

N° 3487.

---

**ÉTATS-UNIS D'AMÉRIQUE  
ET PÉROU**

Echange de notes comportant un arrangement relatif à l'échange de communications internationales émanant de tierces personnes par des stations radiotélégraphiques d'amateurs. Lima, les 16 février et 23 mai 1934.

---

**UNITED STATES OF AMERICA  
AND PERU**

Exchange of Notes constituting an Arrangement for the International Exchange of Messages by Amateur Radio Stations on behalf of Third Parties. Lima, February 16th and May 23rd, 1934.

No. 3487. — EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND OF PERU CONSTITUTING AN ARRANGEMENT FOR THE INTERNATIONAL EXCHANGE OF MESSAGES BY AMATEUR RADIO STATIONS ON BEHALF OF THIRD PARTIES. LIMA, FEBRUARY 16TH AND MAY 23RD, 1934.

Nº 3487. — CANJE DE NOTAS ENTRE LOS GOBIERNOS DE LOS ESTADOS UNIDOS DE NORTE AMÉRICA Y DEL PERÚ ESTABLECIENDO UN ARREGLO PARA EL CANJE INTERNACIONAL DE MENSAJES DE TERCEROS POR LAS ESTACIONES DE RADIO DE AFICIONADOS. LIMA, 16 DE FEBRERO Y 23 DE MAYO DE 1934.

*English and Spanish official texts communicated by the Chargé d'Affaires a. i. of the United States of America at Berne. The registration of this Exchange of Notes took place September 11th, 1934.*

*Textes officiels anglais et espagnol communiqués par le chargé d'Affaires a. i. des Etats-Unis d'Amérique à Berne. L'enregistrement de cet échange de notes a eu lieu le 11 septembre 1934.*

## I.

EMBASSY  
OF THE UNITED STATES OF AMERICA.

No. 562

LIMA, February 16th, 1934.

EXCELLENCY,

Upon instructions from my Government, I have the honor to bring the following matter to Your Excellency's attention :

An important restriction upon the international exchange of messages by amateur radio stations on behalf of third parties was incorporated in Article 8 of the Radio Regulations<sup>1</sup> annexed to the International Telecommunication Convention of Madrid, of which Sections 1 and 2 read as follows :

" § 1. — The exchange of communications between amateur stations and between private experimental stations of different countries shall be forbidden if the Administration of one of the countries concerned has given notice of its opposition to this exchange.

" § 2. (1) When this exchange is permitted, the communications must be carried out in plain language and be limited to messages having to do with experiments and remarks of a private nature for which, by reason of their unimportance, there could be no question of resorting to the public telegraph service. Owners of amateur

<sup>1</sup> Volume CLI, page 279, of this Series.

<sup>1</sup> Volume CLI, page 278, de ce recueil.

stations shall be strictly prohibited from transmitting international communications emanating from third parties.

“ (2) The above provisions may be modified by special arrangements between the interested countries. ”

This prohibition upon the exchange of third party messages was not contained in the earlier Radio Regulations, and in deference to the wishes of those Governments which might wish to permit the international exchange of such messages, the provision permitting the relaxation of the prohibition by special arrangements was introduced.

The Radio Regulations of Madrid were signed on behalf of Peru and the United States, but they have not yet been ratified by the United States, nor so far as my Government is aware have they been ratified by Peru. In view of the possible future ratification of the Regulations, however, it is believed desirable to keep the prohibition above quoted from applying at the time of such ratification to messages transmitted by amateur radio stations on behalf of third parties.

In recognition of the important services which amateurs have rendered in the development of radio, my Government is suggesting to a number of other Governments the conclusion of agreements which would give radio amateurs some relaxation from the restriction introduced at Madrid by authorizing, within narrow limits, the exchange of messages on behalf of third parties. Such relaxation of the restriction, however, would be of a kind which would not permit radio amateurs to compete with public or commercial radio or telegraph systems.

The proposed agreement refers only to messages exchanged on behalf of third parties, for under the Madrid Regulations operators of amateur stations may exchange international messages on their own behalf in the absence of a prohibition upon such exchange by one of the interested Governments.

I therefore suggest to Your Excellency, and my Government hopes that that of Peru will agree to, an exchange of notes in the following terms :

“ Amateur radio stations of Peru and of the United States may interchange messages on behalf of third parties, provided that such messages shall be of the character that would not normally be sent by any existing means of electrical communication or except for the availability of the amateur stations, and on which no compensation must be directly or indirectly paid.

“ This arrangement shall apply to the United States and its territories and possessions including Alaska, the Hawaiian Islands, Puerto Rico, the Virgin Islands, the Panama Canal Zone and the Philippine Islands.

“ This arrangement shall be subject to termination by either Government on sixty days' notice to the other Government, by further arrangement between the two Governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith. ”

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest consideration.

Fred Morris DEARING.

His Excellency Doctor Solon Polo,  
Minister for Foreign Affairs,  
Lima, Peru.

TEXTE ESPAGNOL. — SPANISH TEXT.

<sup>1</sup> TRADUCTION. — TRANSLATION.

## II.

## II.

MINISTERIO  
DE RELACIONES EXTERIORES.  
Número 50.

MINISTRY  
OF FOREIGN RELATIONS.  
No. 50.

LIMA, 23 de mayo de 1934.

LIMA, May 23rd, 1934.

SEÑOR EMBAJADOR,

MR. AMBASSADOR,

Tengo a honra referirme a la estimable nota de Vuestra Excelencia N<sup>o</sup> 562, en la que se sirvió sugerir un intercambio de notas entre la Embajada a su digno cargo y este Ministerio, sobre el envío de mensajes de terceros por las estaciones de radio de amateurs en la forma siguiente :

I have the honor to refer to Your Excellency's kind note No. 562, in which you were good enough to suggest an interchange of notes between the Embassy under your worthy charge and this Ministry, concerning the transmission of messages of third parties by amateur radio stations, in the following form :

« Las estaciones de radio de amateurs del Perú y de los Estados Unidos pueden efectuar el intercambio de mensajes a terceros, con tal que dichos mensajes sean de tal clase que no puedan ser enviados por cualquier medio existente de comunicación eléctrica o excepto para el aprovechamiento de las estaciones de amateurs y para los que no haya que pagar compensación alguna directa o indirectamente. »

“ Amateur radio stations of Peru and of the United States may interchange messages on behalf of third parties, provided that such messages shall be of the character that would not normally be sent by any existing means of electrical communication or except for the availability of the amateur stations, and on which no compensation must be directly or indirectly paid.

« Este acuerdo se aplicará en los Estados Unidos y sus territorios y posesiones incluyendo Alaska, Las Islas Hawai, Puerto Rico, Isla de la Virgen, la Zona del Canal de Panamá y las Islas Filipinas. »

“ This arrangement shall apply to the United States and its territories and possessions including Alaska, the Hawaiian Islands, Puerto Rico, the Virgin Islands, the Panama Canal Zone and the Philippine Islands.

« Cualquiera de los Gobiernos podrá poner fin a este acuerdo con un aviso previo de sesenta días dado por un Gobierno al otro, por un nuevo arreglo entre los dos Gobiernos concerniente al mismo asunto, o por la promulgación de una ley en cualquiera de los países, contraria a dicho acuerdo. »

“ This arrangement shall be subject to termination by either Government on sixty days' notice to the other Government, by further arrangement between the two Governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith. ”

Me es grato manifestar a Vuestra Excelencia que mi Gobierno acepta gustoso la propuesta

I take pleasure in advising Your Excellency that my Government gladly accepts the proposal

<sup>1</sup> Traduction du Gouvernement des Etats-Unis d'Amérique.

<sup>1</sup> Translation of the Government of the United States of America.

que ha tenido a bien transmitir en su citada nota, en los términos que anteceden.

Aprovecho la oportunidad para reiterarle, señor Embajador, las seguridades de mi más alta y distinguida consideración.

Solón POLO.

Al Excelentísimo Señor  
Fred Morris Dearing,  
Embajador Extraordinario  
y Plenipotenciario  
de los Estados Unidos de América,  
Ciudad.

Certified to be true and complete textual copies of the original notes exchanged, in all the languages in which they were signed.

For the Secretary of State  
of the United States of America :

C. E. MacEachran,  
*Chief Clerk and Administrative Assistant.*

that you have been good enough to make in your note above mentioned in the foregoing terms.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

Solón POLO.

His Excellency  
Mr. Fred Morris Dearing,  
Ambassador Extraordinary  
and Plenipotentiary  
of the United States of America,  
City.

<sup>1</sup> TRADUCTION. — TRANSLATION.

N° 3487. — ÉCHANGE DE NOTES ENTRE LES GOUVERNEMENTS DES ÉTATS-UNIS D'AMÉRIQUE ET DU PÉROU, COMPORTANT UN ARRANGEMENT RELATIF A L'ÉCHANGE DE COMMUNICATIONS INTERNATIONALES ÉMANANT DE TIERCES PERSONNES PAR DES STATIONS RADIOTÉLÉGRAPHIQUES D'AMATEURS. LIMA, LES 16 FÉVRIER ET 23 MAI 1934.

## I.

AMBASSADE  
DES ÉTATS-UNIS D'AMÉRIQUE.

N° 562.

LIMA, le 16 février 1934.

MONSIEUR LE MINISTRE,

D'ordre de mon gouvernement, j'ai l'honneur d'appeler l'attention de Votre Excellence sur la question suivante :

L'échange international de messages transmis par l'intermédiaire des stations radioélectriques d'amateurs pour le compte de tierces personnes, est frappé d'une importante restriction par l'article 8 du Règlement des radiocommunications annexé à la Convention internationale des télécommunications de Madrid, dont les § 1 et 2 ont la teneur suivante :

« § 1. L'échange de communications entre stations d'amateur et entre stations expérimentales privées de pays différents est interdit si l'administration de l'un des pays intéressés a notifié son opposition à cet échange.

» § 2. (1) Lorsque cet échange est permis, les communications doivent s'effectuer en langage clair et se limiter aux messages ayant trait aux expériences et à des remarques d'un caractère personnel pour lesquelles, en raison de leur manque d'importance, le recours au service télégraphique public ne saurait entrer en considération. Il est absolument interdit aux titulaires des stations d'amateurs de transmettre des communications internationales émanant de tierces personnes.

» (2) Les dispositions ci-avant peuvent être modifiées par des arrangements particuliers entre les pays intéressés.»

Cette interdiction des échanges de messages émanant de tierces personnes ne figurait pas dans la réglementation antérieure relative aux radiocommunications et c'est par déférence pour les gouvernements qui pourraient désirer autoriser les échanges internationaux de messages de ce genre que fut insérée la disposition permettant d'atténuer l'interdiction par voie d'accords spéciaux.

Le Règlement des radiocommunications de Madrid a été signé par les représentants du Pérou et des États-Unis, mais il n'a pas jusqu'ici été ratifié par les États-Unis ; à la connaissance de mon gouvernement, il ne l'a pas été non plus

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.