious offences heretofore referred to committed either by nationals or by foreigners shall be prosecuted by the Party in whose territory the offence was committed, or by the Party in whose territory the offender is found if extradition is not acceptable in conformity with the law of the Party to which application is made, and if such offender has not already been prosecuted and judgement given.

(*b*) It is desirable that the offences referred to in paragraph 1 and paragraph 2 (*a*) (ii) be included as extradition crimes in any extradition treaty which has been or may hereafter be concluded between any of the Parties, and, as between any of the Parties which do not make extradition conditional on the existence of a treaty or on reciprocity, be recognized as extradition crimes; provided that extradition shall be granted in conformity with the law of the Party to which application is made, and that the Party shall have the right to refuse to effect the arrest or grant the extradition in cases where the competent authorities consider that the offence is not sufficiently serious.

3. Any psychotropic substance or other substance, as well as any equipment, used in or intended for the commission of any of the offences referred to in paragraphs 1 and 2 shall be liable to seizure and confiscation.

4. The provisions of this article shall be subject to the provisions of the domestic law of the Party concerned on questions of jurisdiction.

5. Nothing contained in this article shall affect the principle that the offences to which it refers shall be defined, prosecuted and punished in conformity with the domestic law of a Party.

Article 23

Application of stricter control measures than those required by this Convention

A Party may adopt more strict or severe measures of control than those provided by this Convention if, in its opinion, such measures are desirable or necessary for the protection of the public health and welfare.

Article 24

Expenses of international organs incurred in administering the provisions of the Convention

The expenses of the Commission and the Board in carrying out their respective functions under this Convention shall be borne by the United Nations in such manner as shall be decided by the General Assembly. The Parties which are not Members of the United Nations shall contribute to these expenses such amounts as the General Assembly finds equitable and assesses from time to time after consultation with the Governments of these Parties.

Article 25

Procedure for admission, signature, ratification and accession

1. Members of the United Nations, States not Members of the United Nations which are members of a specialized agency of the United Nations or of the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice, and any other State invited by the Council, may become Parties to this Convention:

(*a*) By signing it; or

(*b*) By ratifying it after signing it subject to ratification; or

(*c*) By acceding to it.

2. The Convention shall be open for signature until 1 January 1972 inclusive. Thereafter it shall be open for accession.

3. Instruments of ratification or accession shall be deposited with the Secretary-General.

Article 26

Entry into force

1. The Convention shall come into force on the ninetieth day after forty of the States referred to in paragraph 1 of article 25 have signed it without reservation of ratification or have deposited their instruments of ratification or accession.

2. For any other State signing without reservation of ratification, or depositing an instrument of ratification or accession after the last signature or deposit referred to in the preceding paragraph, the Convention shall enter into force on the ninetieth day following the date of its signature or deposit of its instrument of ratification or accession.

Article 27

Territorial application

The Convention shall apply to all non-metropolitan territories for the international relations of which any Party is responsible except where the previous consent of such a territory is required by the Constitution of the Party or of the territory concerned, or required by custom. In such a case the Party shall endeavour to secure the needed consent of the territory within the shortest period possible, and when the consent is obtained the Party shall notify the Secretary-General. The Convention shall apply to the territory or territories named in such a notification from the date of its receipt by the Secretary-General. In those cases where the previous consent of the non-metropolitan territory is not required, the Party concerned shall, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which this Convention applies.

Article 28

Regions for the purposes of this Convention

1. Any Party may notify the Secretary-General that, for the purposes of this Convention, its territory is divided into two or more regions, or that two or more of its regions are consolidated into a single region.

2. Two or more Parties may notify the Secretary-General that, as the result of the establishment of a customs union between them, those Parties constitute a region for the purposes of this Convention.

3. Any notification under paragraph 1 or 2 shall take effect on 1 January of the year following the year in which the notification was made.

Article 29

Denunciation

1. After the expiry of two years from the date of the coming into force of this Convention any Party may, on its own behalf or on behalf of a territory for which it has international responsibility, and which has withdrawn its consent given in accordance with article 27, denounce this Convention by an instrument in writing deposited with the Secretary-General.

2. The denunciation, if received by the Secretary-General on or before the first day of July of any year, shall take effect on the first day of January of the succeeding year, and if received after the first day of July it shall take effect as if it had been received on or before the first day of July in the succeeding year.

3. The Convention shall be terminated if, as a result of denunciations made in accordance with paragraphs 1 and 2, the conditions for its coming into force as laid down in paragraph 1 of article 26 cease to exist.

Article 30

Amendments

1. Any Party may propose an amendment to this Convention. The text of any such amendment and the reasons therefor shall be communicated to the Secretary-General, who shall communicate them to the Parties and to the Council. The Council may decide either:

(*a*) That a conference shall be called in accordance with paragraph 4 of Article 62 of the Charter of the United Nations to consider the proposed amendment; or

(*b*) That the Parties shall be asked whether they accept the proposed amendment and also asked to submit to the Council any comments on the proposal.

2. If a proposed amendment circulated under paragraph 1 (*b*) has not been rejected by any Party within eighteen months after it has been circulated, it shall thereupon enter into force. If however a proposed amendment is rejected by any Party, the Council may decide, in the light of comments received from Parties, whether a conference shall be called to consider such amendment.

Article 31

Disputes

1. If there should arise between two or more Parties a dispute relating to the interpretation or application of this Convention, the said Parties shall consult together with a view to the settlement of the dispute by negotiation, investigation, mediation, conciliation, arbitration, recourse to regional bodies, judicial process or other peaceful means of their own choice.

2. Any such dispute which cannot be settled in the manner prescribed shall be referred, at the request of any one of the parties to the dispute, to the International Court of Justice for decision.

Article 32

Reservations

1. No reservation other than those made in accordance with paragraphs 2, 3 and 4 of the present article shall be permitted.

2. Any State may at the time of signature, ratification or accession make reservations in respect of the following provisions of the present Convention:

(*a*) Article 19, paragraphs 1 and 2;

(*b*) Article 27; and

(*c*) Article 31.

3. A State which desires to become a Party but wishes to be authorized to make reservations other than those made in accordance with paragraphs 2 and 4 may inform the Secretary-General of such intention. Unless by the end of twelve months after the date of the Secretary-General's communication of the reservation concerned, this reservation has been objected to by one third of the States that have signed without reservation of ratification, ratified or acceded to this Convention before the end of that period, it shall be deemed to be permitted, it being understood however that States which have objected to the reservation need not assume towards the reserving State any legal obligation under this Convention which is affected by the reservation.

4. A State on whose territory there are plants growing wild which contain psychotropic substances from among those in Schedule I and which are traditionally used by certain small, clearly determined groups in magical or religious rites, may, at the time of signature, ratification or accession, make reservations concerning these plants, in respect of the provisions of article 7, except for the provisions relating to international trade.

5. A State which has made reservations may at any time by notification in writing to the Secretary-General withdraw all or part of its reservations.

Article 33

Notifications

The Secretary-General shall notify to all the States referred to in paragraph 1 of article 25:

(*a*) Signatures, ratifications and accessions in accordance with article 25;

(*b*) The date upon which this Convention enters into force in accordance with article 26;

(*c*) Denunciations in accordance with article 29; and

(*d*) Declarations and notifications under articles 27, 28, 30 and 32.

IN WITNESS WHEREOF, the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments.

DONE AT VIENNA, this twenty-first day of February one thousand nine hundred and seventy one, in a single copy in the Chinese, English, French, Russian and Spanish languages, each being equally authentic. The Convention shall be deposited with the Secretary-General of the United Nations, who shall transmit certified true copies thereof to all the Members of the United Nations and to the other States referred to in paragraph 1 of article 25.

Lists of substances in the Schedules *

LIST OF SUBSTANCES IN SCHEDULE I

INN	Other non-proprietary or trivial names	Chemical Name
1.	DET	*N,N*-diethyltryptamine
2.	DMHP	3-(1,2-dimethylheptyl)-1-hydroxy-7,8,9,10 tetrahydro-6,6,9-trimethyl-6*H*-dibenzo [b,9] pyran
3.	DMT	*N,N*-dimethyltryptamine
4. (+)-Lysergide	LSD, LSD-25	(+)-*N,N*-diethyllysergamide (*d*-lysergic acid diethylamide)
5.	mescaline	3,4,5-trimethoxyphenethylamine
6.	parahexyl	3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6, 6,9-trimethyl-6*H*-dibenzo [b,d] pyran
7.	psilocine, psilotsin	3-(2-dimethylaminoethyl)-4-hydroxyindole
8. Psilocybine		3-(2-dimethylaminoethyl)indol-4-yl dihydrogen phosphate
9.	STP, DOM	2-amino-1-(2,5-dimethoxy-4-methyl) phenyl-propane
10.	tetrahydrocannabinols, all isomers	1-hydroxy-3-pentyl-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6-*H*-dibenzo [b,d] pyran

LIST OF SUBSTANCES IN SCHEDULE II

INN	Other non-proprietary or trivial names	Chemical Name
1. Amphetamine		(±)-2-amino-1-phenylpropane
2. Dexamphetamine		(+)-2-amino-1-phenylpropane
3. Methamphetamine		(+)-2-methylamino-1-phenylpropane
4. Methylphenidate		2-phenyl-2-(2-piperidyl) acetic acid, methyl ester
5. Phencyclidine		1-(1-phenylcyclohexyl) piperidine
6. Phenmetrazine		3-methyl-2-phenylmorpholine

LIST OF SUBSTANCES IN SCHEDULE III

INN	Other non-proprietary or trivial names	Chemical Name
1. Amobarbital		5-ethyl-5-(3-methylbutyl) barbituric acid
2. Cyclobarbital		5-(1-cyclohexen-1-yl)-5-ethylbarbituric acid
3. Glutethimide		2-ethyl-2-phenylglutarimide
4. Pentobarbital		5-ethyl-5-(1-methylbutyl) barbituric acid
5. Secobarbital		5-allyl-5-(1-methylbutyl) barbituric acid

LIST OF SUBSTANCES IN SCHEDULE IV

INN	Other non-proprietary or trivial names	Chemical Name
1. Amfepramone		2-(diethylamine) propiophenone
2. Barbital		5,5-diethylbarbituric acid
3.	ethchlorvynol	ethyl-2-chlorovinylethinyl-carbinol
4. Ethinamate		1-ethynylcyclohexanolcarbamate
5. Meprobamate		2-methyl-2-propyl-1,3-propanediol dicarbamate
6. Methaqualone		2-methyl-3-*o*-tolyl-4(3*H*)-quinazolinone
7. Methylphenobarbital		5-ethyl-1-methyl-5-phenyl-barbituric acid
8. Methyprylon		3,3-diethyl-5-methyl-2,4-piperidine-dione
9. Phenobarbital		5-ethyl-5-phenylbarbituric acid
10. Pipradrol		1,1-diphenyl-1-(2-piperidyl) methanol
11.	SPA	(−)-1-dimethylamine-1,2-diphenylethane

* The names printed in capitals in the left-hand column are the International Non-Proprietary Names (INN). With one exception ((+)-LYSERGIDE), other non-proprietary or trivial names are given only where no INN has yet been proposed.