

# LAWS AND REGULATIONS

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION  
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946



**COLOMBIA**

**1949**

E/NL.1949/35  
10 July 1949

Note by the Secretary-General

In accordance with Article 21 of the Convention of 1931 for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to forward to the Members of the United Nations and to the other parties to the Convention the following text communicated by the Government of Colombia.

Original: Spanish

DECREE NO. 923 of 1949

(4 April)

to prohibit the cultivation of, and the trade in, a plant.

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA

in the exercise of his legal powers

and pursuant to Article 1 of Law 45 of 1946, and

CONSIDERING

That Article 1 of Law 45 of 1946 provides penalties for any person who clandestinely or fraudulently or without the permission of the national health authorities cultivates or has in his possession any plant from which narcotic drugs can be extracted;

That marihuana (cannabis sativa and the varieties thereof) is included among the plants mentioned in Law 45 since it has poisonous properties and is habit-forming;

That the said shrub has no therapeutic properties and that the cultivation thereof and trade therein are, on the contrary, only prejudicial to the health of the persons engaged therein, for which reason the cultivation of this plant was prohibited by resolution 645 of 1939 of the Ministry of Labour, Health and Social Welfare.

DECREES:

*Article 1.* The cultivation of, and trade in, marihuana (cannabis sativa varieties thereof) are prohibited in the territory of the Republic.

*Article 2.* The health and police authorities shall immediately proceed to destroy existing plants and shall be bound to report to the judges of the criminal courts any offenders, who shall be punished in accordance with Article 1 of Law 45 of 1946 by imprisonment for a term of not less than six months nor more than five years and a fine of not less than fifty or more than one thousand pesos.

The penalty shall be increased by one third if the plant is supplied or delivered in any manner whatsoever to persons under age or to persons addicted to its use.

*Article 3.* The Ministry of Justice shall instruct such examining magistrates as may be necessary to proceed to investigate without delay offences set forth in Article 1 of Law 45 of 1946.

*Article 4.* The authorities mentioned in this Decree shall be bound immediately to notify the Narcotics Section of the Ministry of Health of all plantations destroyed or of cases of traffic in marihuana, of the name of the guilty party and of any penalties that may have been imposed.

*Article 5.* If an official is remiss in the observance of the provisions of this Decree or compounds an offence, he shall be punished by his superior officer by removal from his post.

FOR TRANSMISSION AND PUBLICATION

Given at Bogota, 4 April 1949

(signed) MARIANO OSPINA PEREZ - (signed) FABIO LOZANO Y LOZANO - Minister of Education  
in charge of the Department of Justice - (signed) JORGE BEJARANO, Minister of Hygiene  
Certified true copy. (signed) JORGE VARGAS FRANCO, head of personnel section.