

3. INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC IN OBSCENE PUBLICATIONS

Geneva, 12 September 1923

ENTRY INTO FORCE: 7 August 1924, in accordance with article 11.
REGISTRATION: 7 August 1924, No. 685.¹
TEXT: League of Nations, *Treaty Series*, [vol. 27, p. 214](#);

<i>Participant</i> ^{2,3,4}	<i>Accession(a), Succession(d)</i>	<i>Participant</i> ^{2,3,4}	<i>Accession(a), Succession(d)</i>
Czech Republic ⁵	30 Dec 1993 d	Slovakia ⁵	28 May 1993 d
Denmark ⁶	[21 Nov 1949 a]	Solomon Islands	3 Sep 1981 d
Fiji	1 Nov 1971 d	Zimbabwe	1 Dec 1998 d
Mexico	9 Jan 1948 a		

Notes:

¹ See League of Nations, *Treaty Series*, vol. 27, p. 213.

² The Secretary-General, received on 6 and 10 June 1997 communications regarding the status of Hong Kong from China and the United Kingdom of Great Britain and Northern Ireland (see also note 2 under “China” and note 2 under “United Kingdom of Great Britain and Northern Ireland” in the “Historical Information” section in the front matter of this volume). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention will also apply to the Hong Kong Special Administrative Region

In addition, the communication made by the Government of China contained the following reservation:

[The Government of China] will not be bound by the provisions of article 15 of the [said Convention].

³ In a communication received by the Secretary-General on 21 February 1974, the Government of the German Democratic Republic stated that [it] had declared the reapplication of the Convention as from 18 December 1958. See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

⁴ In a notification received on 25 January 1974, the Government of the Federal Republic of Germany denounced the Convention. The denunciation was accompanied by the following declaration:

Under the Fourth Law for the Reform of Criminal Law, Section 184 of the German Criminal Code as amended by Article 1 of this Law, departs in certain respects from the rules laid down in the International Convention of 12 September 1923 for the Suppression of the Circulation of and Traffic in Obscene Publications. The Government of the Federal Republic of Germany found it necessary, therefore, to denounce this International Convention.

In its original version Section 184 of the Criminal Code contained a general prohibition to produce and circulate obscene publications. The newly adopted paragraphs of that Section, which will enter into force 14 months after the promulgation of the Fourth Law of 25 November 1973 for the Reform of Criminal Law, contain the following provisions:

1. It is prohibited to make or produce and to distribute sadistic, pedophilic and sodomitic publications of a pornographic nature.

2. It continues to be prohibited to show pornographic motion pictures in public cinemas.

3. In respect of other pornographic publications, the following rules are upheld:

Protection of the general public (e.g. the exhibition of pornographic publications is prohibited), protection of persons who do not wish to be confronted with pornography (it is forbidden to send unsolicited pornographic publications), and protection of youth (to protect the young, certain marketing methods such as mail order trade are prohibited; in addition, the Law places a total ban on advertising pornographic publications).

See note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

⁵ See note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume

⁶ A notification of denunciation was received on 16 August 1967. In communicating this notification, the Government of Denmark has informed the Secretary-General that the denunciation was intended to apply also in relation to the States parties to the 1923 Convention (chapter VIII.3) which had not yet become parties to the Protocol of 12 November 1947

amending the said Convention (chapter VIII.1). The denunciation took effect on 16 August 1968.