

N° 4319.

ALBANIE,
RÉPUBLIQUE ARGENTINE,
AUTRICHE, BELGIQUE,
ÉTATS-UNIS DU BRÉSIL, etc.

Convention internationale concernant
l'emploi de la radiodiffusion dans
l'intérêt de la paix. Signée à
Genève, le 23 septembre 1936.

ALBANIA,
ARGENTINE REPUBLIC,
AUSTRIA, BELGIUM,
UNITED STATES OF BRAZIL,
etc.

International Convention concerning
the Use of Broadcasting in the
Cause of Peace. Signed at Geneva,
September 23rd, 1936.

No. 4319. — INTERNATIONAL CONVENTION¹ CONCERNING THE USE OF BROADCASTING IN THE CAUSE OF PEACE. SIGNED AT GENEVA, SEPTEMBER 23RD, 1936.

Official texts in French and in English. This Convention was registered with the Secretariat, in accordance with its Article II, on April 2nd, 1938, the date of its entry into force.

ALBANIA, THE ARGENTINE REPUBLIC, AUSTRIA, BELGIUM, THE UNITED STATES OF BRAZIL, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, CHILE, COLOMBIA, DENMARK, THE DOMINICAN REPUBLIC, EGYPT, SPAIN, ESTONIA, FRANCE, GREECE, INDIA, LITHUANIA, LUXEMBURG, THE UNITED STATES OF MEXICO, NORWAY, NEW ZEALAND, THE NETHERLANDS, ROUMANIA, SWITZERLAND, CZECHOSLOVAKIA, TURKEY, THE UNION OF SOVIET SOCIALIST REPUBLICS and URUGUAY,

Having recognised the need for preventing, by means of rules established by common agreement, broadcasting from being used in a manner prejudicial to good international understanding ;

Prompted, moreover, by the desire to utilise, by the application of these rules, the possibilities offered by this medium of intercommunication for promoting better mutual understanding between peoples :

¹ *Ratifications :*

INDIA	August 11th, 1937.
GREAT BRITAIN AND NORTHERN IRELAND	August 18th, 1937.
DENMARK	October 11th, 1937.
NEW ZEALAND	January 27th, 1938.
LUXEMBURG	February 8th, 1938.
BRAZIL	February 11th, 1938.
FRANCE	March 8th, 1938.
NORWAY	May 5th, 1938.
EGYPT	July 29th, 1938.
ESTONIA	August 18th, 1938.

Accessions :

AUSTRALIA (including the Territories of Papua and Norfolk Island and the Mandated Territories of New Guinea and Nauru)	June 25th, 1937.
BURMA	October 13th, 1937.
SOUTHERN RHODESIA	November 1st, 1937.
UNION OF SOUTH AFRICA (including the Mandated Territory of South West Africa)	February 1st, 1938.
IRELAND	May 25th, 1938.
SWEDEN	June 22nd, 1938.
SALVADOR	August 18th, 1938.
GUATEMALA	November 18th, 1938.
FINLAND	November 29th, 1938.

Have decided to conclude a Convention for this purpose, and have appointed as their Plenipotentiaries :

ALBANIA :

M. Thomas LUARASSI, Secretary of the Permanent Delegation to the League of Nations.

ARGENTINE REPUBLIC :

M. Carlos A. PARDO, Commercial Adviser to the Legation at Berne.

AUSTRIA :

His Excellency Dr. Marcus LEITMAIER, Envoy Extraordinary and Minister Plenipotentiary.

BELGIUM :

M. Maurice BOURQUIN, Professor at the University of Geneva.

THE UNITED STATES OF BRAZIL :

M. Elyseu MONTARROYOS, Delegate to the International Institute of Intellectual Co-operation.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND :

Viscount CRANBORNE, M. P., Under-Secretary of State for Foreign Affairs ;
Mr. Frederick William PHILLIPS, Director of Telecommunications, General Post Office ;
Mr. Henry George Gordon WELCH, Principal, General Post Office.

CHILE :

M. Enrique GAJARDO V., Head of the Permanent Office to the League of Nations.

COLOMBIA :

His Excellency Dr. Gabriel TURBAY, Permanent Delegate to the League of Nations,
Envoy Extraordinary and Minister Plenipotentiary ;
His Excellency Dr. Carlos LOZANO Y LOZANO, Envoy Extraordinary and Minister
Plenipotentiary to the President of the Spanish Republic.

DENMARK :

M. Holger Oluf Quistgaard BECH, First Secretary of the Permanent Delegation to the League of Nations.

THE DOMINICAN REPUBLIC :

M. Charles ACKERMANN, Consul-General at Geneva.

EGYPT :

M. Abd-el-Fattah ASSAL, Acting Chargé d'Affaires at Berne.

SPAIN :

M. José RIVAS Y GONZALEZ, Head of the Radio-Communications Section of the Ministry
of Communications ;
M. Manuel MARQUEZ MIRA, Professor at the Official School of Telecommunication.

ESTONIA :

M. Johannes KÕDAR, Permanent Delegate *ad. i.* to the League of Nations.

FRANCE :

M. Marcel PELLENC, Director-General of Broadcasting of the Ministry of Posts, Telegraphs and Telephones ;
M. Yves CHATAIGNEAU, Chief of Section at the Ministry of Foreign Affairs.

GREECE :

His Excellency M. Raoul BIBICA-ROSETTI, Permanent Delegate to the League of Nations, Minister Plenipotentiary.

INDIA :

Sir Denys DE SAUMAREZ BRAY, K.C.S.I., K.C.I.E., C.B.E.

LITHUANIA :

M. Juozas URBŠYS, Minister Plenipotentiary, Political Director in the Ministry of Foreign Affairs.

LUXEMBURG :

His Excellency M. Emile REUTER, Honorary Minister of State, President of the Chamber of Deputies.

UNITED STATES OF MEXICO :

His Excellency M. Narciso BASSOLS, Ambassador, Envoy Extraordinary and Minister Plenipotentiary accredited to the Court of St. James ;
His Excellency M. Primo VILLA MICHEL, Permanent Delegate to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary.

NORWAY :

M. Einar MASENG, Permanent Delegate to the League of Nations.

NEW ZEALAND :

Mr. William Joseph JORDAN, High Commissioner in London ;
Sir Christopher James PARR, G.C.M.G.

THE NETHERLANDS :

His Excellency Ridder C. VAN RAPPARD, Permanent Representative to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

ROUMANIA :

M. Tudor A. TĂNĂSESCO, Engineer, attached to the Ministry of Communications, Lecturer at the Bucharest Polytechnic School.

SWITZERLAND :

M. Camille GORGÉ, Counsellor of Legation, Chief of the League of Nations Section at the Federal Political Department ;
M. Jakob BUSER, Chief of Division at the General Directorate of Posts and Telegraphs.

CZECHOSLOVAKIA :

His Excellency M. Rudolf KÜNZL-JIZERSKÝ, Permanent Delegate to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

TURKEY :

His Excellency M. Necmeddin SADAK, Permanent Delegate to the League of Nations, Minister Plenipotentiary.

UNION OF SOVIET SOCIALIST REPUBLICS :

M. Edouard HOERSCHELMANN, Secretary-General of the People's Commissariat for Foreign Affairs.

URUGUAY :

His Excellency M. Victor BENAVIDES, Engineer, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

The High Contracting Parties mutually undertake to prohibit and, if occasion arises, to stop without delay the broadcasting within their respective territories of any transmission which to the detriment of good international understanding is of such a character as to incite the population of any territory to acts incompatible with the internal order or the security of a territory of a High Contracting Party.

Article 2.

The High Contracting Parties mutually undertake to ensure that transmissions from stations within their respective territories shall not constitute an incitement either to war against another High Contracting Party or to acts likely to lead thereto.

Article 3.

The High Contracting Parties mutually undertake to prohibit and, if occasion arises, to stop without delay within their respective territories any transmission likely to harm good international understanding by statements the incorrectness of which is or ought to be known to the persons responsible for the broadcast.

They further mutually undertake to ensure that any transmission likely to harm good international understanding by incorrect statements shall be rectified at the earliest possible moment by the most effective means, even if the incorrectness has become apparent only after the broadcast has taken place.

Article 4.

The High Contracting Parties mutually undertake to ensure, especially in time of crisis, that stations within their respective territories shall broadcast information concerning international relations the accuracy of which shall have been verified — and that by all means within their power — by the persons responsible for broadcasting the information.

Article 5.

Each of the High Contracting Parties undertakes to place at the disposal of the other High Contracting Parties, should they so request, any information that, in his opinion, is of such a character as to facilitate the broadcasting, by the various broadcasting services, of items calculated to promote a better knowledge of the civilisation and the conditions of life of his own country as well as of the essential features of the development of his relations with other peoples and of his contribution to the organisation of peace.

Article 6.

In order to give full effect to the obligations assumed under the preceding Articles, the High Contracting Parties mutually undertake to issue, for the guidance of governmental broadcasting services, appropriate instructions and regulations, and to secure their application by these services.

With the same end in view, the High Contracting Parties mutually undertake to include appropriate clauses for the guidance of any autonomous broadcasting organisations, either in the constitutive charter of a national institution, or in the conditions imposed upon a concessionary company, or in the rules applicable to other private concerns, and to take the necessary measures to ensure the application of these clauses.

Article 7.

Should a dispute arise between the High Contracting Parties regarding the interpretation or application of the present Convention for which it has been found impossible to arrive at a satisfactory settlement through the diplomatic channel, it shall be settled in conformity with the provisions in force between the Parties concerning the settlement of international disputes.

In the absence of any such provisions between the Parties to the dispute, the said Parties shall submit it to arbitration or to judicial settlement. Failing agreement concerning the choice of another tribunal, they shall submit the dispute, at the request of one of them, to the Permanent Court of International Justice, provided they are all Parties to the Protocol¹ of December 16th, 1920, regarding the Statute of the Court; or, if they are not all Parties to the above Protocol, they shall submit the dispute to an arbitral tribunal, constituted in conformity with the Hague Convention² of October 18th, 1907, for the Pacific Settlement of International Disputes.

Before having recourse to the procedures specified in paragraphs 1 and 2 above, the High Contracting Parties may, by common consent, appeal to the good offices of the International Committee on Intellectual Co-operation, which would be in a position to constitute a special committee for this purpose.

Article 8.

The present Convention, of which the French and English texts are both authentic, shall bear this day's date, and shall be open for signature until May 1st, 1937, on behalf of any Member of the League of Nations, or any non-member State represented at the Conference which drew up the present Convention, or any non-member State to which the Council of the League of Nations shall have communicated a copy of the said Convention for that purpose.

Article 9.

The present Convention shall be ratified. The instruments of ratification shall be sent to the Secretary-General of the League of Nations, who shall notify the deposit thereof to all the Members of the League and to the non-member States referred to in the preceding Article.

Article 10.

After May 1st, 1937, any Member of the League of Nations and any non-member State referred to in Article 8 may accede to the present Convention.

¹ Vol. VI, page 379; Vol. XI, page 405; Vol. XV, page 305; Vol. XXIV, page 153; Vol. XXVII, page 417; Vol. XXXIX, page 165; Vol. XLV, page 96; Vol. L, page 159; Vol. LIV, page 387; Vol. LXIX, page 70; Vol. LXXII, page 452; Vol. LXXXVIII, page 435; Vol. LXXXVIII, page 272; Vol. XCII, page 362; Vol. XCVI, page 180; Vol. C, page 153; Vol. CIV, page 492; Vol. CVII, page 461; Vol. CXI, page 402; Vol. CXVII, page 46; Vol. CXXVI, page 430; Vol. CXXX, page 440; Vol. CXXXIV, page 392; Vol. CXLVII, page 318; Vol. CLII, page 282; Vol. CLVI, page 176; Vol. CLX, page 325; Vol. CLXIV, page 352; Vol. CLXVIII, page 228; Vol. CLXXII, page 388; Vol. CLXXVII, page 382; Vol. CLXXXI, page 346; and Vol. CLXXXV, page 370, of this Series.

² *British and Foreign State Papers*, Vol. 100, page 298.

The notifications of accession shall be sent to the Secretary-General of the League of Nations, who shall notify the deposit thereof to all the Members of the League and to all the non-member States referred to in the aforesaid Article.

Article 11.

The present Convention shall be registered by the Secretary-General of the League of Nations, in conformity with the provisions of Article 18 of the Covenant, sixty days after the receipt by him of the sixth ratification or accession.

The Convention shall enter into force on the day of such registration.

Article 12.

Every ratification or accession effected after the entry into force of the Convention shall take effect sixty days after the receipt thereof by the Secretary-General of the League of Nations.

Article 13.

The present Convention may be denounced by a notification addressed to the Secretary-General of the League of Nations. Such notification shall take effect one year after its receipt.

The Secretary-General shall notify the receipt of any such denunciation to all Members of the League and to the non-member States referred to in Article 8.

If, as the result of denunciations, the number of High Contracting Parties should fall below six, the present Convention shall cease to apply.

Article 14.

Any High Contracting Party may, on signing, ratifying or acceding to the present Convention, or at any subsequent date, by a written document addressed to the Secretary-General of the League of Nations, declare that the present Convention shall apply to all or any of his colonies, protectorates, overseas territories, or territories placed under his suzerainty or mandate. The present Convention shall apply to the territory or territories specified in the declaration sixty days after its receipt. Failing such a declaration, the Convention shall not apply to any such territory.

Any High Contracting Party may at any subsequent date, by a notification to the Secretary-General of the League of Nations, declare that the present Convention shall cease to apply to any or all of his colonies, protectorates, overseas territories, or territories placed under his suzerainty or mandate. The Convention shall cease to apply to the territory or territories specified in the notification one year after its receipt.

The Secretary-General shall communicate to all Members of the League and to the non-member States referred to in Article 8 all declarations received under the present Article.

Article 15.

A request for the revision of the present Convention may be made at any time by any High Contracting Party in the form of a notification addressed to the Secretary-General of the League of Nations. Such notification shall be communicated by the Secretary-General to the other High Contracting Parties. Should not less than one-third of them associate themselves with such request, the High Contracting Parties agree to meet with a view to the revision of the Convention.

In that event, it shall be for the Secretary-General of the League of Nations to propose to the Council or Assembly of the League of Nations the convening of a revision conference.

Fait à Genève, le vingt-trois septembre mil neuf cent trente-six, en un seul exemplaire, qui sera déposé dans les archives du Secrétariat de la Société des Nations. Copie certifiée conforme en sera remise à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 8.

Done at Geneva, the twenty-third day of September, one thousand nine hundred and thirty-six, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations and of which a certified true copy shall be delivered to all the Members of the League and to the non-member States referred to in Article 8.

Albanie :

Ad referendum
Th. LUARASSI

Albania :

République Argentine :

C. A. PARDO

Argentine Republic :

Autriche :

M. LEITMAIER

Austria :

Belgique :

Sous réserve des déclarations insérées dans le procès-verbal de la séance de clôture¹.

BOURQUIN

Belgium :

Etats-Unis du Brésil :

E. MONTARROYOS

United States of Brazil :

*Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord :*

CRANBORNE
F. W. PHILLIPS
H. G. G. WELCH

*United Kingdom of Great Britain
and Northern Ireland :*

¹ Translation by the Secretariat of the League of Nations :

Under reservation of the declarations mentioned in the *procès-verbal* of the final meeting.

Ces déclarations sont conçues comme suit :

« La délégation de la Belgique déclare considérer que le droit de brouiller par ses propres moyens les émissions abusives émanant d'un autre pays, dans la mesure où un tel droit existe conformément aux règles générales du droit international et aux conventions en vigueur, n'est en rien affecté par la convention. »

These declarations are worded as follows :

“ The Delegation of Belgium declares its opinion that the right of a country to jam by its own means improper transmissions emanating from another country, in so far as such a right exists in conformity with the general provisions of international law and with the Conventions in force, is in no way affected by the Convention. ”

<i>Chili :</i>	Enrique J. GAJARDO V.	<i>Chile :</i>
<i>Colombie :</i>	<i>Ad referendum</i> Gabriel TURBAY. Carlos LOZANO Y LOZANO	<i>Colombia :</i>
<i>Danemark :</i>	Holger BECH	<i>Denmark :</i>
<i>République Dominicaine :</i>	Ch. ACKERMANN	<i>Dominican Republic :</i>
<i>Egypte :</i>	F. ASSAL	<i>Egypt :</i>
<i>Espagne :</i>	Sous réserve de la déclaration insérée dans le procès-verbal de la séance de clôture de la Conférence ¹ . José RIVAS Y GONZALEZ Manuel MARQUEZ	<i>Spain :</i>
<i>Estonie :</i>	J. KÕDAR	<i>Estonia :</i>
<i>France :</i>	M. PELLENC Yves CHATAIGNEAU	<i>France :</i>
<i>Grèce :</i>	<i>Ad referendum</i> Raoul BIBICA-ROSETTI	<i>Greece :</i>

¹ Translation by the Secretariat of the League of Nations :

Under reservation of the declaration mentioned in the *procès-verbal* of the final meeting of the Conference.

Cette déclaration est conçue comme suit :

« La délégation espagnole déclare que son gouvernement se réserve le droit de faire cesser par tous les moyens possibles la propagande qui peut nuire à son ordre intérieur et qui constitue une infraction à la convention, dans le cas où la procédure envisagée par la convention ne permettrait pas de faire cesser immédiatement l'infraction. »

This declaration is worded as follows :

“ The Spanish Delegation declares that its Government reserves the right to put a stop by all possible means to propaganda liable adversely to affect internal order in Spain and involving a breach of the Convention, in the event of the procedure proposed by the Convention not permitting of immediate steps to put a stop to such breach. ”

Union des Républiques soviétiques socialistes :

Union of Soviet Socialist Republics :

Sous réserve des déclarations insérées dans le procès-verbal de la séance de clôture de la Conférence ¹.

Ed. HOERSCHELMANN

Uruguay :

V. BENAVIDES

Uruguay :

¹ *Translation by the Secretariat of the League of Nations :*

Under reservation of the declarations mentioned in the *procès-verbal* of the final meeting of the Conference.

Ces déclarations sont conçues comme suit :

« La délégation de l'Union des Républiques soviétiques socialistes déclare que, selon l'avis du Gouvernement de l'Union des Républiques soviétiques socialistes, le droit d'appliquer, en attendant la conclusion de la procédure envisagée à l'article 7 de la convention, un régime de réciprocité au pays qui effectuerait à son encontre des émissions abusives, dans la mesure où un tel droit existe conformément aux règles générales du droit international et aux conventions en vigueur, n'est en rien affecté par la convention.

» La délégation de l'Union des Républiques soviétiques socialistes déclare que son gouvernement, tout en étant prêt à appliquer, sur la base de réciprocité, les principes de la convention à l'égard de tous les Etats contractants, estime cependant que certaines des dispositions de la convention supposent, notamment en ce qui concerne la vérification des informations et les procédures prévues pour le règlement des litiges, l'existence de relations diplomatiques entre les Parties contractantes. Par conséquent, le Gouvernement de l'Union des Républiques soviétiques socialistes est d'avis que, pour éviter les contestations et malentendus possibles entre les Etats parties à la convention qui n'ont pas entre eux de relations diplomatiques, il y a lieu de considérer la convention comme ne créant pas d'obligations formelles entre ces Etats. »

These declarations are worded as follows :

“ The Delegation of the Union of Soviet Socialist Republics declares that, pending the conclusion of the procedure contemplated in Article 7 of the Convention, it considers that the right to apply reciprocal measures to a country carrying out improper transmissions against it, in so far as such a right exists under the general rules of international law and with the Conventions in force, is in no way affected by the Convention.

“ The Delegation of the Union of Soviet Socialist Republics declares that its Government, while prepared to apply the principles of the Convention on a basis of reciprocity to all the Contracting States, is nevertheless of opinion that certain of the provisions of the Convention presuppose the existence of diplomatic relations between the Contracting Parties, particularly in connection with the verification of information and the forms of procedure proposed for the settlement of disputes. Accordingly, the Government of the Union of Soviet Socialist Republics is of opinion that, in order to avoid the occurrence of differences or misunderstandings between the States Parties to the Convention which do not maintain diplomatic relations with one another, the Convention should be regarded as not creating formal obligations between such States. ”