

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

Geneva, 23 September 1936¹

ENTRY INTO FORCE	2 April 1938, in accordance with article 11.		
REGISTRATION:	2 April 1938, No. 4319. ¹		
TEXT:	See League of Nations,	<i>Treaty</i>	<i>Series,</i>
	../doc/Publication/UNTS/LON/Volume%20186/v186.pdf		and
	../doc/Publication/UNTS/LON/Volume%20197/v197.pdf		
	../doc/Publication/UNTS/LON/Volume%20200/v200.pdf		

Ratifications or definitive accessions

Brazil	(February 11th, 1938)	India	
Great Britain and Northern Ireland ²	(August 18th, 1937)	Ireland	(August 11th, 1937)
<i>Burma</i>	(October 13th, 1937 a)	Chile	(May 25th, 1938 a)
<i>Southern Rhodesia</i>	(November 1st, 1937 a)	Denmark	(February 20th, 1940)
<i>Aden Colony, Bahamas, Barbados, Basutoland,</i>		Egypt	(October 11th, 1937)
<i>Bechuana-land Protectorate, Bermuda, British Guiana,</i>		Estonia	(July 29th, 1938)
<i>British Honduras, British Solomon Islands Protectorate,</i>		Finland	(August 18th, 1938)
<i>Ceylon, Cyprus, Falkland Islands and Dependencies, Fiji,</i>		France	(November 29th, 1938 a)
<i>Gambia (Colony and Protectorate), Gibraltar, Gilbert and</i>		<i>French Colonies and Protectorates and Territories</i>	(March 8th, 1938)
<i>Ellice Islands Colony, Gold Coast [(a) Colony, (b) Ashanti,</i>		<i>under French Mandate</i>	(January 14th, 1939 a)
<i>(c) Northern Territories, (d) Togoland under British</i>		Guatemala	(November 18th, 1938 a)
<i>Mandate], Hong Kong, Jamaica (including Turks and</i>		Latvia	(April 25th, 1939 a)
<i>Caicos Islands and the Cayman Islands), Kenya (Colony</i>		Luxembourg	(February 8th, 1938)
<i>and Protectorate), Leeward Islands (Antigua, Dominica,</i>		Netherlands ³	(February 15th, 1939)
<i>Montserrat, St. Christopher and Nevis, Virgin Islands),</i>		Including the <i>Netherlands Indies, Surinam and Curaçao</i> .	
<i>Malay States [(a) Federated Malay States: Negri Sembilan,</i>		<i>New Hebrides (Anglo-French Condominium)</i>	(July 14th, 1939 a)
<i>Pahang, Perak, Selangor; (b) Unfederated Malay States:</i>		Norway	(May 5th, 1938)
<i>Johore, Kedah, Kelantan, Perlis, Trengganu, and Brunei],</i>		Salvador	(August 18th, 1938 a)
<i>Malta, Mauritius, Nigeria [(a) Colony, (b) Protectorate, (c)</i>		Sweden	(June 22nd, 1938 a)
<i>Cameroon under British Mandate], North Borneo (State of),</i>		Switzerland	(December 30th, 1938)
<i>Northern Rhodesia, Nyasaland Protectorate, Palestine</i>			
<i>(excluding Trans-Jordan), St. Helena and Ascension,</i>			
<i>Sarawak, Seychelles, Sierra Leone (Colony and</i>			
<i>Protectorate), Somaliland Protectorate, Straits Settlements,</i>			
<i>Swaziland, Tanganyika Territory, Tonga, Trans-Jordan,</i>			
<i>Trinidad and Tobago, Uganda Protectorate, Windward</i>			
<i>Islands (Grenada, St. Lucia, St. Vincent), Zanzibar</i>			
<i>Protectorate</i>			
	(July 14th, 1939 a)		
Australia	(June 25th, 1937 a)		
Including the Territories of <i>Papua and Norfolk Island</i> and			
the Mandated Territories of <i>New Guinea and Nauru</i> .			
New Zealand	(January 27th, 1938)		
Union of South Africa	(February 1st, 1938 a)		
Including the Mandated Territory of <i>South West Africa</i> .			

Signatures or accessions not yet perfected by ratification

Albania
 Argentina
 Austria
 Belgium

Under reservation of the declarations mentioned in the *procès-verbal* of the final meeting of the Conference.⁴

Colombia
 Dominican Republic
 Greece

Lithuania
 Mexico
 Romania
 Spain

Under reservation of the declaration mentioned in the *procès-verbal* of the final meeting of the Conference.⁵

Turkey
 Uruguay

Actions subsequent to the assumption of depositary functions by the Secretary-General of the United Nations

<i>Participant</i> ^{6,7}	<i>Ratification, Accession(a), Succession(d)</i>	<i>Denunciation</i>	<i>Participant</i> ^{6,7}	<i>Ratification, Accession(a), Succession(d)</i>	<i>Denunciation</i>
Afghanistan ⁸	8 Feb 1985 a		Liberia.....	16 Sep 2005 a	
Australia.....		[17 May 1985]	Malta.....	1 Aug 1966 d	
Bulgaria ⁹	17 May 1972 a		Mauritius.....	18 Jul 1969 d	
Cameroon.....	19 Jun 1967 d		Mongolia ¹²	10 Jul 1985 a	
France ¹⁰		[13 Apr 1984]	Netherlands ¹³		[10 Oct 1982]
Holy See	5 Jan 1967 a		Russian Federation ¹⁴	3 Feb 1983	
Hungary ¹¹	20 Sep 1984 a		United Kingdom of Great Britain and Northern Ireland ¹⁵		[24 Jul 1985]
Lao People's Democratic Republic	23 Mar 1966 a		Zimbabwe	1 Dec 1998 d	

Notes:

¹ See League of Nations, *Treaty Series*, [../doc/Publication/UNTS/LON/Volume%20186/v186.pdf](#) ; [../doc/Publication/UNTS/LON/Volume%20197/v197.pdf](#) and [../doc/Publication/UNTS/LON/Volume%20200/v200.pdf](#)

² See note 2 under [/Pages/HistoricalInfo.aspx?clang=_en#UnitedKingdomofGreatBritainandNorthernIreland](#) regarding Hong Kong in the "Historical Information" section.

³ See note 1 under [/Pages/HistoricalInfo.aspx?clang=_en#Netherlands](#) regarding Aruba/Netherlands Antilles in the "Historical Information" section.

⁴ 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."

⁵ This declaration is worded as follows:

"The Spanish Delegation declares that its Government reserves the right to put a stop by all possible means to propaganda liable adversely to affect internal order in Spain and

involving a breach of the Convention, in the event of the procedure proposed by the Convention not permitting of immediate steps to put a stop to such breach."

⁶ The instrument of ratification was received on 18 September 1984 from the Government of Czechoslovakia accompanied with the following reservation and declarations:

Reservation:

"Having seen and considered the International Convention aforesaid and knowing that the Federal Assembly of the Czechoslovak Socialist Republic agrees to it, we approve and confirm it in accordance with its article 9, while stipulating that the Czechoslovak Socialist Republic does not feel to be bound by the provisions of its article 7 concerning the submission of disputes over the interpretation or implementation of the Convention to arbitration or judicial settlement."

Declarations:

"The provision of article 14 is in contradiction to the Declaration on the Granting of Independence to Colonial Countries and Peoples which was adopted at the XVth Session of the General Assembly of the United Nations in 1960 and the Czechoslovak Socialist Republic regards it therefore as superseded".

"The Czechoslovak Socialist Republic retains the right to adopt any measures in protection of its interests, both in case of

failure by other States to comply with the Convention and in case of other actions harmful to its interests".

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 in this chapter), the Secretary-General circulated the said reservation and declarations on 30 October 1984 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of ratification with reservation and declarations.

Subsequently, on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation to article 7 made upon ratification.

See also note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matvolume.

⁷ The instrument of accession had been received on 30 August 1984 from the Government of the German Democratic Republic, with the following reservation and declaration:

Reservation :

The German Democratic Republic does not consider itself bound by the provisions of Article 7 of the Convention, according to which disputes regarding the interpretation or application of the Convention in the absence of a settlement by way of negotiation shall be submitted, at the request of one of the Parties to the dispute, to arbitration or to judicial settlement. The German Democratic Republic holds the view that in every single case the consent of all Parties to the dispute shall be necessary to refer a particular dispute to arbitration or to judicial settlement.

Declaration :

The position of the German Democratic Republic on Article 14 of the International Convention concerning the Use of Broadcasting in the Cause of Peace of 23 September 1936, as far as the application of the Convention to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations. The German Democratic Republic expresses its conviction that the purpose of the Convention would be served if all member States of the United Nations Organization were granted the possibility to become parties to the Convention. The German Democratic Republic declares that it reserves itself the right to take measures to protect its interests in the case that other States would not comply with the provisions of the Convention or in the case of other activities which affect the interests of the German Democratic Republic.

Since the Convention concerned is one of those in respect of which the Secretary-General, under resolution 24 (I) of the United Nations General Assembly, exercises the functions previously carried out by the Secretary-General of the League of Nations, and taking into account the practice followed by the latter in the case of reservations made in respect of multilateral treaties which do not contain provision in that regard, the Secretary-General had requested the States concerned, by

circular letter dated 19 September 1984, to notify him within 90 days of any objection to the reservation quoted above.

In this regard, the Secretary-General had received on 5 December 1984 from the Government of the United Kingdom of Great Britain and Northern Ireland, the following objection:

"1. [The Government of the United Kingdom of Great Britain and Northern Ireland] do not accept the reservation to article 7 of the Convention contained in the note accompanying the instrument.

"2. [The Government of the United Kingdom of Great Britain and Northern Ireland] do not accept the declaration concerning article 14 contained in the note accompanying the instrument.

"3. [The Government of the United Kingdom of Great Britain and Northern Ireland] do not consider either of the foregoing statements as precluding the entry into force of the Convention for the German Democratic Republic."

This above-quoted objection being the only one received by the Secretary-General within the 90 day period, and it not precluding the entry into force of the Convention for the German Democratic Republic, the Secretary-General proceeded with the deposit of the instrument (19 December 1984) with reservation and declaration.

See also note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

⁸ The instrument of accession was received on 31 July 1984 from the Government of Afghanistan, with the following reservation and declarations:

Reservation:

(i) The Democratic Republic of Afghanistan, by acceding to the International Convention concerning the Use of Broadcasting in the Cause of Peace, does not bound herself to the provision of article 7 of the said Convention, because, in accordance with this article, in the case of dispute arising between two or several High Contracting Parties regarding the interpretation or application of the Convention, only at the request of one of the concerned parties, the case can be submitted to the Permanent Court of International Justice for judgement.

Therefore, concerning this matter, the Democratic Republic of Afghanistan declares that in the case of dispute regarding the interpretation or application of the Convention, the case should be submitted to the Permanent Court of International Justice with the agreement of all concerned parties.

Interpretative declaration:

(ii) Likewise, the Democratic Republic of Afghanistan declares that the provision of article 14 of this Convention runs counter to the Declaration, adopted in the year 1960, on the Granting of Independence to Colonial Countries and Peoples, the interpretation of which indirectly confirms the continuation of the existence of the colonies and protectorates.

Therefore, the Democratic Republic of Afghanistan does not deem necessary the existence of article 14 in the said Convention and does not bound herself to it.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 in this chapter), the Secretary-General circulated the said reservation and interpretative declaration on 9 November 1984 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of accession with reservation and interpretative declaration.

⁹ The instrument of accession was received on 4 November 1971, from the Government of Bulgaria, and accompanied with the following reservation:

1. The People's Republic of Bulgaria will not consider itself bound by the provisions of the section of article 7 of the Convention which provided for consideration of disputes between Parties by the International Court of Justice at the request of one of the Parties. Any decision by the Court concerning a dispute between the People's Republic of Bulgaria and another Party to the Convention rendered on a basis of a request made to the Court without the consent of the People's Republic of Bulgaria will be considered null and void.

2. The People's Republic of Bulgaria will apply the principles of the Convention in respect of all States Parties to the Convention on the basis of reciprocity. However, the Convention will not be deemed to create formal commitments between countries which do not maintain diplomatic relations.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 6), the Secretary-General had requested the States concerned, by circular letter dated 17 February 1972, to notify him within 90 days of any objection to the reservation quoted above.

In a communication received by the Secretary-General on 12 May 1972 with respect to the above reservation, the Permanent Representative of the United Kingdom to the United Nations stated the following:

"The United Kingdom Government wish to put on record that they are unable to accept the reservation contained in paragraph 1 of this statement. They are also unable to accept the reservation contained in the second sentence of paragraph 2 because, in their view, treaties create rights and obligations between contracting States irrespective of whether those States maintain diplomatic relations. They do not, however, consider these objections as precluding the entry into force of the Convention for Bulgaria."

This above-quoted objection being the only one received by the Secretary-General within the 90 day period, and it not precluding the entry into force of the Convention for Bulgaria, the Secretary-General proceeded with the deposit of the instrument with reservation and declaration.

¹⁰ The notification specifies that the denunciation is being effected since the French broadcasting régime resulting from the Law of 29 July 1982 on audio-visual communications does not appear to be compatible with the provisions of the Convention.

¹¹ The instrument of accession was received on 17 May 1984 from the Government of Hungary, with the following declaration and reservation:

Declaration:

"The Hungarian People's Republic declares [. . .] that the provisions of article 14 of the Convention are at variance with United Nations General Assembly resolution 1514 (XV) of 14 December 1960 on the Granting of Independence to Colonial Countries and Peoples and as such have lost their topicality."

Reservation:

"The Hungarian People's Republic does not consider itself bound by the provisions of article 7 of the Convention that should a dispute arise between the 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, at the request of one of the Parties, be submitted to arbitration or to judicial settlement, and declares that submission of any such dispute to arbitration or to judicial settlement shall be subject to the common consent of the Parties."

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 6), the Secretary-General had requested by circular letter dated 21 June 1984, to notify him within 90 days of any objection to the reservation quoted above.

In this regard, the Secretary-General received on 24 September 1984, from the Government of the United Kingdom of Great Britain and Northern Ireland, the following objection:

[The Government of the United Kingdom of Great Britain and Northern Ireland]:

"1. do not accept the reservation to article 7 of the Convention contained in the note accompanying the instrument.

"2. do not accept the declaration concerning article 14 contained in the note accompanying the instrument.

"3. do not consider either of the foregoing statements as precluding the entry into force of the Convention for Hungary."

¹² The instrument of accession was received on 10 July 1985 from the Government of Mongolia and accompanied with the following reservation and declarations:

Reservation:

The Mongolian People's Republic does not consider itself bound by the provisions of article 7 of the Convention under which disputes concerning the interpretation or application of the Convention and which has not been settled by means of negotiations shall be submitted to arbitration or to judicial settlement at the request of one of the Parties to the dispute. The Mongolian People's Republic considers that for the submission of a dispute to any judicial settlement, the consent of all Parties to the dispute shall be essential in every individual case.

Declarations:

The Mongolian People's Republic declares that it retains the right to take any measures to preserve its interests both in the event of failure by other states to observe the provisions of the

Convention and in the event of encroachment on the interests of the Mongolian People's Republic;

The Mongolian People's Republic declares that the provisions of article 14 of this Convention are obsolete and contradict the Declaration on the granting of independence to colonial countries and peoples adopted by the United Nations General Assembly resolution 1514/XV of 14 December 1960.

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 in this chapter), the Secretary-General circulated the said reservation and declarations on 6 September 1985 and, in the absence of objection within the period of ninety days as from that date, proceeded with the deposit of the instrument of accession with the said reservation and declaration.

Subsequently, on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation made upon ratification with respect to article 7.

¹³ With effect from 11 October 1983.

¹⁴ The signature was effected on 23 September 1936 under the reservation of the declarations mentioned in the procès-verbal of the final meeting to the Conference (for the text of the declarations, see League of Nations, *Treaty Series*, /doc/Publication/UNTS/LON/Volume%20186/v186.pdf . The instrument of ratification, received by the depositary on 28 October 1982, was accompanied by the following reservation and declaration, which supersede those made upon signature:

[1.] The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 7 of the Convention under which any dispute that may arise regarding the interpretation or application of the Convention which has not been settled by means of negotiations shall be submitted to arbitration or to judicial settlement at the request of one of the Parties, and declares that, for the submission of such a dispute to arbitration or to judicial settlement, the agreement of all Parties to the dispute shall be essential in every separate case;

[2.] The Union of Soviet Socialist Republics declares that it retains the right to take any measures to preserve its interests both in the event of failure by other States to observe the provisions of the Convention and in the event of any other actions that encroach on the interests of the USSR;

[3.] The Union of Soviet Socialist Republics declares that the provisions of article 14 of the Convention are obsolete and contradict the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the United Nations General Assembly (resolution 1514 (XV) of 14 December 1960).

Since the Convention concerned is one which was formerly deposited with the Secretary-General of the League of Nations, and in accordance with established procedure (see note 5 in this chapter), the Secretary-General circulated the said reservation and declarations on 5 November 1982 and, in the absence of objection within the period of 90 days as from that date, proceeded with the deposit of the instrument of ratification with reservation and declarations.

In this regard, the Secretary-General received on 9 December 1983 from the Government of the United Kingdom and Northern Ireland, the following communication:

"The Government of the United Kingdom of Great Britain and Northern Ireland wish to place on record the following:

"1. They do not accept the reservation to article 7 of the Convention reproduced under (1) of [the reservation and declarations made by the Union of Soviet Socialist Republics].

"2. They note [the Secretary-General's] understanding that the declaration reproduced under (2) of [the said reservation and declarations] does not purport to modify the legal effect of any provision of the Convention. If, contrary to this understanding, the declaration were intended to modify the legal effect of any provision of the Convention, they would consider it incompatible with the object and purpose of the Convention, particularly when taken together with the purported reservation to article 7.

"3. They do not accept the declaration concerning article 14 reproduced under (3) of [the said reservation and declarations].

"4. They do not consider any of the foregoing statements as precluding the entry into force of the Convention for the Union of Soviet Socialist Republics."

¹⁵ The notification specifies that the denunciation shall apply in respect of the United Kingdom of Great Britain and Northern Ireland and those dependent territories to which the Convention was applied and for whose international relations the United Kingdom is still responsible.

