

Geneva, November 15th, 1945.

LEAGUE OF NATIONS

ADVISORY COMMITTEE ON SOCIAL QUESTIONS

Summary of Annual Reports for 1943/44 prepared by the Secretariat

CIRCULATION OF AND TRAFFIC IN OBSCENE PUBLICATIONS

1. Paragraph (ii) of the introductory remarks to the questionnaire on obscene publications (form of annual reports)¹ reads: "Governments are requested to send their annual reports to the Secretary-General on or before November 1st in each year. The report should relate to the twelve months ending June 30th, except for the purpose of the statistical information asked for in questions 1 and 2, in which cases the calendar year immediately preceding the date of the report should be taken."

2. Reports on the circulation of and traffic in obscene publications have this year been submitted by or on behalf of the following countries, dependencies, protectorates, colonies, mandated territories, etc.:²

United Kingdom.

British Colonies, Possessions, Protectorates, Overseas Territories and Mandated Territories:

Aden (—).	New Hebrides (—).
Bahamas.	Nigeria.
Barbados.	Nyasaland (—).
Basutoland (—).	Palestine. ³
Bechuanaland (—).	Sierra Leone (—).
Cyprus (—).	Swaziland (—).
Falkland Islands (—).	Tanganyika (—). ³
Gold Coast.	Trans-Jordan (—). ³
British Guiana (—).	Windward Islands (Dominica (—), ³ St. Lucia).
British Honduras (—).	Zanzibar (—). ³
Mauritius (—).	

India.⁴

Ireland (—).

¹ See Circular Letter 35.1940.IV.

² Countries which sent in reports, but stated either that there were no cases or that the trade in and production of obscene publications did not exist, are marked thus: (—).

³ The report refers to the calendar year 1943.

⁴ A report for the year 1942/43 is also included in this document.

QUESTION 1

OFFENCES DISCOVERED

Please give full information as to offences discovered during the year and of the action taken. It should be stated whether the cases relate (a) wholly to your own country or (b) partly to another country (giving the name of the country).

Replies.

UNITED KINGDOM. — During the year ended December 31st, 1943, criminal proceedings were taken in 11 cases of trafficking in obscene wares. Particulars of these cases are given below.¹

(1) A person summoned on 8 charges — 5 of committing acts of gross indecency and 3 of sending obscene communications through the post — was sentenced to penal servitude for three years on all 8 charges. (Great Britain.)

(2) A woman charged with sending an obscene communication through the post was sentenced to a fine of £3 or imprisonment for twenty-one days. (Great Britain.)

(3) A bookseller summoned on 2 charges of selling and unlawfully exhibiting for sale indecent magazines was fined £5 on the first charge and £2 on the second charge. (United States of America.)

(4) A shopkeeper was summoned on 3 charges — one for selling obscene books, one for exhibiting indecent books for sale, and one for exposing to view in a shop an album containing obscene pictures. He was fined £25 on the 3 charges. (United States of America.)

(5) A bookseller was sentenced to hard labour for six months on 4 charges of selling obscene magazines, and an order was made for the destruction of 170 magazines. (United States of America.)

(6) A shopkeeper was summoned for offering for sale indecent prints. An order was made for destruction. (Great Britain.)

(7) A newsagent was charged with offering for sale indecent magazines. An order was made for destruction. (United States of America.)

(8) A bookseller summoned on 2 charges of selling obscene books was fined £5 on each charge and £2 costs. An order was made for the destruction of 231 copies of the books. (Great Britain.)

(9) A woman was fined £5 and £1 2s. 6d. costs on 3 charges of sending obscene letters through the post. (Great Britain.)

(10) 2 persons were summoned for sending obscene communications through the post. Each was fined £5. (Great Britain.)

(11) A person was sentenced to imprisonment for six months on each of 6 charges of sending obscene communications through the post, the sentences to run concurrently. (Great Britain.)

In addition to the foregoing cases, the postal authorities detained 4 packets (none of which came from abroad) containing indecent wares. In one case, the proprietor of a printing press which produced indecent cards was traced, and he consented to all the cards in his possession, together with blocks and plates, being destroyed. In the remaining cases, a suitable warning was given by the police to the senders.

The Customs report 3 cases which resulted in the seizure of 7 books — 2 found in passengers' luggage, and 5 sent by registered letters to this country by a member of the British North Africa Forces.²

¹ The country of origin of the goods, where known, is shown in brackets.

² The total number of offences discovered during the year was 18. The publications came from abroad in 5 cases. Both figures include packets, etc., stopped in course of transit by the postal and Customs authorities.

BRITISH COLONIES, POSSESSIONS, PROTECTORATES, OVERSEAS TERRITORIES
AND MANDATED TERRITORIES.

Gold Coast. — 3 cases were reported, resulting in the conviction of 4 persons. 2 were sentenced to fines of £20 and £25 respectively, or, in each case, imprisonment with hard labour for three months.

Nigeria. — 3 photographs were taken from a small Nigerian boy who escaped. They appeared to be of French origin and were very old.

INDIA.

1942/43.

Madras. — The report of the Collector of Customs states that 2 offences were discovered in the *Outports*. The offensive matter came from Ceylon in both cases and the seizures were from passengers. The articles were confiscated under Section 167 (8) of the Sea Customs Act and the passengers were fined. The pictures concerned have been, or will be, destroyed. The report adds that there is no reason to believe that any organised plan exists for the importation of such articles.

The Criminal Investigation Department states that 1 prosecution took place.¹

Bombay. — The Commissioner of Police states that 3 prosecutions, all of which ended in conviction, took place in connection with a book published in Pondicherry (French East India).

United Provinces. — The Criminal Investigation Department reports 3 offences. In the first case, in which the accused published a pamphlet, the charge against them was dropped by the City Magistrate on receipt of an order from the United Provinces Government. In the second case, the Government ordered prosecution of the author, publisher and seller of an obscene Urdu book. The accused were convicted and were each sentenced to a fine of 100 rupees (or, in default, rigorous imprisonment for three months). In the third, a medical practitioner was prosecuted for advertising some of his medical preparations by means of free distribution of pamphlets containing obscene matter. He pleaded guilty and was admonished for the offence.

Punjab. — The Criminal Investigation Department reports 3 offences, all of which ended in conviction.

Sind. — In the 4 cases reported by the Criminal Investigation Department, the 4 accused were convicted and sentenced to fines of 5, 20, 30 and 75 rupees respectively.

1943/44.

Bombay. — The Commissioner of Police reports 21 prosecutions in connection with a book published in Karachi. All ended in conviction, with the exception of one which is pending before the Court, the accused having absconded.

Poona. — The Criminal Investigation Department states that, in the 1 offence discovered, 3 persons were prosecuted under Section 292 of the Indian Penal Code for publishing obscene pictures and literature in a Marathi monthly magazine. 2 were convicted and fined 100 rupees each; 1 was acquitted.

Calcutta. — The Commissioner of Police states that, in the 1 offence discovered, 3 persons were prosecuted under Section 292 of the Indian Penal Code for having in their possession 152 copies of an obscene book. The case is *sub judice*.

Punjab. — The Criminal Investigation Department reports that the 3 cases discovered are pending before the Court.

Orissa. — The Criminal Investigation Department states that enquiries made at the instance of the local Government in December 1943 revealed that 9 obscene books were on sale at bookstalls at Balasore and Cuttack railway station. This information was given to the local Government, which issued orders to the proprietors to take steps to withdraw the books from sale within this province.

Karachi. — The Collector of Customs reports 1 case in which the offensive matter came from New York. It consisted of 10 pictures, found in the possession of a crew. The pictures were confiscated.

¹ No details are given.

Sind. — The Criminal Investigation Department reports 2 offences. In the 2 prosecutions which took place, the accused were convicted. One was fined 50 rupees and sentenced till the rising of the Court ; the other was sentenced to a fine of 20 rupees or rigorous imprisonment for one month.

QUESTION 2

COMMUNICATION BETWEEN CENTRAL AUTHORITIES

Please give particulars of any cases during the year in which communications have been sent to or received from other central authorities, giving the name of the central authority.

Only negative replies have been received to this question.

QUESTION 3

GENERAL OBSERVATIONS

Under this heading shall be given an account of any changes in legislation, difficulties experienced, new questions arising, etc.

Replies.

BRITISH COLONIES, POSSESSIONS, PROTECTORATES, OVERSEAS TERRITORIES AND MANDATED TERRITORIES.

Bahamas. — There is no known traffic in obscene publications in the Bahamas.

Barbados. — So far as is known or suspected, there are no dealings in obscene publications and consequently no difficulties have been experienced.

Palestine. — Obscene publications published abroad are excluded from Palestine by order of the High Commissioner under section 20 (i) of the Press Ordinance.

Windward Islands: St. Lucia. — There is no circulation of obscene literature in the colony.

ANNEX

TABLE SHOWING THE POSITION WITH REGARD TO RATIFICATION
AND SIGNATURE OF THE INTERNATIONAL CONVENTION
FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC
IN OBSCENE PUBLICATIONS¹

- a. signifies that the Convention applies to colonies, oversea possessions, protectorates or territories under the sovereignty or authority of a State which has acceded to the Convention on their behalf as provided in Article XIII.
r. indicates ratification or definitive accession.
s. indicates signature or accession not yet perfected by ratification.

Afghanistan	r.	Colombia	r.
Union of South Africa	r.	Costa Rica	s.
Albania	r.	Cuba	r.
United States of America	—	Czechoslovakia	r.
Argentine Republic	s.	Danzig	r.
Australia	r. ²	Denmark	r.
Belgium	r. ³	Dominican Republic	—
Bolivia	—	Ecuador	—
Brazil	r.	Egypt	r.
Great Britain and Northern Ireland	r.	Estonia	r.
Bahamas	a.	Ethiopia	—
Barbados	a.	Finland	r.
Basutoland	a.	France	r.
Bechuanaland	a.	Morocco	a.
Bermuda	a.	Germany	r.
Burma	a.	Greece	r.
Ceylon	a.	Guatemala	r.
Cyprus	a.	Haiti	s.
Falkland Islands	a.	Honduras	s.
Fiji	a.	Hungary	r.
Gambia	a.	India	r.
Gibraltar	a.	Iran	r.
Gilbert and Ellice Islands	a.	Iraq	r.
Gold Coast	a.	Ireland	r.
British Guiana	a.	Italy	r.
British Honduras	a.	Japan	r.
Hong-Kong	a.	Latvia	r.
Jamaica	a.	Liberia	—
Kenya	a.	Liechtenstein	—
Leeward Islands	a.	Lithuania	s.
Federated Malay States	a.	Luxemburg	r.
Unfederated Malay States	a.	Mexico	—
Malta	a.	Monaco	r.
Mauritius	a.	Netherlands (Netherlands Indies, Surinam and Curaçao)	r.
Newfoundland	a.	New Zealand	r.
Nigeria	a.	Nicaragua	—
Nyasaland	a.	Norway	r.
Palestine	a.	Panama	s.
Northern Rhodesia	a.	Paraguay	r.
Southern Rhodesia	a.	Peru	s.
St. Helena	a.	Poland	r.
Sarawak	—	Portugal	r.
Seychelles	a.	Roumania	r.
Sierra Leone	a.	Salvador	r.
British Solomon Islands	a.	San Marino	r.
Somaliland	a.	Sa'udi Arabia	—
Straits Settlements	a.	Siam	r.
Swaziland	a.	Spain	r.
Tanganyika	a.	Sudan	—
Trans-Jordan	a.	Sweden	—
Trinidad and Tobago	a.	Switzerland	r.
Uganda	a.	Turkey	r.
Windward Islands	a.	Union of Soviet Socialist Republics	r.
Zanzibar	a.	Uruguay	s.
Bulgaria	r.	Venezuela	—
Canada	r.	Yugoslavia	r.
Chile	—		
China	r.		

¹ Reservations made with regard to the application of the Convention are not given.
² Including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.
³ Including the Belgian Congo and mandated territory of Ruanda-Urundi.