

TELECOMMUNICATION: RADIOTELEGRAPH

*Convention signed at Washington November 25, 1927*¹
Senate advice and consent to ratification March 21, 1928
Ratified by the President of the United States October 8, 1928
Ratification of the United States deposited at Washington October 8, 1928
Entered into force January 1, 1929
Proclaimed by the President of the United States January 1, 1929
*Supplemented by safety-of-life-at-sea convention of May 31, 1929*²
*Replaced by conventions of December 9, 1932,*³ *October 2, 1947,*⁴
*December 22, 1952,*⁵ *December 21, 1959,*⁶ *and November 12, 1965,*⁷ *as between contracting parties to the later conventions*

45 Stat. 2760; Treaty Series 767

[TRANSLATION]

INTERNATIONAL RADIOTELEGRAPH CONVENTION

Concluded among the Governments of:

Union of South Africa, French Equatorial Africa and other colonies, French West Africa, Portuguese West Africa, Portuguese East Africa and the Portuguese Asiatic possessions, Germany, Argentine Republic, Commonwealth of Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Republic of Colombia, Spanish Colony of the Gulf of Guinea, Belgian Congo, Costa Rica, Cuba, Curacao, Cyrenaica, Denmark, Dominican Republic, Egypt, Republic of El Salvador, Eritrea, Spain, Estonia, United States of America, Finland, France, Great Britain, Greece, Guatemala, Republic of Haiti, Republic of Honduras, Hungary, British India, Dutch East Indies, French Indo-China, Irish Free State, Italy, Japan, Chosen, Taiwan, Japanese Sakhalin, the Leased Territory of Kwan-

¹ For text of general and supplementary regulations annexed to the convention, see 45 Stat. 2848 or TS 767, p. 13. The United States did not become a party to the supplementary regulations.

² TS 910, *post*, p. 782.

³ TS 867, *post*, vol. 3.

⁴ TIAS 1901, *post*, vol. 4.

⁵ 6 UST 1213; TIAS 3266.

⁶ 12 UST 1761; TIAS 4892.

⁷ 18 UST 575; TIAS 6267.

tung and the South Sea Islands under Japanese Mandate, Republic of Liberia, Madagascar, Morocco (with the exception of the Spanish Zone), Mexico, Monaco, Nicaragua, Norway, New Zealand, Republic of Panama, Paraguay, the Netherlands, Peru, Poland, Portugal, Rumania, Kingdom of the Serbs, Croats, and Slovenes, Siam, Italian Somaliland, Sweden, Switzerland, Surinam, Syro-Lebanese Territories, Republic of San Marino, Czechoslovakia, Tripolitania, Tunis, Turkey, Uruguay, and Venezuela.

The undersigned, plenipotentiaries of the Governments of the countries enumerated above, having met in conference at Washington, have, by common accord and subject to ratification, concluded the following Convention:

ARTICLE 1

Definitions

In the present Convention:

The term "radio communication" applies to the transmission by radio of writing, signs, signals, pictures, and sounds of all kinds by means of Hertzian waves.

The term "radio communication station" or simply "station" means a station equipped to carry on radio communications.

The term "fixed station" means a station permanently located and communicating with one or more stations similarly located.

The term "mobile station" means a station capable of moving and which ordinarily does move.

The term "land station" means a station other than a mobile station used for radio communication with mobile stations.

The term "mobile service" means the radio communication service carried on between mobile stations and land stations, and by mobile stations communicating among themselves.

The term "international service" means a radio communication service between a station in one country and a station in another country, or between a land station and a mobile station located outside the limits of the country in which the land station is situated, or between two or more mobile stations on or over the high seas. An internal or national radio communication service which is likely to cause interference with other services outside the limits of the country in which it operates is considered as an international service from the viewpoint of interference.

The term "general communication system" means all the existing telegraph and telephone channels of communication, wire and radio, open to public service, but excluding the radio communication channels of the mobile service.

The term "public service" means a service for the use of the general public.

The term "limited service" means a service which may be used only by specified persons or for specific purposes.

The term "public correspondence" means all radio communications which a station, by reason of being open to public service, must accept from the public for transmission.

The term "private enterprise" means any person, company, or corporation which operates one or more stations for radio communication.

The term "radiotelegram" means a telegram originating in or destined to a mobile station, transmitted by radio over all or part of its route.

ARTICLE 2

Scope of the Convention

§ 1. The contracting Governments undertake to apply the provisions of the present Convention to all radio communication stations established, or operated by the contracting Governments, and open to the international service of public correspondence. They undertake likewise, to apply these provisions to the special services covered by the Regulations annexed to the present Convention.⁸

§ 2. They agree, moreover, to take or to propose to their respective legislatures the necessary measures to impose the observance of the provisions of the present Convention and the Regulations annexed thereto upon individuals and private enterprises authorized to establish and operate radio communication stations in the international service, whether or not open to public correspondence.

§ 3. The contracting Governments recognize the right of two contracting Governments to organize radio communications, between themselves, provided only that they conform to all provisions of the present Convention and the Regulations annexed thereto.

ARTICLE 3

Intercommunication

§ 1. (1) So far as international communications between fixed stations are concerned, each contracting Government reserves entire freedom with relation to the organization of the service and the determination of the correspondence to be exchanged by the stations carrying on these communications.

(2) When, however, these fixed stations carry on an international service of public correspondence, either from country to country or with stations in the mobile service, they must conform, respectively, for each of these two classes of communications, to the provisions of the present Convention and of the Regulations annexed thereto.

§ 2. With regard to communications between stations participating in the mobile service, stations carrying on such communications must, within

⁸ See footnote 1, p. 683.

the limits of their normal operations, exchange radiotelegrams reciprocally without regard to the radio system adopted by them.

§ 3. In order not to impede scientific progress, however, the provisions of the preceding paragraph shall not prevent the eventual use of a radio system incapable of communicating with other systems, provided that this incapacity be due to the specific nature of that system and it be not the result of devices adopted solely for the purpose of preventing intercommunication.

ARTICLE 4

Limited service

Notwithstanding the provisions of Article 3, a radio communication station may be assigned to a limited international service of public correspondence determined by the purpose of the correspondence or by other circumstances independent of the system employed.

ARTICLE 5

Secrecy of correspondence. False or deceptive signals

The contracting Governments agree to take or to propose to their respective legislatures the necessary measures to prevent:

(a) The unauthorized transmission and reception by means of radio installations of correspondence of a private nature.

(b) The unauthorized divulging of the contents, or simply of the existence, of correspondence which may have been intercepted by means of radio installations.

(c) The unauthorized publication or use of correspondence received by means of radio installations.

(d) The transmission or the placing in circulation of false or deceptive distress signals or distress calls.

ARTICLE 6

Investigation of violations

The contracting Governments undertake to aid each other by supplying information concerning violations of the provisions of the present Convention and of the Regulations annexed thereto, as well as, if necessary, in the prosecution of persons violating these provisions.

ARTICLE 7

Connection with the general communication system

Each of the contracting Governments agrees to take the necessary measures in order that land stations established on its territory and open to the international service of public correspondence shall be connected with the general communication system or at least to take steps to assure rapid and

direct exchanges between these stations and the general communication system.

ARTICLE 8

Exchange of information regarding stations and service

The contracting Governments shall notify each other, through the intermediary of the International Bureau of the Telegraph Union, of the names of stations open to the international service of public correspondence and of stations carrying on special services covered by the Regulations annexed to the present Convention, as well as of all data for facilitating and expediting radio communication.

ARTICLE 9

Special devices

Each of the contracting Governments reserves the right to prescribe or permit, in the stations covered by Article 8, independent of the installation, the data relating to which shall be published in accordance with that Article, other devices to be established and operated for special radio transmission, without publishing the details of such devices.

ARTICLE 10

Conditions to be observed by stations. Interference

§ 1. The stations covered by Article 2 must, so far as practicable, be established and operated under the best conditions known to the practice of the service and must be maintained abreast of scientific and technical progress.

§ 2. All stations, whatever their purpose, must, so far as practicable, be established and operated so as not to interfere with the radio communications or services of other contracting Governments and of individuals or of private enterprises authorized by these contracting Governments to carry on public radio communication service.

ARTICLE 11

Priority for distress calls

Stations participating in the mobile service shall be obliged to give absolute priority to distress calls, regardless of their origin, to answer such calls, and to take such action with regard thereto as may be required.

ARTICLE 12

Charges

Charges applicable to radiotelegrams and the various cases in which these are allowed radio franking privileges shall be established in accordance with the provisions of the Regulations annexed to the present Convention.

ARTICLE 13

Regulations. Conferences

§ 1. The provisions of the present Convention are completed by:

(1) General Regulations which have the same force and become effective at the same time as the Convention.

(2) Supplementary Regulations which bind only the Governments which have signed them.

§ 2. The provisions of the present Convention and of the Regulations annexed thereto shall be revised by conferences of Plenipotentiaries of the contracting Governments, each conference fixing the place and the time of the following meeting.

§ 3. Before any deliberation each Conference shall establish Rules of Procedure setting forth the conditions under which debate shall be organized and carried on.

ARTICLE 14

Special arrangements

The contracting Governments reserve for themselves and for private enterprises duly authorized by them the right to make special arrangements on matters of service which do not interest the Governments generally. These arrangements, however, must be in conformity with the Convention and the Regulations annexed thereto so far as concerns the interference which their execution might produce with the services of other countries.

ARTICLE 15

Suspension of the service

Each government reserves the right to suspend international radio communication service for an indefinite period, if deemed necessary either generally or only for certain connections and/or for certain kinds of radio communication, provided that it shall immediately so advise each of the other contracting Governments through the intermediary of the International Bureau of the Telegraph Union.

ARTICLE 16

International Bureau

§ 1. The International Bureau of the Telegraph Union shall be charged with collecting, coordinating, and publishing information of all kinds relative to radio services, with examining the requests for changes in the Convention and the Regulations annexed thereto, with promulgating the amend-

ments adopted, and generally with performing all administrative tasks with which it shall have been charged in the interest of international radio services.

§ 2. The expense resulting from these activities shall be borne by all the contracting Governments in the proportion fixed by the General Regulations.

ARTICLE 17

International technical consulting committee on radio communications

§ 1. An International Technical Consulting Committee on Radio Communications shall be established for the purpose of studying technical and related questions pertaining to these communications.

§ 2. Its composition, activities, and operations shall be defined in the General Regulations annexed to the present Convention.

ARTICLE 18

Relations with stations of non-contracting countries

§ 1. Each of the contracting governments reserves the right to determine the conditions under which it will accept telegrams or radiotelegrams originating in or destined to a station not subject to the provisions of the present Convention.

§ 2. If a telegram or a radiotelegram is accepted, it must be transmitted, and the usual charges must be applied to it.

ARTICLE 19

Adherences

§ 1. (1) Governments which are not parties to the present Convention shall be permitted to adhere to it upon their request.

(2) Such adherence shall be communicated through diplomatic channels to the contracting Government within whose territory the last Conference shall have been held and by the latter to the remaining Governments.

(3) The adherence shall carry with it to the fullest extent acceptance of all the clauses of the present Convention and admission to all the advantages stipulated therein.

§ 2. (1) The adherence to the Convention by the Government of a country having colonies, protectorates, or territories under sovereignty or mandate shall not carry with it the adherence of these colonies, protectorates, or territories under sovereignty or mandate, unless a declaration to that effect is made by that Government.

(2) Such colonies, protectorates, or territories under sovereignty or mandate as a whole, or each of them separately, may form the subject of a separate adherence or of a separate denunciation within the provisions of the present Article and of Article 23.

ARTICLE 20

Arbitration

§ 1. In case of disagreement between two contracting Governments, regarding the interpretation or execution of the present Convention or of the Regulations provided for in Article 13, the question must, at the request of one of these governments, be submitted to arbitration. For that purpose each of the Governments involved shall choose another Government not interested in the question at issue.

§ 2. If agreement between the two arbitrators can not be reached the latter shall appoint another contracting Government equally disinterested in the question at issue. If the two arbitrators can not agree upon the choice of this third Government, each arbitrator shall propose a contracting Government not interested in the dispute; and lots shall be drawn between the Governments proposed. The drawing shall devolve upon the Government within whose territory the International Bureau mentioned in Article 16 operates. The decision of the arbitrators shall be by majority vote.

ARTICLE 21

Exchange of laws and regulations

The contracting Governments shall communicate to one another, if they deem it useful, through the intermediary of the International Bureau of the Telegraph Union, the laws and regulations which have been or which may be promulgated in their countries relative to the object of the present Convention.

ARTICLE 22

Naval and military installations

§ 1. The contracting Governments retain their entire liberty regarding radio installations not covered in Article 2, and especially with reference to naval and military installations.

§ 2. All these installations and stations must, so far as practicable, comply with the provisions of the regulations regarding help to be given in case of distress and measures to be taken to prevent interference. They must also, so far as practicable, observe such provisions of the regulations as concern the types of waves and the frequencies to be used, according to the kind of service which these stations carry on.

§ 3. When, however, these installations and stations are used for public correspondence or participate in the special services governed by the Regulations annexed to the present Convention, they must, in general, conform to the provisions of the Regulations for the conduct of these services.

ARTICLE 23

Execution, duration and denunciation

§ 1. The present Convention shall go into effect on January 1, 1929; it shall remain in force for an indeterminate period and until one year from the day on which a denunciation thereof shall have been made.

§ 2. The denunciation shall affect only the Government in whose name it has been made. The Convention shall remain in force for the other contracting Governments.

ARTICLE 24

Ratification

§ 1. The present Convention shall be ratified and the ratifications thereof shall be deposited in Washington with the least practicable delay.

§ 2. In case one or more of the Contracting Governments should not ratify the Convention it shall be none the less binding upon the Governments which shall have ratified it.

In witness whereof, the respective Plenipotentiaries have signed the Convention in a single copy, which shall remain in the archives of the Government of the United States of America and one copy of which shall be sent to each Government.

Done at Washington, November 25, 1927.

For the Union of South Africa:

H. J. LENTON
W. F. C. MORTON

For French Equatorial Africa and other
Colonies:

CASSAGNAC

For French West Africa:

CASSAGNAC

For Portuguese West Africa:

ARNALDO DE PAIVA CARVALHO

For Portuguese East Africa and the
Portuguese Asiatic Possessions:

MARIO CORRÊA BARATA DA CRUZ

For Germany:

OTTO ARENDT
HERMANN GIESS
H. HARBICH
ARTHUR WERNER
GÜNTHER SUADICANI
E. L. BAER

For the Argentine Republic:

FELIPE A. ESPIL
LUIS F. ORLANDINI
FRANCISCO LAJOUS

For the Commonwealth of Australia:

H. P. BROWN

For Austria:

DR. MAXIMILIAN HARTWICH
ENG. HANS PFEUFFER

For Belgium:

J. PIERART
GOLDSCHMIDT
G. VINCENT

For Bolivia:

GEO. DE LA BARRA

For Brazil:

P. COELHO DE ALMEIDA
FREDERICO VILLAR
MANUEL F. SIMÕES AYRES

For Bulgaria:

ST. BISSEROFF

For Canada:

A. JOHNSTON
LAURENT BEAUDRY
C. P. EDWARDS
W. ARTHUR STEEL

For Chile:

I. HOLGER

For China:

CHIN CHUN WANG
 CHANG-HSUAN
 HING GING Y. LEE
 TI-CHING WU

For the Republic of Colombia:

ENRIQUE OLAYA H.

For the Spanish Colony of the Gulf of Guinea:

ADOLFO H. DE SOLÁS

For the Belgian Congo:

J. PIERART
 G. VINCENT
 ROBERT GOLDSCHMIDT

For Costa Rica:

J. RAFAEL OREAMUNO

For Cuba:

L. ALBURQUERQUE
 GONZALO GÜELL
 LUIS MARINO PÉREZ

For Curacao:

G. SCHOTEL

For Cyrenaica:

PAOLO ZONTA

For Denmark:

T. G. KRARUP
 C. WAMBERG

For the Dominican Republic:

M. L. VASQUEZ G.

For Egypt:

HORACE MAYNE
 ALY IBRAHIM

For Eritrea:

CESARE BARDELONI

For Spain:

MARIANO AMOEDO
 ANTONIO NIETO
 ADOLFO H. DE SOLAS
 JOSE SASTRE

For Estonia:

G. JALLAJAS

For the United States of America:

HERBERT HOOVER
 STEPHEN DAVIS
 JAMES E. WATSON
 E. D. SMITH
 WALLACE H. WHITE, JR.
 W. R. CASTLE, JR.

WILLIAM ROY VALLANCE

C. MCK. SALTZMAN
 THOS. T. CRAVEN
 W. D. TERRELL
 OWEN D. YOUNG
 SAMUEL REBER
 J. BEAVER WHITE
 ARTHUR E. KENNELLY

For Finland:

L. ÅSTRÖM

For France:

L. BOULANGER

For Great Britain:

T. F. PURVES
 J. JOYCE BRODERICK
 F. W. PHILLIPS
 F. W. HOME
 L. F. BLANDY, AIR COMMODORE
 C. H. BOYD
 A. LESLIE HARRIS

For Greece:

TH. PENTHEROUKAKIS

For Guatemala:

J. MONTANO N.

For the Republic of Haiti:

RAOUL LIZAIRE

For the Republic of Honduras:

LUIS BOGRÁN

For Hungary:

BERNARD DE PASKAY

For British India:

P. J. EDMUNDS
 P. N. MITRA

For the Dutch East Indies:

G. C. HOLTZAPPEL
 WARNSINCK
 G. SCHOTEL
 VAN DOOREN

For French Indo-China:

G. JULLIEN

For the Irish Free State:

P. S. MACCATHMHAOIL
 T. S. O'MUINEACHAIN

For Italy:

GUISEPPE GNEME
 GIACOMO BARBERA
 GINO MONTEFINALE

- For Japan:
 For Chosen, Taiwan, Japanese Sakhalin, the Leased Territory of Kwantung and the South Sea Islands under Japanese Mandate:
 S. SAWADA
 N. MORITA
 K. NISHIZAKI
 I. YAMAMOTO
 SANNOSUKE INADA
 T. USHIZAWA
 T. NAKAGAMI
- For the Republic of Liberia:
 ERNEST LYON, Subj. to the ratification of the Senate
- For Madagascar:
 G. JULLIEN
- For Morocco (with the exception of the Spanish Zone):
 FREDERIC KNOBEL
- For Mexico:
 PEDRO N. COTA
 JUAN B. SALDAÑA
- For Nicaragua:
 MANUEL ZAVALA
- For Norway:
 N. NICKELSEN
 HARMOD PETERSON
 P. TENNFJORD
 J. J. LARSEN
- For New Zealand:
 A. GIBBS
- For the Republic of Panama:
 R. J. ALFARO
- For Paraguay:
 JUAN VICENTE RAMÍRIZ
- For the Netherlands:
 G. J. HOFKER
 J. A. BLAND VAN DEN BERG
 W. KRUIJT
 E. F. W. VÖLTER
 WARNSINCK
- For Peru:
 A. GONZÁLES-PRADA
- For Persia:
 D. MEFTAH
 en referendum
- For Poland:
 EUGÈNE STALLINGER
- For Portugal:
 JOSÉ DE LIZ FERREIRA JUNIOR
- For Rumania:
 G. CRETZIANO (ad referendum)
- For the Republic of El Salvador:
 FRANCISCO A. LIMA
- For the Kingdom of the Serbs, Croats and Slovenes:
 V. ANTONIÉVICH
- For Siam:
 NIDES VIRAJAKICH
- For Italian Somaliland:
 VALERIO DELLA CAMPANA
- For Sweden:
 HAMILTON
 LITSTRÖM
 LEMOINE
- For Switzerland:
 E. NUSSBAUM
- For Surinam:
 G. SCHOTEL
- For the Syro-Lebanese Territories:
 FREDERIC KNOBEL
- For the Republic of San Marino:
 FRN. FERRARI
- For Czechoslovakia:
 DR. OTTO KUČERA
 ENG. STRNAD
- For Tripolitania:
 SETTIMIO AURINI
- For Tunis:
 FREDERIC KNOBEL
- For Turkey:
 J. A. BLAND VAN DEN BERG
- For Uruguay:
 VARELA
- For Venezuela:
 LUIS CHURION

[For text of general and supplementary regulations annexed to the convention, see 45 Stat. 2848 or TS 767, p. 13.]