

Geneva, April 20th, 1946.

**LEAGUE OF NATIONS**

**ADVISORY COMMITTEE ON SOCIAL QUESTIONS**

**Summary of Annual Reports for 1944/45  
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)<sup>1</sup> 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.:<sup>2</sup>

*United Kingdom.*

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

Bahamas.	Nigeria.
Barbados.	Nyasaland (—).
Basutoland (—).	Palestine. <sup>3</sup>
Bechuanaland (—).	Sierra Leone (—).
Cyprus (—).	Swaziland (—).
Gold Coast.	Tanganyika (—). <sup>3</sup>
British Guiana (—).	Transjordan (—). <sup>3</sup>
British Honduras (—).	Windward Islands (Dominica (—), <sup>3</sup> St. Lucia).
Mauritius (—).	Zanzibar (—). <sup>3</sup>
New Hebrides (—).	

*India.*

*Ireland (—).*

<sup>1</sup> See Circular Letter 35.1940.IV.

<sup>2</sup> 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: (—).

<sup>3</sup> The report refers to the calendar year 1944.

## 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, 1944, criminal proceedings were taken in 4 cases of trafficking in obscene wares. Particulars of these cases are given below.<sup>1</sup>

(1) A dealer in secondhand wares was charged with selling indecent magazines. The court ordered the destruction of 17 magazines. (United States of America.)

(2) A firm of dealers in photographs was charged with selling indecent photographs, 49 of which, out of a total of 440, were ordered for destruction. (Great Britain.)

(3) A person charged with sending an indecent communication through the post was fined £1 and 13s. 2d. costs. (Great Britain.)

(4) A person charged with sending an indecent article and communication through the post was sentenced to a fine of £5 or imprisonment for 30 days. (Great Britain.)

In addition to the foregoing cases, the postal authorities detained 1 letter sent from a "poste restante" address, the sender of which could not be traced, and 1 parcel containing indecent photographs. There was no handwriting on the parcel and therefore no evidence on which proceedings could be based.

The Customs report 3 cases which resulted in the seizure of 5 books — 4 found in passengers' luggage and 1 sent by parcel post.<sup>2</sup>

### INDIA.

*Assam.* — The Criminal Investigation Department reports the putting on sale of an obscene book at Dinapur in November 1944. Copies in English and Hindi were seized and destroyed after the seller had been sentenced to a fine of 300 rupees or, in default, rigorous imprisonment for three weeks.

*Bengal.* — The Criminal Investigation Department reports 1 case involving 4 obscene books coming from another country. The name of the publisher and the place of publication not having been inserted, it was impossible to identify the country of origin. The accused was convicted under Section 292 of the Indian Penal Code and sentenced to a fine of 5 rupees.

*Bombay.* — The Commissioner of Police states that 1 prosecution, pending in Court, took place in connection with the publication of an obscene book in Bombay.

*Calcutta.* — 8 offences were discovered, all of them relating wholly to India. Of 11 persons prosecuted under Section 292 of the Penal Code for selling or possessing for sale obscene pamphlets and photographs, 4 were acquitted, 1 was sentenced to be detained till the rising of the Court and to a fine of 100 rupees or, in default, rigorous imprisonment for three weeks, 1 to a fine of 50 rupees or, in default, rigorous imprisonment for one month, and 1 to a fine of 200 rupees or, in default, rigorous imprisonment for three months. 2 cases, in which 4 persons are implicated, are pending. The trial of 7 persons prosecuted under Section 292/114 of the Penal Code is also pending.

*Karachi.* — The Collector of Customs reports 2 cases, in 1 of which the offensive matter came from the United Kingdom. No prosecutions took place. The publications, which were confiscated, consisted of a cyclostyled copy of an obscene book and of 4 post-cards found in the baggage of a crew.

*Madras.* — The Collector of Customs states that 1 offence was discovered in the *Outports*. The offensive matter, which came from Ceylon, consisted of 10 obscene pictures and was seized from a passenger. The articles were confiscated under Section 167 (8) of the Sea Customs

<sup>1</sup> The country of origin of the goods, where known, is shown in brackets.

<sup>2</sup> The total number of offences discovered during the year was 9. The publications came from abroad in 4 cases. Both figures include packets, etc., stopped in course of transit by the postal and Customs authorities.

Act and a fine of 10 rupees was imposed. The report adds that there is no reason to suppose that any organised plan exists for the importation of such articles.

*Punjab.* — The Criminal Investigation Department reports the discovery of 2 offences, resulting in 10 prosecutions. All ended in conviction.

*Sind.* — In the 1 case reported by the Criminal Investigation Department, the accused, found in possession of obscene photographs, was fined 50 rupees.

*United Provinces.* — The Criminal Investigation Department reports 2 offences, resulting in 2 prosecutions. In one case, the accused, charged with selling obscene pictures, was admonished by the Court; the other, brought under Section 292/293 of the Penal Code, is still pending.

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

*Gold Coast.* — 3 cases were discovered and brought before the Court. 6 persons were involved, all of whom were convicted. The cases related wholly to the Gold Coast.

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### QUESTION 2

#### COMMUNICATIONS 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.

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### 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.

*Gold Coast.* — Obscene publications are unknown in the Gold Coast. Those in respect of which proceedings were taken were imported, probably from South America, by African seamen.

*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.

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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 PUBLICATIONS<sup>1</sup>

- 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. <sup>2</sup>	Denmark . . . . .	r.
Belgium . . . . .	r. <sup>3</sup>	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 . . . . .	—
Transjordan . . . . .	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.		

<sup>1</sup> Reservations made with regard to the application of the Convention are not given.

<sup>2</sup> Including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.

<sup>3</sup> Including the Belgian Congo and mandated territory of Ruanda-Urundi.