

Geneva, April 9th, 1930.

**LEAGUE OF NATIONS**

[*Translation.*]

**CONVENTION**

BETWEEN THE

SECRETARY-GENERAL OF THE LEAGUE OF NATIONS

AND THE

RADIO-SUISSE, INCORPORATED WIRELESS TELEGRAPH AND  
TELEPHONE COMPANY, BERNE,

CONCERNING THE

**Establishment and Operation in the Neighbourhood of Geneva**

OF A

**WIRELESS STATION**

The Secretary-General of the League of Nations, hereinafter termed the "Secretary-General",

and

The Radio-Suisse, Incorporated Wireless Telegraph and Telephone Company, hereinafter termed the "Radio-Suisse", acting with the approval of the Swiss Federal Council,

Have agreed on the following provisions in execution of the agreement concluded on May 21st, one thousand nine hundred and thirty between the Swiss Federal Council and the Secretary-General of the League of Nations.

**I. TECHNICAL ARRANGEMENTS.**

*Article 1.*

1. Subject to the provisions of paragraph 3 below, the Radio-Suisse shall be the owner of the wireless station situated in the neighbourhood of Geneva and known as "Radio-Nations" by reason of its international character. This station shall comprise :

(a) A transmitting station, including the land, in the neighbourhood of Prangins, near Nyon, and having a long-wave transmitter with an aerial power of 50 kw. ;

(b) A receiving station, including the land, in the neighbourhood of Colovrex, near Geneva, equipped with two high-speed long-wave telegraphic receivers and two high-speed short-wave telegraphic receivers ;

(c) An operating-office.

2. The Radio-Suisse shall complete the equipment of this station, at the cost of the League of Nations, by installing short-wave transmitters and a certain number of receivers. The technical specifications of the installations to be added to the wireless centre owned by the Radio-Suisse at Geneva shall be determined by the Secretary-General after consultation with the competent technical Committee of the League of Nations and with the Radio-Suisse.

3. All technical installations (machinery, apparatus, etc.) acquired at the expense of the League of Nations and set up in the buildings of the Radio-Suisse or on land belonging to the Radio-Suisse, shall be the property of the League of Nations. The Radio-Suisse shall have the right of user, but undertakes to restore such installations to the League of Nations on the expiry of the present Convention, in conformity with the provisions contained therein.

*Article 2.*

1. The purchase of the material for the short-wave post and the purchase of any other wireless installations deemed necessary by the Secretary-General for the short-wave post of Radio-Nations shall be effected by the Secretary-General, after consultation with the competent technical organ of the League and with the Radio-Suisse.

2. The Radio-Suisse shall accept final delivery of installations and material after authorisation by the Secretary-General. The Secretary-General shall satisfy himself that the installations and the material correspond to the specifications agreed upon; for this purpose he shall consult the competent technical organ of the League and the Radio-Suisse.

3. An auxiliary centre capable of being used at times of emergency and in direct communication by wire with the station and with the Geneva Central Telegraph Office shall be established, whenever desired by the League of Nations and at the latter's expense, at the seat of the Secretariat.

*Article 3.*

The station shall be equipped with all the improvements that may be found practicable and adaptable to its service; it shall always be kept up to the highest technical standard. The cost of the necessary purchases for the long-wave post shall be borne by the Radio-Suisse and for the short-wave post by the League of Nations, except the land and buildings and the central operating-office.

II. OPERATION.

A. OPERATION IN NORMAL TIMES.

*Article 4.*

1. In normal times the station shall be operated by the Radio-Suisse.

2. The station shall be so organised that it shall have at Geneva or in the neighbourhood of Geneva, in case it should have to work independently of the other Radio-Suisse organs at times of emergency, all elements and services necessary for its operation and its satisfactory working.

3. The central operating-office shall be placed in separate premises but in direct communication with the Geneva Central Telegraph Office, which is already connected with the Secretariat of the League of Nations by pneumatic post for the rapid transmission of messages.

*Article 5.*

The Radio-Suisse undertakes to ensure the most economical operation of the station. The salaries of the staff of the station shall, in general, correspond to the salaries that the Radio-Suisse normally pays its staff.

*Article 6.*

1. The programme of operation of the short-wave post shall be drawn up by the Secretary-General after consultation with the Radio-Suisse, in accordance with the provisions of Article 1, paragraph 1, of the Agreement between the Swiss Federal Council and the Secretary-General of the League of Nations, and with due reference to the provisions of the following paragraph of the present article.

2. The Radio-Suisse undertakes, subject to the provisions of paragraph 3 hereunder, to despatch by the short-wave post extra-European telegrams which do not bear any instructions by the sender precluding the use of such means, provided always that it is technically and practically possible to do so and that such despatch ensures satisfactory transmission.

3. As regards communications with North America, the League of Nations reserves the right to use the short-wave post for official communications. In the case of other communications with North America, this post shall not be used except at the request of the Radio-Suisse, and the latter further undertakes not to despatch via North America communications to South America or to the Far East, unless the sender has indicated the use of this route or unless the Secretary-General has signified his agreement.

4. The short-wave post shall normally be used for extra-European communications, but the Secretary-General may despatch through this post official communications of the League intended for European countries. The Radio-Suisse shall also be entitled to use the short-wave post for European messages in the case of exceptionally heavy traffic with European countries, provided always that the official communications of the League are not delayed and that communications intended for extra-European countries are not hindered.

5. The programme for the short-wave post may include the organisation of special liaison services between the League of Nations and the various States, such as services for the radiotelegraphic or radiotelephonic broadcasting of information, or for the exchange of official documents, special listening-in services, etc.

*Article 7.*

The programme of operation for the long-wave post shall be drawn up by the Radio-Suisse with due regard to the provisions of Articles 8 and 9.

*Article 8.*

The Radio-Suisse undertakes to establish immediately, by means of the long-wave post or the short-wave post, direct communication with countries not ordinarily connected with the Radio-Nations and with which the Secretary-General may, subject to the provisions of Article 17, paragraph 1, deem it necessary to be in direct communication, provided that such communication is feasible and that the corresponding station agrees thereto.

*Article 9.*

1. The following special measures shall be provided for in the programme of operation of the long-wave post :

(a) The establishment on a single occasion, as an experiment, of direct wireless communication with each of the corresponding stations designated by the League of Nations, in so far as the post and the corresponding stations possess adequate technical equipment and consent to this measure ;

(b) A weekly exchange of communications, at a pre-concerted time, with the stations designated by the League of Nations (calling-up and calling-off) in order to ensure that wireless communications with these stations can be established by Geneva at any moment ;

(c) The daily broadcasting of one or more communications from the League of Nations in order to establish daily contact with the stations concerned in the reception of Geneva wireless communications ;

2. This special programme shall be carried out to the extent that the Secretary-General may deem necessary. It may be extended by agreement between the Secretary-General and the Radio-Suisse.

*Article 10.*

The official communications of the League of Nations shall enjoy any special facilities that may be provided for in arrangements concluded between the League of Nations and foreign administrations, without such facilities being similarly extended to unofficial communications.

*Article 11.*

In order that the Secretariat of the League of Nations may have at its disposal at times of emergency the necessary additional or substitute staff and may give such staff in normal times an opportunity of becoming familiar with the working of the station, the Radio-Suisse shall give reasonable facilities in respect of the admission, for purposes of training or, preferably, as additional staff in times of heavy traffic (sessions of the Assembly, conferences, etc.); of specialists whom foreign administrations may place at the disposal of the Secretariat, with a view to the operation of the station at times of emergency. Any additional expenditure thereby incurred by the Radio-Suisse shall be chargeable to the League of Nations.

B. OPERATION AT TIMES OF EMERGENCY.

*Article 12.*

1. As soon as the Radio-Suisse is informed by the Swiss Government that the Secretary-General has officially notified it that a period of emergency has begun, the Radio-Nations shall immediately pass under the management of the League of Nations. The Radio-Suisse shall take all necessary measures to facilitate such transfer.

2. While the period of emergency lasts, the permanent staff employed at the station shall receive the salary they would receive if the station were operated at times of emergency by the Radio-Suisse.

3. On the termination of the period of emergency, the Secretary-General shall hand the station back to the Radio-Suisse in conformity with the provisions of the Agreement concluded with the Swiss Government. The League of Nations shall take all necessary measures to facilitate this measure.

### III. FINANCIAL ARRANGEMENT.

#### *Article 13.*

The Radio-Suisse shall, without payment of any compensation by the League of Nations, not only bear the cost of the installations already in existence at Prangins, Colovrex and the Geneva Central Office, but also the whole of the cost of acquiring land and the cost of initial establishment of the buildings of the transmitting station and of the receiving station and also the costs of acquiring and setting up the additional apparatus at the Central Office.

#### *Article 14.*

1. The League of Nations shall provide the necessary capital for the purchase and installation of the short-wave post and the receivers for the operation of the short-wave post, and also the necessary capital for such extensions or changes in the technical installations of the station as may be executed in conformity with the provisions of Article 2 above.

2. An annual statement of expenditure shall be drawn up, including :

(a) The operation expenses duly vouched for by the Radio-Suisse. These expenses shall be calculated on the basis of the actual expenditure on electrical power, material used, repairs and upkeep, the station's technical, telegraphist and accountancy staff, and miscellaneous expenses such as insurance premiums, etc. The expenses in respect of staff shall be assessed jointly by the Secretary-General and the Radio-Suisse with due regard to the fact that certain of the staff will be employed simultaneously in the operation of installations belonging to the League and in the service of the Radio-Suisse installations.

(b) Ten per cent of such operation expenses due to the Radio-Suisse for general administrative costs.

3. The categories of expenditure to be charged to the capital account and the operation account respectively shall be defined in a special arrangement between the Secretary-General and the Radio-Suisse.

#### *Article 15.*

Should the operation receipts in any financial year prove insufficient to balance expenditure, the deficit shall be met by the League. The Secretary-General shall, in the course of the financial year, advance to the Radio-Suisse a sum sufficient to meet expenses.

#### *Article 16.*

The allocation of revenue in respect of communications by the short-wave post shall be effected in accordance with the following provisions :

1. The terminal charges for official communications shall accrue to the League, including the terminal charges for communications effected with the co-operation of the Swiss administration from or to the Geneva area. If, however, the Swiss administration is called upon to co-operate outside that area, the terminal charges shall accrue to the said administration. The terminal charges for non-official communications shall accrue to the Swiss administration.

2. The revenue from the transit charges due to the station in respect of communications, whether official or non-official, shall accrue to the League, subject to the provisions of paragraph 3 hereunder.

3. On the revenue derived from the transit charges due to the station in respect of communications, whether official or non-official, the Radio-Suisse shall be allowed a premium by way of interest in the development of the traffic. Such premium shall be calculated as follows :

(a) Of the gross revenue up to a sum equal to the expenses shown in the operation account : 10 per cent ;

(b) Of the gross revenue in excess of such sum up to a sum equal to the amount which would be required to cover the amortisation, at the rate of 10 per cent per annum of the capital represented by the installations established at the cost of the League and  $5\frac{1}{2}$  per cent interest on the unredeemed portion of such capital : 20 per cent ;

(c) Of the gross revenue in excess of such sum, up to an amount of which 70 per cent would be equal to the premiums mentioned in (a) and (b) plus the deficits, if any, (operation, amortisation, interest on capital) from previous financial years : 30 per cent ;

(d) Of the gross revenue in excess of such sum : 50 per cent.

*Article 17.*

1. The League shall pay a special charge to the Radio-Suisse for any special services that the Secretary-General may require in respect of the long-wave post.

2. The cost of the special measures under Article 9 (*a*) and (*b*), carried out by means of the long-wave transmitter, shall be borne by the Radio-Suisse. In the carrying out of the measure under paragraph (*c*) of the same article the League shall be charged the sum of 10 centimes per word.

*Article 18.*

The Radio-Suisse shall keep for the capital, reserve material, and operation receipts and expenditure in respect of the short-wave post and other installations covered by the financial arrangement a separate account, which the organ appointed by the Secretary-General may ask to inspect at any time. All details regarding the drawing up of this account shall be decided in the arrangement referred to in Article 14, paragraph 3.

*Article 19.*

The accounting year shall coincide with the civil year. The Radio-Suisse shall submit the yearly account to the Secretary-General as soon as the accounts with foreign administrations have been worked out and, at latest, by the end of April of the year following the accounting year. The organ appointed by the Secretary-General may ask to inspect the books of the accounting service in so far as they relate to operations carried out by the short-wave post.

*Article 20.*

1. In times of emergency, the operation of the station shall be transferred to the League on payment to the Radio-Suisse of the various items mentioned in paragraph 2 hereunder, on the understanding that the provisions of Article 16 above shall not be applicable. For this purpose, the Radio-Suisse shall draw up for the Secretary-General a detailed statement of all movable and immovable property belonging to the Radio-Suisse, as at the date of the handing over of the station. The value of this property shall be calculated on the basis of its book value. In the case of property entirely amortised, the value shall be calculated on the basis of its marketable value, which shall be assessed by the Radio-Suisse in agreement with the Secretary-General, or, failing agreement, by expert valuation. The Radio-Suisse shall debit the League with the value of the installations handed over, which are the property of the Radio-Suisse.

2. The value of the property of the Radio-Suisse shall be amortised by the League of Nations during the period of emergency, at the following rates : 10 per cent for machinery, apparatus and instruments, 5 per cent for furniture and 4 per cent for buildings and aerials. This percentage shall, in the case of installations that have not been amortised, be calculated on the basis of their initial capital value. In the case of installations which have been amortised at the time the station is handed over, or which may be amortised during the period of emergency, the League shall, at the termination of the said period, pay the Radio-Suisse a sum corresponding to the actual depreciation of these installations ; such sum shall not in any case be less than 5 per cent per annum of their marketable value, assessed as provided above, for machinery, apparatus and instruments, 2½ per cent for furniture, and 2 per cent for buildings and aerials. Further, the League shall pay the Radio-Suisse interest on the capital shown in the statement of capital values drawn up at the end of each accounting period. In the case of installations that have not been amortised, this interest shall be calculated on the part of capital invested that has not been amortised, and in the case of installations that have been amortised, on the basis of their marketable value. It shall be fixed at 1 per cent over and above the average discount rate charged by the Banque Nationale Suisse during the period of emergency.

3. The amortisation and interest account shall be drawn up by the Radio-Suisse on the termination of the period of emergency ; it shall cover the period included between the date on which the station is handed over to the League and the date on which it is handed back to the Radio-Suisse.

4. Should the period of emergency continue beyond the close of the financial year (civil year) of the Radio-Suisse, the amortisation and interest account shall be drawn up, first, as at the end of the accounting year and, subsequently, as at the end of each succeeding accounting year, or as at the end of the period of emergency.

5. The account kept in normal times by the Radio-Suisse of the value of installations effected at the cost of the League of Nations shall be handed to the Secretary-General as soon as the operation of the station is transferred to the League of Nations. During the period of emergency, this account shall continue to be kept in the same way by the League of Nations, unless the League requests the Radio-Suisse to undertake this duty. If so requested, the Radio-Suisse shall place at the disposal of the Secretary-General the necessary staff for this accounting service.

6. In view of the possible use of the station for the transmission of private messages, the Secretary-General shall instruct those in charge of the post to organise a complete accounting service such as will exist in normal times. At the request of the Secretary-General, the Radio-Suisse will put at his disposal all the necessary staff for this accounting service.

7. The allocation of revenue and of any profits from the operation of the station shall be effected in accordance with the provisions of Article 8 of the Agreement between the Swiss Government and the Secretary-General of the League.

*Article 21.*

There shall be an equitable settlement between the Secretary-General and the Radio-Suisse as regards losses sustained or advantages secured as a result of the operation of the station in times of emergency by the League of Nations. Should the Secretary-General and the Radio-Suisse fail to reach agreement on this matter, the terms of settlement shall be decided by a Committee of five experts, two of whom shall be appointed independently by each party, while the fifth, who shall of right be Chairman of the Committee, shall be appointed by mutual agreement or, failing agreement, by the President of the Permanent Court of International Justice. The terms of settlement drawn up by this Committee shall be binding on both parties.

IV. GENERAL PROVISIONS.

*Article 22.*

The competent organ of the League of Nations may at any time verify the technical efficiency and working of the Radio-Nations station.

*Article 23.*

1. A representative of the Secretary-General shall participate, without the right to vote, in the discussions of the Board of Directors of the Radio-Suisse regarding any question that might effect the Radio-Nations. For this purpose, the agenda of any meeting of the Board of Directors shall be communicated to him at least ten days in advance. On his request, submitted at least five days before the meeting of the Board of Directors, any new question which might affect the Radio-Nations and which he thinks should receive consideration will be placed on the agenda.

2. On the request of the representative of the Secretary-General, extraordinary meetings of the Board of Directors shall be convened for the consideration of any questions raised by the representative of the Secretary-General and of which that representative thinks consideration cannot be postponed until the next ordinary meeting of the Board of Directors.

3. Should the Secretary-General consider that a decision of the Board of Directors might prejudice the interests of the League or affect the application of the agreement between the Swiss Government and the Secretary-General or of the present Convention, the question in regard to which the decision was taken shall, on the request of the Secretary-General, be re-examined by the Swiss Government and the Secretary-General, and, failing agreement between them, shall be decided according to the procedure provided for in Article 12 of the Agreement between the Swiss Government and the Secretary-General. If any of the above-mentioned decisions should affect the working or operation of the short-wave post, which is the property of the League of Nations, the execution of such decision shall be postponed until an agreement has been reached between the Swiss Government and the Secretary-General, or, if necessary, until there has been a settlement by arbitration, under the conditions defined above.

4. In order to facilitate the exercise of the powers conferred on the Secretary-General and on the organs of the League by the Agreement between the Swiss Government and the Secretary-General and by the present Convention, the Secretary-General shall be represented by a technical delegate accredited to the Director of the Radio-Suisse and to the head of the Radio-Nations station. Every facility shall be given to this delegate to carry out his duties.

*Article 24.*

The Radio-Suisse shall be responsible to the League for all damage to installations belonging to the League due to gross want of care of the Radio-Suisse or its agents.

V. FINAL PROVISIONS.

*Article 25.*

1. The present Convention shall remain in force for the same period as the Agreement concluded between the Swiss Government and the Secretary-General concerning the Geneva station. A denunciation of the Agreement by either party shall involve the cancellation of the present Convention as on the same date.
2. The present Convention may be revised at any time by mutual agreement.

*Article 26.*

1. Should the Convention be denounced, the League of Nations, if it proposes to use its material in any other way, may resume possession of the technical installations for which it has provided the capital ; it shall bear the costs of the removal and transfer thereof.
2. The removal and transfer of the installations shall be so effected as to avoid as far as possible any complete interruption of the operation of the station.
3. If the League of Nations waives its right to resume possession of the installations in question, they shall become the property of the Radio-Suisse. The Radio-Suisse shall pay the League the marketable value of such installations, *i.e.*, their commercial value from the point of view of Radio-Suisse operation.
4. The marketable value to be paid by the Radio-Suisse to the League shall be determined by agreement between the Secretary-General and the Radio-Suisse. Failing agreement, it shall be determined by a Committee of experts on which each party shall be represented by one delegate and of which the Chairman shall be an expert chosen by mutual agreement. Should the two parties not agree on the choice of the third expert, he shall be appointed by the President of the Permanent Court of International Justice at The Hague. The Committee's decisions shall be binding on both parties.

IN FAITH WHEREOF the undersigned have concluded the present Convention.

DONE in duplicate at Geneva, on the 21st day of May, one thousand nine hundred and thirty.

(Signed) ERIC DRUMMOND.

(Signed) FÜRBER.  
Dr. F. ROTHEN.

