

CONFIDENTIAL

MED/BRO/2#9

C.S.

LEGAL
AGREEMENTS AND CONVENTIONS

193 7

No. 193/37

S. of S. Circular.

SUBJECT.

193 7

21st July, 1937.

Previous Paper.

INTERNATIONAL CONVENTION CONCERNING
THE USE OF BROADCASTING IN THE CAUSE OF PEACE

MINUTES.

1-3. S. of S. Circular Despatch of 21/7/37.

V.E.

Submitted

Re-opens reply concerning?

Per 8/57
yes

Hon. C.S.

Yes please.

MCH

17.9.37

(4)

Despatch to S. of S. no 137 of 1/10/37.

V.E.

Disp submitted for signature

Per 1/10/37

Subsequent Paper.

MCH

1.8.37

Per 1/10/37

S. of S. Circ. note of 20/10/39.

5-7.

Y.E.

8

Submitted.

met
cl.

16.2.40

~~16/2~~

P. 14
16/2/40.

9. Circ. No. 1184/57. of 11.11.57. from S. of S.

10.

res.
9.

We accepted the Convention at (1) & our reply
sh. be one of 'no objection (paras. 4 & 5 of (1) rep.)

Q
12/12.

Y.E.

11.

From our point of view I can see no objection
to acceptance of the Protocol subject to the amendment
proposed in para 4. of (1).

Article 3 (f. 9c) is one which concerns us
(via air Germany and the Argentine) and the Director
of Broadcasting has specific instructions to ensure that
we don't give cause for offence over the air and
there is a suitably worded notice in the Protocol.

May we reply "no objection"?

✓

Q.E.
19/12/57.

12.

24.12.57

13. Sym. to S. of S. of 31/12/57

13.
S. of S.
31/12/57

In the course of a series of meetings held between September 17th and 23rd, 1936, an

INTERNATIONAL CONVENTION CONCERNING THE USE OF
BROADCASTING IN THE CAUSE OF PEACE

was adopted.

The Conference also adopted the following

RECOMMENDATIONS.

I. With a view to facilitating the application of the provisions of Articles 1, 2 and 3 of the Convention, the Conference recommends the High Contracting Parties to take into account the influence that may be exercised on good international understanding by transmissions of such a character as to harm the interests or offend the national, political, religious or social sentiments of other peoples.

II. The Conference,

Whereas the present Convention entails obligations only in respect of acts of an obviously serious nature ;

Whereas it does not cover all transmissions likely to prejudice good international understanding :

Recommends the High Contracting Parties to study the possibility of subsequently extending the Convention to cover the questions specified in the preceding recommendation.

III. The Conference recommends that the High Contracting Parties, in taking measures to ensure that transmissions shall not be contrary to the provisions of the Convention, shall show particular vigilance in regard to transmissions in a language other than the language or languages usually employed for the listeners of the country of transmission.

IV. The Conference recommends the High Contracting Parties to reserve in the programmes broadcast in their respective territories a place for transmissions of such a character as to promote a better knowledge of the civilisation and the conditions of life of other peoples as well as of the essential features of the development of their relations with those peoples and their contribution to the organisation of peace.

V. The Conference recommends the High Contracting Parties to take concerted action in case of international tension for the purpose of exerting by appropriate broadcasts a common influence to lessen the tension and restore a peaceful atmosphere.

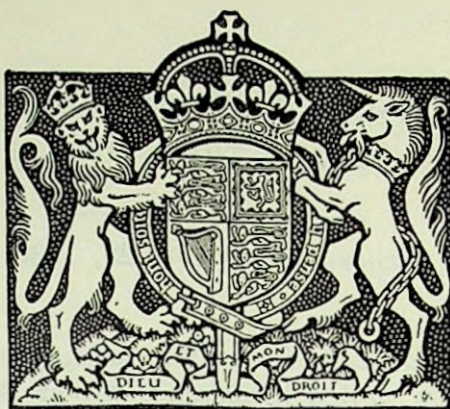
VI. The Conference recommends the High Contracting Parties, if occasion arises, to lend one another mutual support in detecting and abolishing clandestine transmitting stations.

VII. With a view to facilitating the application of the provision contained in Article 7 concerning the functions of the International Committee on Intellectual Co-operation, the Conference recommends that the latter constitute a small committee for the settlement of any dispute referred to it.

If necessary and in order to save time, the Bureau of the Committee might appoint this special committee.

The Conference is of opinion that, among the persons selected by the International Committee, one should be chosen on the proposal of the International Broadcasting Union and another on the proposal of the Governing Body of the International Educational Cinematographic Institute. The International Committee might attach to the committee—in addition to the representatives of the two parties—persons proposed by the Bureau of the International Union of Telecommunications and by the International Federation of Journalists.

The committee should submit its findings as soon as possible, and in any case within six weeks from the day when the International Committee on Intellectual Co-operation has been informed of the dispute.



Miscellaneous No. 6 (1937)

International Convention
concerning the
Use of Broadcasting in the
Cause of Peace

Geneva, September 23, 1936

[The Convention has not been ratified by His Majesty]

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any bookseller

1937

Price 4d. net

Cmd. 5505

INTERNATIONAL CONVENTION CONCERNING THE USE OF
BROADCASTING IN THE CAUSE OF PEACE.

Geneva, September 28, 1936.

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 inter-communication for promoting better mutual understanding between peoples:

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.

CONVENTION INTERNATIONALE CONCERNANT L'EMPLOI DE LA
RADIODIFFUSION DANS L'INTÉRÊT DE LA PAIX.

L'ALBANIE, la République Argentine, l'Autriche, la Belgique, les États-Unis du Brésil, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, le Chili, la Colombie, le Danemark, la République Dominicaine, l'Égypte, l'Espagne, l'Estonie, la France, la Grèce, l'Inde, la Lithuanie, le Luxembourg, les États-Unis du Mexique, la Norvège, la Nouvelle-Zélande, les Pays-Bas, la Roumanie, la Suisse, la Tchécoslovaquie, la Turquie, l'Union des Républiques soviétiques socialistes et l'Uruguay,

Ayant reconnu la nécessité d'éviter, par des règles établies d'un commun accord, que la radiodiffusion ne soit employée d'une manière contraire à la bonne entente internationale;

Animés, d'autre part, du désir d'utiliser, par l'application des mêmes règles, les possibilités qu'offre ce mode de transmission de la pensée pour une meilleure compréhension mutuelle des peuples :

Ont décidé de conclure, à cette fin, une Convention et ont nommé pour leurs plénipotentiaires :

ALBANIE.

M. Thomas Luarassi, Secrétaire de la Délégation permanente près la Société des Nations.

RÉPUBLIQUE ARGENTINE.

M. Carlos A. Pardo, Conseiller commercial de la Légation à Berne.

AUTRICHE.

Son Excellence le Dr. Marcus Leitmaier, Envoyé extraordinaire et Ministre plénipotentiaire.

BELGIQUE.

M. Maurice Bourquin, Professeur à l'Université de Genève.

ÉTATS-UNIS DU BRÉSIL.

M. Elyseu Montarroyos, Délégué près l'Institut international de Coopération intellectuelle.

ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE DU NORD.

Le Vicomte Cranborne, M.P., Sous-Secrétaire d'État aux Affaires étrangères.

M. Frederick William Phillips, Directeur des télécommunications au Département des Postes.

M. Henry George Gordon Welch, Chef au Département des Postes.

[15404]

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 Kodar, Permanent Delegate *a.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 for 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 for Foreign Affairs.

CHILI.

M. Enrique J. Gajardo V., Chef du Bureau permanent près la Société des Nations.

COLOMBIE.

Son Excellence le Dr. Gabriel Turbay, Délégué permanent près la Société des Nations, Envoyé extraordinaire et Ministre plénipotentiaire.

Son Excellence le Dr. Carlos Lozano y Lozano, Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République espagnole.

DANEMARK.

M. Holger Oluf Quistgaard Bech, Premier Secrétaire à la Délégation permanente près la Société des Nations.

RÉPUBLIQUE DOMINICAINE.

M. Charles Ackermann, Consul général à Genève.

ÉGYPTE.

M. Abd-el-Fattah Assal, Chargé d'affaires par intérim à Berne.

ESPAGNE.

M. José Rivas y Gonzalez, Chef de la Section des Radiocommunications du Ministère des Communications.

M. Manuel Marquez Mira, Professeur à l'École officielle de Télécommunication.

ESTONIE.

M. Johannes Kodar, Délégué permanent a.i. près la Société des Nations.

FRANCE.

M. Marcel Pellenc, Directeur général de la Radiodiffusion au Ministère des Postes, Télégraphes et Téléphones.

M. Yves Chataigneau, Chef de Section au Ministère des Affaires étrangères.

GRÈCE.

Son Excellence M. Raoul Bibica-Rosetti, Délégué permanent près la Société des Nations, Ministre plénipotentiaire.

INDE.

Sir Denys de Saumarez Bray, K.C.S.I., K.C.I.E., C.B.E.

LITHUANIE.

M. Juozas Urbšys, Ministre plénipotentiaire, Directeur politique aux Affaires étrangères.

[15404]

B 3

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. Tănăsescu, 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.

LUXEMBOURG.

Son Excellence M. Emile Reuter, Ministre d'État honoraire, Président de la Chambre des Députés.

ÉTATS-UNIS DU MEXIQUE.

Son Excellence M. Narciso Bassols, Ambassadeur, Envoyé extraordinaire et Ministre plénipotentiaire près la Cour de Saint-James.

Son Excellence M. Primo Villa Michel, Délégué permanent près la Société des Nations, Envoyé extraordinaire et Ministre plénipotentiaire.

NORVÈGE.

M. Einar Maseng, Délégué permanent près la Société des Nations.

NOUVELLE-ZÉLANDE.

M. William Joseph Jordan, Haut Commissaire à Londres.

Sir Christopher James Parr, G.C.M.G.

PAYS-BAS.

Son Excellence le Chevalier C. van Rappard, Représentant permanent près la Société des Nations, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

ROUMANIE.

M. Tudor A. Tănăsescu, Ingénieur au Ministère des Communications, Maître de conférence à l'École polytechnique de Bucarest.

SUISSE.

M. Camille Gorgé, Conseiller de Légation, Chef de la Section de la Société des Nations au Département politique fédéral.

M. Jakob Buser, Chef de Division à la Direction générale des Postes et des Télégraphes.

TCHÉCOSLOVAQUIE.

Son Excellence M. Rudolf Künzl-Jizerský, Délégué permanent près la Société des Nations, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

TURQUIE.

Son Excellence M. Necmeddin Sadak, Délégué permanent près la Société des Nations, Ministre plénipotentiaire.

UNION DES RÉPUBLIQUES SOVIÉTIQUES SOCIALISTES.

M. Edouard Hoerschelmann, Secrétaire général du Commissariat du Peuple pour les Affaires étrangères.

URUGUAY.

Son Excellence M. Victor Benavides, Ingénieur, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

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.

Lesquels, après avoir communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE PREMIER.

Les Hautes Parties contractantes s'engagent mutuellement à interdire et, le cas échéant, à faire cesser sans délai sur leurs territoires respectifs toute émission qui, au détriment de la bonne entente internationale, serait de nature à inciter les habitants d'un territoire quelconque à des actes contraires à l'ordre intérieur ou à la sécurité d'un territoire d'une Haute Partie contractante.

ARTICLE 2.

Les Hautes Parties contractantes s'engagent mutuellement à veiller à ce que les émissions diffusées par les postes de leurs territoires respectifs ne constituent ni incitation à la guerre contre une autre Haute Partie contractante ni incitation à des actes susceptibles d'y conduire.

ARTICLE 3.

Les Hautes Parties contractantes s'engagent mutuellement à interdire et, le cas échéant, à faire cesser sans délai sur leurs territoires respectifs toute émission susceptible de nuire à la bonne entente internationale par des allégations dont l'inexactitude serait ou devrait être connue des personnes responsables de la diffusion.

Elles s'engagent mutuellement en outre à veiller à ce que toute émission susceptible de nuire à la bonne entente internationale par des allégations inexactes soit corrigée le plus tôt possible par les moyens les plus efficaces, même si l'inexactitude n'est apparue que postérieurement à la diffusion.

ARTICLE 4.

Les Hautes Parties contractantes s'engagent mutuellement à veiller, notamment en temps de crise, à ce que les postes de leurs territoires respectifs diffusent sur les relations internationales des informations dont l'exactitude aura été vérifiée par les personnes responsables de la diffusion de ces informations et cela par tous les moyens en leur pouvoir.

ARTICLE 5.

Chacune des Hautes Parties contractantes s'engage à mettre à la disposition des autres Hautes Parties contractantes qui le demanderaient les renseignements qui, à son avis, seraient de nature à faciliter la diffusion, par les différents services de radiodiffusion, d'émissions tendant à faire mieux connaître sa propre civilisation et ses conditions particulières d'existence, ainsi que les traits essentiels du développement de ses rapports avec les autres peuples et sa contribution à l'œuvre d'organisation de la paix.

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 Protocol of the 16th December, 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 Convention of the 18th October, 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 the 1st May, 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 6.

En vue d'assurer un plein effet aux obligations résultant des articles précédents, les Hautes Parties contractantes s'engagent mutuellement à édicter, à l'usage des services de radiodiffusion placés sous la dépendance directe du gouvernement, et à faire appliquer par ces services, des instructions et règlements appropriés.

Dans le même but, les Hautes Parties contractantes s'engagent mutuellement à faire figurer, à l'usage des entreprises de radio-diffusion à gestion autonome, soit dans la charte constitutive d'un institut national, soit dans les conditions imposées à une société concessionnaire, soit dans les règlements applicables aux autres exploitations privées, des clauses appropriées, et à prendre les mesures nécessaires pour en assurer l'application.

ARTICLE 7.

S'il s'élève entre les Hautes Parties contractantes un différend quelconque relatif à l'interprétation ou à l'application de la présente Convention, et si ce différend n'a pu être résolu de façon satisfaisante par voie diplomatique, il sera réglé conformément aux dispositions en vigueur entre les Parties concernant le règlement des différends internationaux.

Au cas où de telles dispositions n'existeraient pas entre les parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire. A défaut d'un accord sur le choix d'un autre tribunal, elles soumettront le différend, à la requête de l'une d'elles, à la Cour permanente de Justice internationale si elles sont toutes parties au Protocole du 16 décembre 1920, relatif au Statut de ladite Cour, et, si elles n'y sont pas toutes parties, à un tribunal d'arbitrage, constitué conformément à la Convention de La Haye du 18 octobre 1907, pour le règlement pacifique des conflits internationaux.

Avant de recourir aux procédures visées aux alinéas 1 et 2 ci-dessus, les Hautes Parties contractantes pourront, d'un commun accord, faire appel aux bons offices de la Commission internationale de coopération intellectuelle, à qui il appartiendrait de constituer à cet effet un comité spécial.

ARTICLE 8.

La présente Convention, dont les textes français et anglais feront également foi, portera la date de ce jour et sera, jusqu'au 1^{er} mai 1937, ouverte à la signature au nom de tout Membre de la Société des Nations, ou de tout État non membre représenté à la Conférence qui a élaboré la présente Convention, ou de tout État non membre auquel le Conseil de la Société des Nations aura communiqué copie de la présente Convention à cet effet.

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

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

ARTICLE 9.

La présente Convention sera ratifiée. Les notifications de ratification seront transmises au Secrétaire général de la Société des Nations. Celui-ci en notifiera le dépôt à tous les Membres de la Société, ainsi qu'aux États non membres visés à l'article précédent.

ARTICLE 10.

A partir du 1^{er} mai 1937, tout Membre de la Société des Nations et tout État non membre visé à l'article 8 pourra adhérer à la présente Convention.

Les notifications d'adhésion seront transmises au Secrétaire général de la Société des Nations. Celui-ci en notifiera le dépôt à tous les Membres de la Société, ainsi qu'à tous les États non membres visés audit article.

ARTICLE 11.

La présente Convention sera enregistrée par le Secrétaire général de la Société des Nations, conformément aux dispositions de l'article 18 du Pacte, soixante jours après la réception par lui de la sixième ratification ou adhésion.

La Convention entrera en vigueur le jour de cet enregistrement.

ARTICLE 12.

Chaque ratification ou adhésion qui interviendra après l'entrée en vigueur de la Convention produira ses effets soixante jours après sa réception par le Secrétaire général de la Société des Nations.

ARTICLE 13.

La présente Convention pourra être dénoncée par une notification adressée au Secrétaire général de la Société des Nations. Cette notification prendra effet un an après sa réception.

Le Secrétaire général notifiera à tous les Membres de la Société et aux États non membres visés à l'article 8 les dénonciations ainsi reçues.

La présente Convention cessera de produire ses effets si, à la suite de dénonciations, le nombre des Hautes Parties contractantes devient inférieur à six.

ARTICLE 14.

Toute Haute Partie contractante peut, au moment de la signature, ratification, adhésion, ou par la suite, dans un acte écrit adressé au Secrétaire général de la Société des Nations, déclarer que la présente Convention s'appliquera à l'ensemble ou à une partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa

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.

suzeraineté ou son mandat. La présente Convention s'appliquera au territoire ou aux territoires énumérés dans la déclaration soixante jour après sa réception. A défaut d'une telle déclaration, la Convention ne s'appliquera à aucun de ces territoires.

Toute Haute Partie contractante pourra postérieurement, à n'importe quelle époque, par une notification au Secrétaire général de la Société des Nations, déclarer que la présente Convention cessera de s'appliquer à l'ensemble ou à une partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat. La Convention cessera de s'appliquer au territoire ou aux territoires désignés dans la notification un an après sa réception.

Le Secrétaire général communiquera à tous les Membres de la Société, ainsi qu'aux États non membres mentionnés à l'article 8, toutes les déclarations reçues aux termes du présent article.

ARTICLE 15.

La demande de revision de la présente Convention peut être introduite à n'importe quelle époque par une Haute Partie contractante, sous la forme d'une notification au secrétaire général de la Société des Nations. Cette notification sera communiquée par le Secrétaire général de la Société des Nations aux autres Hautes Parties contractantes. Si un tiers au moins d'entre elles s'associent à cette demande, les Hautes Parties contractantes conviennent de se réunir à l'effet de reviser la Convention.

Dans ce cas, il appartiendra au Secrétaire général de proposer au Conseil ou à l'Assemblée de la Société des Nations la convocation d'une conférence de revision.

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.

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 États non membres mentionnés à l'article 8.

Albania

Albanie

Ad referendum:
TH. LUARASSI.

Argentine Republic

République Argentine

C. A. PARDO.

Austria

Autriche

M. LEITMAIER.

Belgium

Belgique

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

[*Translation*]: Under reservation of the declarations mentioned in the *procès-verbal* of the final meeting.

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."

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."

BOURQUIN.

United States of Brazil

États-Unis du Brésil

E. MONTARROYOS.

United Kingdom of Great Britain
and Northern Ireland

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

CRANBORNE.

F. W. PHILLIPS.

H. G. G. WELCH.

Chile

Chili

ENRIQUE J. GAJARDO V.

Colombia

Colombie

Ad referendum :
GABRIEL TURBAY.
CARLOS LOZANO y LOZANO.

Denmark

Danemark

HOLGER BECH.

Dominican Republic

République Dominicaine

CH. ACKERMANN.

Egypt

Égypte

F. ASSAL.

Spain

Espagne

Sous réserve de la déclaration insérée dans le procès-verbal de la séance de clôture de la Conférence.

[*Translation*]: Under reservation of the declaration mentioned in the *procès-verbal* of the final meeting of the Conference.

This declaration is worded as follows:—

Cette déclaration est conçue comme suit :

"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."

"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."

JOSÉ RIVAS y GONZALEZ.
MANUEL MARQUEZ.

Estonia

Estonie

J. KODAR.

France

France

M. PELLENC.
YVES CHATAIGNEAU.

Greece

Grèce

Ad referendum :
RAOUL BIBICA-ROSETTI.

India

Inde

DENYS BRAY.

Lithuania

Lithuanie

J. URBSYS.

Luxemburg

Luxembourg

REUTER.

United States of Mexico	N. BASSOLS. P. V. MICHEL.	États-Unis du Mexique
Norway	EINAR MASENG.	Norvège
New Zealand	W. J. JORDAN. C. J. PARR.	Nouvelle-Zélande
The Netherlands	C. VAN RAPPARD.	Pays-Bas
Roumania	T. TANASESCO.	Roumanie
Switzerland	C. GORGÉ. DR. J. BUSER.	Suisse
Czechoslovakia	ROD. KUNZL-JIZERSKÝ.	Tchécoslovaquie
Turkey	<i>Ad referendum:</i> N. SADAK.	Turquie

Union of Soviet Socialist Republics	Union des Républiques Soviétiques Socialistes
--	--

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

[Translation]: Under reservation of the declarations mentioned in the *procès-verbal* of the final meeting of the Conference.

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.

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.

"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."

ED. HOERSCHELMANN.

Uruguay

V. BENAVIDES.

Uruguay

"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 États 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 États 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 États."

1937/37. ✓

13

CIRCULAR.



Downing Street,

21st July, 1937.

Sir,

I have the honour to inform you that in September last the Council of the League of Nations convened a Conference with a view to the conclusion of a Convention for the use of broadcasting in the cause of peace. The Conference resulted in the conclusion of an International Convention concerning the use of Broadcasting in the cause of Peace, a copy of which is enclosed for your information, together with a copy of certain recommendations which the Conference also adopted. Both the Convention and the recommendations were signed on behalf of His Majesty's Government in the United Kingdom.

2. It will be observed that under Article 14 in the absence of a specific declaration to that effect the Convention does not apply to colonies, protectorates, overseas territories or territories under suzerainty or mandate. No such declaration has as yet been made, but I am desirous that if possible all the oversea Dependencies should be brought within the scope of the Convention.

3. It might be contended that the application of the Convention to those territories which have no broadcasting stations will serve no useful purpose and from a practical point of view, so far as the Governments of those territories are concerned, there would be some force in that contention. I would point out, however, that it is not clear that the Convention would afford any protection to a Dependency against the broadcasting of propaganda inciting to acts incompatible with internal order or security, in the absence of a declaration applying it to that Dependency. His Majesty's Government in the United Kingdom are anxious that the application of the Convention should be as wide as possible and as the Convention would place no positive obligation upon the Governments of those Colonies which have no broadcasting stations and might afford them some protection which in the absence of such application it is not clear that they

*The Officer Administering
the Government of*

would secure, there would seem to be good reason for applying the Convention to them. Moreover, non-inclusion of any of the oversea territories might be regarded by foreign countries as a loophole for evasion of the provisions of the Convention on the part of His Majesty's Government in the United Kingdom and would tend to weaken the force of any representations which might be made in the event of a foreign station broadcasting any matter calculated to disturb the internal order or security of any Colony. In these circumstances I trust that the Governments of all those territories which have no broadcasting stations of their own will have no objection to the application of the Convention to them under Article 14.

4. The same considerations apply to those territories which have broadcasting stations, but in addition the question of compliance with the provisions of Article 4 would arise. Under this clause parties to the Convention 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, by all means within their power, by the persons responsible for broadcasting the information. I appreciate that normally a Colonial broadcasting authority would not be in a position to verify the accuracy of the information broadcast since the news so broadcast is either a re-broadcast of the British Broadcasting Corporation News Bulletins or is obtained from sources such as Reuters. In the case of the re-broadcast of news sent out by the British Broadcasting Corporation no difficulty will arise, since it can be assumed that all reasonable steps to ensure the accuracy of such news have been taken in this country before the news is broadcast by the British Broadcasting Corporation. The position with regard to news from other sources is somewhat different, but it is not considered that in practice compliance with the provisions of Article 4 will cause any great difficulty. Most broadcasting stations in the Colonies are operated by the Colonial Governments, and those which are not so operated are subject to some measure of Government control, and as His Majesty's Government in the United Kingdom are prepared to undertake this responsibility as regards the British Broadcasting Corporation, which is technically independent of the Government although working under Government Licence, there would appear to be no good reason why the same responsibility should not be accepted in respect of broadcasts from Colonial stations.

5. The obligations undertaken under the Convention are not altogether clear but I do not consider that they are such as Colonial Governments need regard with misgiving. The Convention represents an effort to improve world relations, and to deal with what might become a serious menace, and His Majesty's Government are anxious to take their full share in furthering its objects. In these circumstances it is proposed to take steps under Article 14 for the application of the Convention to all Colonies, Protectorates and Mandated Territories, and I shall be obliged if you will inform me whether you concur in regard to the territory or territories with which you are concerned.

I have the honour to be,

Sir,

Your most obedient, humble servant,

W. ORMSBY GORE.

GOVERNMENT HOUSE,
STANLEY.

1st October, 1937.

FALKLAND ISLANDS.

No. 137.

Sir,

Recd 3
With reference to your Circular despatch of the 21st July, 1937, regarding the International Convention concerning the use of Broadcasting in the cause of Peace, I have the honour to inform you that I agree to the proposal that steps be taken under Article 14 for the application of the Convention to this Colony.

I have the honour to be,

Sir,

Your most obedient
humble servant,

(Sgd.) M. C. Craigie-Halkett.

THE RIGHT HONOURABLE

W. G. ORMSBY CORE, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES.

(6)

C.L. 108. 1939.XII.

LEAGUE OF NATIONS

INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING
IN THE CAUSE OF PEACE
(Geneva, September, 23rd, 1936)

APPLICATION OF THE CONVENTION TO CERTAIN BRITISH COLONIES,
BRITISH PROTECTORATES AND PROTECTED STATES, AND
MANDATED TERRITORIES ADMINISTERED UNDER THE AUTHORITY OF
HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM,

AND APPLICATION TO THE NEW HEBRIDES WHICH ARE SUBJECT
TO THE FRANCO-BRITISH CONDOMINIUM

Geneva,

1st August, 1939.

Sir,

I have the honour to inform you that the Secretary of State for Foreign Affairs of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, has notified me, in accordance with the provisions of Article 14 of the International Convention concerning the Use of Broadcasting in the cause of Peace, signed at Geneva, on September 23rd, 1936, that His Majesty desires that the Convention shall apply to the following British Colonies, British Protectorates and Protected States, and Mandated Territories administered under the authority of His Majesty's Government in the United Kingdom:

Aden

(5)

Aden Colony	British Solomon Islands
Bahamas	Protectorate.
Barbados	Ceylon
Basutoland	Cyprus
Bechuanaland Protectorate	Falkland Islands and
Bermuda	Dependencies
British Guiana	Fiji
British Honduras	Gambia (Colony and Protectorate)
Gibraltar	Nigeria:
Gilbert and Ellice Islands	(a) Colony
Colony	(b) Protectorate
Gold Coast:	(c) Cameroons under British
(a) Colony	Mandate
(b) Ashanti	North Borneo, State of
(c) Northern Territories	Northern Rhodesia
(d) Togoland under	Nyasaland Protectorate
British Mandate	Palestine (excluding Trans-
Hong Kong	Jordan)
Jamaica (including Turks and	St. Helena and Ascension
Caicos Islands and	Sarawak
the Cayman Islands)	Seychelles
Kenya (Colony and Protec-	Sierra Leone (Colony and
torate)	Protectorate)
Leeward Islands:	Somaliland Protectorate
Antigua	Straits Settlements
Dominica	Swaziland
Montserrat	Tanganyika Territory
St. Christopher and Nevis	Tonga
Virgin Islands	Trans-Jordan
Malay States	Trinidad and Tobago
(a) Federated Malay	Uganda Protectorate
States:	Windward Islands:
Negri Sembilan	Grenada
Pahang	St. Lucia
Perak	St. Vincent
Selangor	Zanzibar Protectorate
(b) Unfederated Malay	
States:	
Johore	
Kedah	
Kelantan	
Perlis	
Trengganu; and	
Brunei	
Malta	
Mauritius	

New Hebrides

(The New Hebrides are included by covenant of Great Britain and France who hold a condominium there.)

This notification was received by the Secretariat of the League of Nations, on July 14th, 1939.

I have the honour to be, Sir,

Your obedient Servant,

For the Secretary-General:

Under Secretary-General.

5

7

FALKLAND ISLANDS

Circular Note



1

Transmitted with the compliments of the
Secretary of State for the Colonies, for information and
distribution, with reference to his circular despatch of the

Recd 3

21 JUN 1937

Colonial Office,

Downing Street,

20 OCT 1939



CONFIDENTIAL



FROM THE SECRETARY OF STATE FOR THE COLONIES

C. O. Ref: INF 111/01

SAVINGRAM

CIRCULAR 1184/57

11th November, 1957.

INTERNATIONAL CONVENTION CONCERNING
THE USE OF BROADCASTING IN THE CAUSE OF PEACE

2
H.B.
Action
7/11/57
9A
9B
9C
On December 17th, 1954 the General Assembly of the United Nations adopted a resolution in which it decided to ask States which were parties to the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) whether they wished to transfer to the United Nations the functions performed under the terms of the Convention by the League of Nations and to ask the Secretary-General to draft a protocol for this and certain other purposes. A copy of the resolution is enclosed. The United Kingdom was a signatory to the original Convention which also applies to the then Colonial etc. territories under Article 14.

2. I enclose a copy of the original Convention and of the Draft Protocol prepared by the Secretary-General including an annex containing proposed amendments.

3. Her Majesty's Government propose in due course to inform the Secretary-General that they agree to the United Nations assuming the functions of the League of Nations under the original Convention.

2
4. Her Majesty's Government do not, however, consider the wording of the proposed new Article 5A satisfactory as it stands. Our position in regard to interfering with the reception of improper broadcasts under the 1936 Convention was protected by what is spoken of as the Belgian "Agreed Interpretation". At the 1936 Conference which produced the Convention the Belgian Government put forward a declaration in the following terms "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." This declaration was accepted by the Conference as an "agreed interpretation" which should hold good for all High Contracting Parties and this decision was recorded in the minutes of the final meeting of the Conference. I am advised, however, that this reservation would probably not, without further action, apply to the new draft Article 5A and Her Majesty's Government have therefore considered whether to advocate a new Agreed Interpretation of the Article or to suggest its amendment. The practical difficulties in the way of securing an Agreed Interpretation now appear to be considerable, especially as the attempt would probably

/have

The Officer Administering
The Government of the
Falkland Islands

CONFIDENTIAL

Reply at 13

have to be made by international correspondence. If the United Kingdom itself puts forward an interpretation of Article 5A as a basis on which it accepts the Article it is only too likely that it would be regarded either as a reservation in the true sense of the term to which other intending parties would be entitled to object or, at the best, as a unilateral declaration which would not be binding on any other party. Her Majesty's Government have therefore decided that it would be preferable to propose that the Article should be amended to read: (the new portion is underlined):

"Each High Contracting Party undertakes not to interfere with the reception within its territory of foreign radio broadcasts, provided that such broadcasts do not violate the provisions of Article 1 of this Convention."

Subject to this amendment, Her Majesty's Government would consider the Convention with the Protocol to be acceptable.

5. I should be glad to learn as soon as possible, whether subject to this amendment, you would see any objection to acceptance of the Protocol by Her Majesty's Government. You will note that there is no Colonial application article in the Protocol and the effect of acceptance of the Protocol by Her Majesty's Government would be that the Convention as amended by the Protocol would apply to those territories to which the Convention in its present form applies under Article 14.

6. /To Aden and High Commissioner, Brunei only/.

The 1936 Convention was not applied to the Aden Protectorate and Brunei.

7. This circular has been addressed to the Governor General of the Federation of Nigeria, all Governors, (except the Governors of Eastern, Northern, and Western Regions of Nigeria, Northern Rhodesia and Nyasaland), Administrators, (except the Administrator, East Africa High Commission), High Commissioners, Resident Commissioners, the British Agent and Consul, Tonga, the British Resident, Zanzibar, and to the Chairman, Standing Federation Committee, at Bay Gardens, Barbados.

SE CER.

The Secretary-General of the United Nations presents his compliments to the Secretary of State for Foreign Affairs in the United Kingdom and has the honour to draw his attention to resolution 841 (IX) on the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936), which resolution was adopted by the General Assembly of the United Nations on 17 December 1954. A

96
..... copy of the resolution, as well as the text of the Convention is
92
..... enclosed herewith.

Pursuant to paragraph 1 of the resolution, the Secretary-General has the honour to request His Excellency's Government to state whether it wishes to transfer to the United Nations the functions which were performed under the terms of the Convention by the League of Nations.

93
..... In accordance with paragraph 2 of the resolution, the Secretary-General has prepared a draft protocol to the Convention, which is
..... transmitted herewith.

1 August 1955

98

GENERAL ASSEMBLY RESOLUTION 841 (IX) ON THE
INTERNATIONAL CONVENTION CONCERNING THE USE OF
BROADCASTING IN THE CAUSE OF PEACE (GENEVA, 1936)

The General Assembly,

Considering that the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) constitutes an important element in the field of freedom of information,

Considering that, in accordance with General Assembly resolution 24 (I) of 12 February 1946, the custodial functions mentioned in the Convention have already been assumed by the Secretary-General of the United Nations and that the Convention is still in force,

Considering further that by taking over, by agreement between the Parties to the Convention, the powers and functions established by certain provisions of the Convention, the United Nations can give full effect to all the provisions of the Convention in question,

Decides:

1. To request States which are Parties to the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) to state whether they wish to transfer to the United Nations the functions which were performed, under the terms of that Convention, by the League of Nations;

2. To instruct the Secretary-General:

(a) To prepare for this purpose a draft protocol concerning the transfer to the United Nations of the functions assigned to the League of Nations under the International Convention concerning the Use of Broadcasting in the Cause of Peace;

(b) To provide in the draft protocol for the accession of Members and non-members of the United Nations which are not Parties or signatories to the Convention, and also for such legal or other adjustments as may be necessitated by current conditions; including new articles, based on General Assembly resolution 424 (V) of 14 December 1950, to provide that each High Contracting Party shall refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively, and to provide that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts;

(c) To circulate the draft protocol to the International Convention concerning the Use of Broadcasting in the Cause of Peace to the States Parties to that Convention.

90

INTERNATIONAL CONVENTION CONCERNING THE USE OF
BROADCASTING IN THE CAUSE OF PEACE

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, Luxembourg, the United States of Mexico, Norway, New Zealand, the Netherlands, Roumania, Switzerland, Czechoslovakia, Turkey, the Union of Soviet Socialist Republics and Uruguay,

Having recognized 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 utilize, by the application of these rules, the possibilities offered by this medium of intercommunication for promoting better mutual understanding between peoples:

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

.....

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 civilization 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 organization 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 organizations, 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 of 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 Protocol 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 Convention 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.

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.

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.

98
95

Draft Protocol amending the International Convention
concerning the Use of Broadcasting in the Cause of Peace,
signed at Geneva on 23 September 1936

The Parties to the present Protocol,

Considering that the International Convention concerning the Use of Broadcasting in the Cause of Peace signed at Geneva on 23 September 1936 (hereinafter called "the Convention") constitutes an important element in the field of freedom of information, and

Considering that under the Convention the League of Nations was invested with certain functions and powers for whose continued performance it is necessary to make provision in consequence of the dissolution of the League of Nations and that it is expedient that these functions and powers should be performed henceforth by the United Nations,

Desiring further to supplement the provisions of the Convention in keeping with current conditions,

Hereby agree as follows:

Article I

The States Parties to the present Protocol undertake that as between themselves they will, in accordance with the provisions of the Protocol, attribute full legal force and effect to and duly apply the amendments to the Convention set forth in the annex to the Protocol.

Article II

1. The present Protocol shall be open for signature or acceptance by any of the States Parties to the Convention to which the Secretary-General of the United Nations has communicated for this purpose a copy of the Protocol.

2. States may become Parties to the present Protocol by:

- (a) Signature without reservation as to acceptance;
- (b) Signature with reservation as to acceptance, followed by acceptance;
- (c) Acceptance.

3. Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article III

1. The Present Protocol shall come into force on the date on which two States shall have become parties thereto, and shall thereafter come into force in respect of each State, upon the date on which it becomes a Party to the Protocol.

2. The amendments set forth in the annex to the present Protocol shall come into force when _____ States shall have become Parties to the Protocol.

Article IV

In accordance with paragraph 1 of Article 102 of the Charter of the United Nations and the regulations pursuant thereto adopted by the General Assembly, the Secretary-General of the United Nations is authorized to effect

registration of the present Protocol and of the amendments made in the Convention by the Protocol on the respective dates of their entry into force and to publish the Protocol and the amended text of the Convention as soon as possible after registration.

The Present Protocol, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations Secretariat. The texts of the Convention to be amended in accordance with the annex being authentic in the English and French languages only, the English and French texts of the annex shall be equally authentic, and the Chinese, Russian and Spanish texts shall be translations. The Secretary-General of the United Nations shall prepare certified copies of the Protocol, including the annex, for communication to States Parties to the Convention, as well as to all other States Members of the United Nations. He shall likewise prepare, upon the entry into force of the amendments as provided in article III, certified copies of the Convention as amended for communication to States mentioned in article 10 thereof.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, signed the present Protocol on the date appearing opposite their respective signatures.

Done at the Headquarters of the United Nations, New York,
this _____ day of _____.

Annex to the Protocol amending the International
Convention concerning the Use of Broadcasting in the
Cause of Peace signed at Geneva on 23 September 1936

After articles 2 and 5, respectively, the following new articles shall be inserted:

Article 2a

"The High Contracting Parties mutually undertake to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively."

Article 5a

"Each High Contracting Party undertakes not to interfere with the reception, within its territory, of foreign radio broadcasts."

In the second paragraph of article 7 "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice," and "the Statute of the International Court of Justice" shall be substituted for "the Protocol of December, 16th, 1920, regarding the Statute of the Court."

In the third paragraph of article 7 "the Economic and Social Council of the United Nations or of any committee established for this purpose by the Economic and Social Council" shall be substituted for "the International Committee on Intellectual Co-operation which would be in a position to constitute a special committee for this purpose."

In article 9 "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations" and "to the Members of the United Nations and to the non-member States referred to in Article 10" shall be substituted for "to all the Members of the League and to the non-member States referred to in the preceding Article".

The following shall be substituted for article 10:

"The present Convention shall be open to accession on behalf of any Member of the United Nations and also on behalf of any other State which is or hereafter becomes a member of any specialized agency of the United Nations, or which is or hereafter becomes a Party to the Statute of the International Court of Justice, or any other State to which an invitation has been addressed by the General Assembly of the United Nations.

"Accession shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations, who shall give notice thereof to the States referred to in the preceding paragraph."

In article 12, in the first paragraph of article 13, in the first and second paragraphs of article 14, and in the first and second paragraphs of article 15 "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations."

In the second paragraph of article 13, and in the third paragraph of article 14 "to the Members of the United Nations and to the non-member States referred to in Article 10" shall be substituted for "to all the Members of the League and to the non-member States referred to in Article 8."

In the second paragraph of article 15 "the Economic and Social Council or the General Assembly of the United Nations" shall be substituted for "the Council or Assembly of the League of Nations."

F. I. ref: 193/37

9. ref:INF 111/01

SAVING TELEGRAM.

From: The Officer Administering the Government of the Falkland Islands.

To: The Secretary of State for the Colonies.

Date: 31st December, 1957.

No.199. SAVING. COLONY

9 Your Confidential Circular Savingram No.1104/57 of the 11th November, 1957. International Convention concerning the use of Broadcasting in the Cause of Peace.

Subject to the amendment proposed in paragraph 4 of your savingram under reference, the Protocol is acceptable to this Government.

GOVERNOR.

AGDT/MC