ARTICLES.

1. Obligation.
2. "Coastal station" defined.
3. Reciprocal exchange of telegrams.
4. Reservation of station for limited public service.
5. Coastal stations and telegraph system connections.
6. Information necessary to facilitate transmission.
7. Exemption as to special wireless communication.
8. Interference.
9. Calls from ships in distress.
10. Rates.
11. Effect of regulations.
12. Conferences for modification of convention and regulations; voting power.
13. Duties of international bureau, expenses.
14. Reservation as to fixing terms on which telegrams are received.
15. Scope of articles 8 and 9.
16. Adherence by other powers.
17. International Telegraph Convention, St. Petersburg.
18. Arbitration of disagreement between two or more contracting powers.
20. Notification as to proposed or existing laws.
21. Reservation of liberty to install official wireless telegraph stations.
22. Effect; duration.
23. Ratification.

[Translation,]

International wireless telegraph convention concluded between Germany, The United States of America, Argentina, Austria, Hungary, Belgium, Brazil, Bulgaria, Chile, Denmark, Spain, France, Great Britain, Greece, Italy, Japan, Mexico, Monaco, Norway, The Netherlands, Persia, Portugal, Rumania, Russia, Sweden, Turkey, and Uruguay.

The undersigned, plenipotentiaries of the Governments of the countries enumerated above, having met in conference at Berlin, have agreed on the following Convention, subject to ratification:

ARTICLE 1.

The High Contracting Parties bind themselves to apply the provisions of the present Convention to all wireless telegraph stations open to public service between the coast and vessels at sea—both coastal stations and stations on shipboard—which are established or worked by the Contracting Parties. They further bind themselves to make the observance of these provisions obligatory upon private enterprises authorized either to establish or work coastal stations for wireless telegraphy open to the service of public correspondence between the coast and vessels at sea, or to establish or work wireless telegraph stations, whether open to general public service or not, on board of vessels flying their flag.

ARTICLE 2.

By "coastal station" is to be understood every wireless telegraph station established on shore or on board a permanently moored vessel used for the exchange of correspondence with ships at sea.

*The convention, service regulations, supplementary agreement, and final protocol were signed and proclaimed in the French language only. The English translation here printed is that given in Treaty Series, No. 563.*
Every wireless telegraph station established on board any vessel not permanently moored is called a "station on shipboard."

**Article 3.**

The coastal stations and the stations on shipboard shall be bound to exchange wireless telegrams reciprocally without distinction of the wireless telegraph system adopted by such stations.

**Article 4.**

Notwithstanding the provisions of Article 3, a station may be reserved for a limited public service determined by the object of the correspondence or by other circumstances independent of the system employed.

**Article 5.**

Each of the High Contracting Parties undertakes to connect the coastal stations to the telegraph system by special wires, or, at least, to take other measures which will insure a rapid exchange between the coastal stations and the telegraph system.

**Article 6.**

The High Contracting Parties shall notify one another of the names of coastal stations and stations on shipboard referred to in Article 1, and also of all data, necessary to facilitate and accelerate the exchange of wireless telegrams, as specified in the Regulations.

**Article 7.**

Each of the High Contracting Parties reserves the right to prescribe or permit at the stations referred to in Article 1, apart from the installation the data of which are to be published in conformity with Article 6, the installation and working of other devices for the purpose of establishing special wireless communication without publishing the details of such devices.

**Article 8.**

The working of the wireless telegraph stations shall be organized as far as possible in such manner as not to disturb the service of other wireless stations.

**Article 9.**

Wireless telegraph stations are bound to give absolute priority to calls of distress from ships, to similarly answer such calls and to take such action with regard thereto as may be required.

**Article 10.**

The total charge for wireless telegrams shall comprise:
1. The charge for the maritime transmission, that is:
   (a) The coastal rate, which shall fall to the coastal station;
   (b) The shipboard rate, which shall fall to the shipboard station.
2. The charge for transmission over the lines of the telegraph system, to be computed according to the general regulations. The coastal rate shall be subject to the approval of the Government of which the coastal station is dependent, and the shipboard rate to the approval of the Government whose flag the ship is flying.

Each of these rates shall be fixed in accordance with the tariff per word, pure and simple, with an optional minimum rate per wireless telegram, on the basis of an equitable remuneration for the wireless work. Neither rate shall exceed a maximum to be fixed by the High Contracting Parties.

However, each of the High Contracting Parties shall be at liberty to authorize higher rates than such maximum in the case of stations of ranges exceeding 800 km. or of stations whose work is exceptionally difficult owing to physical conditions in connection with the installation or working of the same.

For wireless telegrams proceeding from or destined for a country and exchanged directly with the coastal stations of such country, the High Contracting Parties shall advise one another of the rates applicable to the transmission over the lines of their telegraph system. Such rates shall be those resulting from the principle that the coastal station is to be considered as the station of origin or of destination.

**Article 11.**

The provisions of the present Convention are supplemented by Regulations, which shall have the same force and go into effect at the same time as the Convention.

The provisions of the present Convention and of the Regulations relating thereto may at any time be modified by the High Contracting Parties by common consent. Conferences of plenipotentiaries or simply administrative conferences, according as the Convention or the Regulations are affected, shall take place from time to time; each conference shall fix the time and place of the next meeting.

**Article 12.**

Such conferences shall be composed of delegates of the Governments of the contracting countries.

In the deliberations each country shall have but one vote.

If a Government adheres to the Convention for its colonies, possessions or protectorates, subsequent conferences may decide that such colonies, possessions or protectorates, or a part thereof, shall be considered as forming a country as regards the application of the preceding paragraph. But the number of votes at the disposal of one Government, including its colonies, possessions or protectorates, shall in no case exceed six.

**Article 13.**

An International Bureau shall be charged with collecting, coordinating and publishing information of every kind relating to wireless telegraphy, examining the applications for changes in the Convention or Regulations, promulgating the amendments adopted, and
generally performing all administrative work referred to it in the interest of international wireless telegraphy.

The expenses of such institution shall be borne by all the contracting countries.

**Article 14.**

Each of the High Contracting Parties reserves to itself the right of fixing the terms on which it will receive wireless telegrams proceeding from or intended for any station, whether on shipboard or coastal, which is not subject to the provisions of the present Convention.

If a wireless telegram is received the ordinary rates shall be applicable to it.

Any wireless telegram proceeding from a station on shipboard and received by a coastal station of a contracting country, or accepted in transit by the administration of a contracting country, shall be forwarded.

Any wireless telegram intended for a vessel shall also be forwarded if the administration of the contracting country has accepted it originally or in transit from a non-contracting country, the coastal station reserving the right to refuse transmission to a station on shipboard subject to a non-contracting country.

**Article 15.**

The provisions of Articles 8 and 9 of this Convention are also applicable to wireless telegraph installations other than those referred to in Article 1.

**Article 16.**

Governments which are not parties to the present Convention shall be permitted to adhere to it upon their request. Such adherence shall be communicated through diplomatic channels to the contracting Government in whose territory the last conference shall have been held, and by the latter to the remaining Governments.

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

**Article 17.**

The provisions of Articles 1, 2, 3, 4, 5, 6, 7, 8, 11, 12 and 17 of the International Telegraph Convention of St. Petersburg of July 10/22, 1875, shall be applicable to international wireless telegraphy.

**Article 18.**

In case of disagreement between two or more contracting Governments regarding the interpretation or execution of the present Convention or of the Regulations referred to in Article 11, the question in dispute may, by mutual agreement, be submitted to arbitration. In such case each of the Governments concerned shall choose another Government not interested in the question at issue.

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29479—S. Doc. 348, 67-4—28
The decision of the arbiters shall be arrived at by the absolute majority of votes.
In case of a division of votes, the arbiters shall choose, for the purpose of settling the disagreement, another contracting Government which is likewise a stranger to the question at issue. In case of failure to agree on a choice, eacharbiter shall propose a disinterested contracting Government, and lots shall be drawn between the Governments proposed. The drawing of the lots shall fall to the Government within whose territory the international bureau provided for in Article 18 shall be located.

**Article 19.**

The High Contracting Parties bind themselves to take, or propose to their respective legislatures, the necessary measures for insuring the execution of the present Convention.

**Article 20.**

The High Contracting Parties shall communicate to one another any laws already framed, or which may be framed, in the respective countries relative to the object of the present Convention.

**Article 21.**

The High Contracting Parties shall preserve their entire liberty as regards wireless telegraph installations other than provided for in Article 1, especially naval and military installations, which shall be subject only to the obligations provided for in Articles 8 and 9 of the present Convention.

However, when such installations are used for general public service they shall conform, in the execution of such service, to the provisions of the Regulations as regards the mode of transmission and rates.

**Article 22.**

The present Convention shall go into effect on the 1st day of July, 1908, and shall remain in force for an indefinite period or until the expiration of one year from the day when it shall be denounced by any of the contracting parties.

Such denunciation shall affect only the Government in whose name it shall have been made. As regards the other Contracting Powers, the Convention shall remain in force.

**Article 23.**

The present Convention shall be ratified and the ratifications exchanged at Berlin with the least possible delay.

In witness whereof the respective plenipotentiaries have signed one copy of the Convention, which shall be deposited in the archives.
of the Imperial Government of Germany, and a copy of which shall
be transmitted to each Party.
Done at Berlin, November 3, 1906.
For Germany: Kraetke.
Sydow.
For United States: Charlemagne Tower.
H. N. Manney.
James Allen.
John I. Waterbury.
For Argentina: J. Olmi.
For Austria: Barth.
Fries.
For Hungary: Pierre de Szalay.
Dr. de Henney.
Hollós.
For Belgium: F. Delarge.
E. Bubls.
For Brazil: César de Campos.
For Bulgaria: IV. Stoyanovitch.
For Chile: J. Muñoz Hurtado.
J. Mehy.
For Denmark: N. R. Meyer.
I. A. Voehltz.
For Spain: Ignacio Murcia.
Ramón Estrada.
Rafael Rávena.
Isidro Calvo.
Manuel Noriega.
Antonio Peláez-Campomanes.
For France: J. Bordelongue.
L. Gaschard.
Boulanger.
A. Devos.
For Great Britain: H. Babington Smith.
A. E. Bethell.
R. L. Heptisley.
For Greece: T. Argyropoulos.
For Italy: J. Colombo.
For Japan:  
Osuke Asano.  
Rokuro Yashiro.  
Shunkichi Kimura.  
Ziro Tanaka.  
Saburo Hyakutake.

For Mexico:  
José M. Pérez.

For Monaco:  
J. Defelley.

For Norway:  
Heftye.  
O. T. Eidsen.

For Netherlands:  
Kruyt.  
Pek.  
Hoven.

For Persia:  
Hovhannes Khan.

For Portugal:  
Paulo Benjamin Cabral.

For Rumania:  
Gr. Cercez.

For Russia:  
A. Eichholz.  
A. Euler.  
Victor Bilihine.  
A. Rembert.  
W. Kédrine.

For Sweden:  
Herman Rydin.  
A. Hamilton.

For Turkey:  
Nazif Bey.

For Uruguay:  
F. A. Costanzo.

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Supplementary Agreement.

(Treaty Series, No. 568; 37 Statutes at Large, 1574.)

Articles.

I. No distinction because of system adopted; transmission.  
II. Adherence.  
III. Ratification.

The undersigned plenipotentiaries of the Governments of Germany, the United States of America, Argentina, Austria, Hungary, Belgium, Brazil, Bulgaria, Chile, Denmark, Spain, France, Greece, Monaco, Norway, the Netherlands, Rumania, Russia, Sweden, Turkey, and Uruguay bind themselves mutually, from the date of the
going into effect of the Convention, to conform to the provisions of the following supplementary articles:

I.

Each station on shipboard referred to in Article 1 of the Convention shall be bound to correspond with any other station on shipboard without distinction of the wireless telegraph system adopted by such stations respectively.

II.

The Governments which have not adhered to the foregoing article may at any time signify, by following the procedure prescribed by Article 10 of the Convention, that they bind themselves to conform to its provisions.

Those which have adhered to the foregoing article may at any time, under the same conditions as provided for in article 22, signify their intention to cease conforming to its provisions.

III.

This agreement shall be ratified and the ratifications exchanged at Berlin with the least possible delay.

In witness whereof the respective plenipotentiaries have signed one copy of the present Agreement, which shall be deposited in the archives of the Imperial Government of Germany, and a copy of which shall be transmitted to each of the Parties.

Done at Berlin, November 3, 1906.

For Germany:

KRAETKE.
SYDOW.

For United States:

CHARLEMAGNE TOWER.
H. N. MANNEY.
JAMES ALLEN.
JOHN I. WATERBURY.

For Argentina:

J. OLMI.

For Austria:

BARTH.
FRIES.

For Hungary:

Pierre de Szalay.
Dr. de Henney.
Holzlos.

For Belgium:

F. Delarge.
E. Buels.

For Brazil:

Cesar de Campos.

For Bulgaria:

Iv. Stoyanovitch.

For Chile:

J. Muñoz Hurtado.
J. Merx.
For Denmark:  N. R. MEYER.
               I. A. VOERHTZ.

For Spain:  IGNACIO MURCIA.
             RAMÓN ESTRADA.
             RAFAEL RÁVENA.
             ISIDRO CALVO.
             MANUEL NORIEGA.
             ANTONIO PEÑEZ-CAMPOMANES.

For France:  J. BORDELONGUE.
             L. GASCHARD.
             BOULANGER.
             A. DEVOS.

For Greece:  T. ARGYROPoulos.

For Monaco:  J. DEPELLEY.

For Norway:  HEFTYE.
             O. T. EIDEM.

For Netherlands:  KRUT.
                  PERK.
                  HOVEN.

For Rumania:  GR. CERKEZ.

For Russia:  A. EIOHOIZ.
             A. EILER.
             VICTOR BILBINE.
             A. REMBERT.
             W. KÄDRINE.

For Sweden:  HERMAN RYDIN.
             A. HAMILTON.

For Turkey:  NAZIF BHY.

For Uruguay:  F. A. COSTANZO.

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FINAL PROTOCOL.

(Treaty Series, No. 688; 37 Statutes at Large, 1576.)

ARTICLES.

I. Voting power at succeeding conference.
II. Exemption of coastal stations.
III. Exercise of the right of exemption.
IV. Employment of system incapable of intercommunication.
V. Adherence by colonies, possessions, or protectorates.
VI. Ratification by Italy.
VII. Validity of convention prior to ratification by all signatory powers.
At the moment of signing the Convention adopted by the International Wireless Telegraph Conference of Berlin, the undersigned plenipotentiaries have agreed as follows:

I.

The High Contracting Parties agree that at the next Conference the number of votes to which each country is entitled (Article 12 of the Convention) shall be decided at the beginning of the deliberations, so that the colonies, possessions or protectorates admitted to the privilege of voting may exercise their right to vote during the entire course of the proceedings of such Conference.

This decision shall be of immediate effect and remain in force until amended by a subsequent Conference.

As regards the next Conference, applications for the admission of new votes in favor of colonies, possessions or protectorates which may have adhered to the Convention shall be addressed to the International Bureau at least six months prior to the date of the convening of such Conference. Notice of such applications shall at once be given to the remaining contracting Governments, which may, within the period of two months from the receipt of the notice, formulate similar applications.

II.

Each contracting Government may reserve the right to designate, according to circumstances, certain coastal stations to be exempted from the obligation imposed by Article 3 of the Convention, provided that, as soon as this measure goes into effect, there shall be opened within its territory one or several stations subject to the obligations of Article 3, insuring, within the region where the exempted stations are located, such wireless telegraph service as will satisfy the needs of the public service. The Governments desiring to reserve this right shall give notice thereof in the form provided for in the second paragraph of Article 10 of the Convention, not later than three months before the Convention goes into effect, or, in case of subsequent adhesion, at the time of such adhesion.

The countries whose names follow below declare now that they will not reserve such right:

- Germany,
- United States,
- Argentina,
- Austria,
- Hungary,
- Belgium,
- Brazil,
- Bulgaria,
- Chile,
- Greece,
- Mexico,
- Monaco,
- Norway,
- Netherlands,
- Rumania,
- Russia,
- Sweden,
- Uruguay.
III.

The manner of carrying out the provisions of the foregoing article shall be at the discretion of the Government which takes advantage of the right of exemption; such Government shall be at liberty to decide from time to time, in its own judgment, how many stations and what stations shall be exempted. Such Government shall likewise be at liberty as regards the manner of carrying out the provision relative to the opening of other stations subject to the obligations of Article 8, insuring, within the region where the exempted stations are located, such wireless telegraph service as will satisfy the needs of the public service.

IV.

It is understood that, in order not to impede scientific progress, the provisions of Article 3 of the Convention shall not prevent the eventual employment of a wireless telegraph system incapable of communicating with other systems, provided, however, that such incapacity shall be due to the specific nature of such system and that it shall not be the result of devices adopted for the sole purpose of preventing intercommunication.

V.

The adherence to the Convention by the Government of a country having colonies, possessions or protectorates shall not carry with it the adherence of its colonies, possessions or protectorates, unless a declaration to that effect is made by such Government. Such colonies, possessions and protectorates as a whole, or each of them separately, may form the subject of a separate adherence or a separate denunciation within the provisions of Articles 16 and 22 of the Convention.

It is understood that the stations on board of vessels whose headquarters is a port in a colony, possession or protectorate may be deemed as subject to the authority of such colony, possession or protectorate.

VI.

Note is taken of the following declaration:

The Italian delegation in signing the Convention does so with the reservation that the Convention can not be ratified on the part of Italy until the date of the expiration of her contracts with Mr. Marconi and his Company, or at an earlier date if the Government of the King of Italy shall succeed in fixing such date by negotiations with Mr. Marconi and his Company.

VII.

In case one or several of the High Contracting Parties shall not ratify the Convention, it shall nevertheless be valid as to the parties which shall have ratified it.

In witness whereof the undersigned plenipotentiaries have drawn up the present Final Protocol, which shall be of the same force and effect as though the provisions thereof had been embodied in the text of the Convention itself to which it has reference, and they have signed one copy of the same, which shall be deposited in the archives of the Imperial Government of Germany, and a copy of which shall be transmitted to each of the Parties.

Done at Berlin, November 2, 1906.
For Germany:

Krauske.
Sydow.

For United States:

Charlemagne Tower.
H. N. Manney.
James Allen.
John I. Waterbury.

For Argentina:

J. Olmi.

For Austria:

Barth.
Fries.

For Hungary:

Pierre de Szalay.
Dr. de Hennyey.
Hollos.

For Belgium:

P. Delarge.
E. Buebs.

For Brazil:

Cesar de Campos.

For Bulgaria:

Iv. Stoyanovitch.

For Chile:

J. Munoz Hurtado.
J. Mery.

For Denmark:

N. R. Meyer.
I. A. Voshtz.

For Spain:

Ignacio Murcia.
Ramón Estrada.
Rafael Raventás.
Isidro Calvo.
Manuel Noriega.
Antonio Peláez-Camponanes.

For France:

J. Bordelongue.
L. Gaschard.
Boulanger.
A. Devos.

For Great Britain:

H. Barrington Smith.
A. E. Bethell.
R. L. Hippisley.

For Greece:

T. Argyropoulos.

For Italy:

J. Colombo.

For Japan:

Osuke Asano.
Rokuro Yashiro.
Shunkichi Kimura.
Ziro Tanaka.
Saburo Hyakutake.
For Mexico: José M. Pérez.
For Monaco: J. Depellely.
For Norway: Heftye.
For Netherlands: Krüft.
For Persia: Hovhannes Khan.
For Portugal: Paulo Benjamin Cabral.
For Rumania: Gr. Cerkez.
For Russia: A. Eichholz.
For Sweden: Hermann Rydin.
For Turkey: Nazif Bey.
For Uruguay: F. A. Costanzo.

**Service Regulations Annexed to the International Wireless Telegraph Convention.**

(Treaty Series, No. 568; 37 Statutes at Large, 1681.)

**Articles.**

I. Organization of wireless telegraph stations. Articles 1, 2, 3, 4, 5, 6, and 7.
II. Hours of service of coastal stations. Article 8.
III. Form and posting of wireless telegrams. Articles 9, 10, 11.
IV. Rates. Articles 12 and 13.
V. Collection of charges. Article 14.
VI. Transmission of wireless telegrams.
VII. Delivery of wireless telegrams at their destination. Articles 31 and 32.
VIII. Special telegrams. Article 33.
IX. Files. Article 34.
X. Rebates and reimbursements. Article 35.
XI. Accounts and payment of charges. Article 36.
XII. International bureau. Articles 37 and 38.
XIII. Miscellaneous provisions. Articles 39, 40, 41, and 42.