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# THE LIEGE CONGRESS OF THE INTERNATIONAL COMMITTEE ON WIRELESS TELEGRAPHY

JOHN W. GUIDER\*

Seventeen nations and the League of Nations were officially represented at the Fourth Juridical Congress of the International Committee on Wireless Telegraphy. Several other nations, including the United States, were unofficially represented. The American Section of the International Committee had two representatives at the meeting, one of whom, Colonel Samuel Reber, was elected a Vice-President at the first session of the delegates.

The American Section sent to the Congress, a carefully prepared report of its position on each of the questions to be discussed at the meeting.<sup>1</sup> This report, which was printed in both English and French, was furnished to all of the delegates, and was entirely successful in the sense that it clearly presented the American viewpoint, in a permanent form. The American Report was frequently cited in the discussions.

The Congress was held under the patronage of the Belgian Government, and the delegates met for their sessions at the University of Liege. At the opening session M. Forthomme, the Belgian Minister of Posts and Telegraph, greeted the delegates, and expressed the interest of the Belgian Government in the work of the International Committee.

M. Ernest Mahaim, a professor at the University of Liege, and a former Minister, was chosen as President of the Congress. In addition to Colonel Reber, the delegates elected as Vice-Presidents M. Bahman Khan of Belgium, M. Henryck Konig of Poland, and M. Mellet of France. M. Robert Homburg, the able and active founder of the International Committee, retained his post as Reporter-General, and M. Georges Dor, of Liege, was made Secretary-General.

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1. The drafting committee which prepared this report was constituted as follows: Louis G. Caldwell, Chairman; Commander T. A. M. Craven, U. S. N., Gerald C. Gross, Howard S. Leroy, and William R. Vallance.

The following *vœux* were adopted by the Congress:<sup>2</sup>

### I.—TERMINOLOGY

*Amateur*—Any person using in a lawful manner an experimental transmitting station for scientific purposes and not for profit.

*Antenna*—An electrical conductor or assemblage of conductors serving to radiate or to receive electromagnetic waves.

*Call*—Procedure used by a station for the purpose of opening radio communication with other stations.

*Distress Call*—The special procedure used by a station in case of distress to communicate with other stations.

*Interference* (Brouillage)—Confused reception due to natural electromagnetic disturbances, undesired signals or other causes.

*Correspondence*—Exchange of radioelectric communications between two specified stations (or posts).

*Distress*—The state of a vessel, aircraft or any other vehicle which is threatened by grave and imminent danger requiring immediate assistance.

*Stand-By* (Ecoute)—Preparation made by a station (or post) to be ready for reception either continuously or for a specified period.

*Emission*—The radiation of electromagnetic waves in a fixed or variable direction by a station (or post).

*Call Letter*—Registered formula enabling a station (or post) to be identified.

*Electromagnetic Waves*—Phenomenon of propagation through the ether of an electromagnetic effect.

#### (a) *Continuous waves:*

(1) Waves which in their permanent state are periodic, namely, their successive oscillations are identical.

(2) *Keyed continuous waves:* Continuous waves whose amplitude or frequency is varied by telegraphic keying.

(3) *Continuous waves modulated at audible frequency:* Continuous waves whose amplitude or frequency is varied in accordance with a periodic law of audible frequency.

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2. For a full statement of the nature of the International Committee on Wireless Telegraphy; its action at the First (Paris), Second (Geneva), and Third (Rome) Juridical Congresses; the formation and subsequent activities of the American Section of the International Committee, and other data, see article by Louis G. Caldwell, former General Counsel of the Federal Radio Commission, *Air Law Review*, Vol. 1, Number 2, Page 211.

(4) *Continuous waves modulated by light or sound:* Continuous waves whose amplitude or frequency varies with the characteristic vibrations of sound or light.

(b) *Damped waves:*

Waves composed of successive trains whose amplitude of oscillation after having reached a maximum then gradually decreases.

*Radio Communications*—Transmission by any electromagnetic procedure whatever of writing, signs, signals, images or sound of every nature to one or more specified stations (or posts).

*Broadcasting*—Transmission of sounds or images by a radioelectric method for use of the public.

*Radiobeacon*—A special station whose emissions are intended to allow a mobile receiving station to determine its course or bearing with respect to the geographical position of the radiobeacon.

*Radiotelegraphy*—Communication of texts by means of conventional signs.

*Radiotelephony*—Radio communication of speech or sound.

*Radiotelegram*—A telegram transmitted through all or part of its routing by radioelectric means.

*Reception*—The act of picking up radioelectric waves by a station (or post).

*Transmission*—Procedure used to change images, writings, signals or sound into radioelectric emissions for the purpose of communication or broadcasting.

## II.—DRAFT FOR AN INTERNATIONAL CONVENTION

WHEREAS, The International Committee should be in possession of a draft for an International Convention concerning broadcasting:

THE CONGRESS invites the INTERNATIONAL COMMITTEE to draft a project for international broadcasting regulations with a view to submitting it to the next Conference to be held in Madrid in 1932, and consequently to hold its next meeting before that date.

## III.—THE PROTECTION OF EMISSIONS, AND UNFAIR COMPETITION

The CONGRESS, confirming the resolutions adopted by the previous Congresses of the International Committee of Radiotelegraphy at Paris, Geneva and Rome, and

WHEREAS, It may be lawful from the point of view of civil law, subject to the rights of authors, interpreting artists and executants, to receive broadcast emissions for the purpose of private

audition, it is, on the other hand, unlawful to use knowingly and without previous authorization, emissions of a certain privative character for commercial purposes,

RESOLVES, That Par. 3, Article 10, of the Paris Convention (as revised at The Hague in 1925) concerning the protection of industrial property be completed by a third paragraph, reading as follows:

“Any use of a broadcast emission for commercial purposes without the previous authorization of the transmitter.”

#### IV.—PROTECTION OF BROADCAST EMISSIONS

Confirming the Resolutions adopted at the Rome Congress and considering the necessity of insuring the protection from the point of view of civil law of broadcast emissions and of having recourse to the rules of common law in so far as they concern facts constituting a misdemeanor or minor infraction and being aware, on the other hand, that the facts constituting an abuse of rights and an attack on neighborhood relations are not penalized in all countries and in the same manner (when so penalized).

THE CONGRESS expresses the wish that the nations should make provision for civil penalties in favor of the users of broadcasting.

#### V.—INSULT, SLANDER AND THE RIGHT OF REPLY

WHEREAS, No matter from what point of view the general interests of broadcasting be considered, either from the intellectual and educational point of view or the economic point of view, it is necessary that the rights protecting human personality and guaranteeing at the same time individual liberty and the liberty of opinion should be extended to the question of broadcasting, and

WHEREAS, In particular the rules for the repression of insult and public slander and such as establish the right of public reply analogous to the existing legal or customary rights applicable to the press, should be recognized by all countries as far as broadcasting is concerned.

#### THE CONGRESS RESOLVES:

That, in order to permit the application of the aforesaid principles, the nations should take the necessary steps to keep in such manner as they may deem most efficient a permanent and indisputable record of the words uttered at the time of their audition.

## VI.—COLLECTION OF AUTHORS' ROYALTIES AND PARTITION THEREOF

The Congress decided to place on their next Agenda a comparative study of the question of authors' broadcasting royalties in various countries.

## VII.—ROYALTIES OF INTERPRETING ARTISTS AND EXECUTANTS

## THE CONGRESS RESOLVED THAT:

The broadcasting of a literary or artistic work should not be possible without the consent of the interpreting artists or executants.

In default, however, of any stipulation to the contrary in their contracts, the interpreting artists and executants shall be presumed to have authorized radioelectric transmission.

The owners of transmitting, relaying, or retransmitting stations shall pay an additional remuneration to the artists whose interpretations are transmitted, retransmitted or are otherwise used by the said owner.

Even after having received the remuneration provided for, and in spite of any stipulation to the contrary, the artist shall always be entitled to forbid transmissions or retransmissions of such a nature as to damage his reputation.

The fact of recording or broadcasting the interpretation of any work without the artists' knowledge and of deriving profits therefrom shall be considered as a misdemeanor.

The Congress decided to transmit this resolution to the Bureau International du Travail and expressed the hope of seeing the latter continue the study of the question of the rights of interpreting artists and executants so far as concerns broadcasting and mechanical reproduction with a view to succeeding shortly in the drafting of an International Convention.

## VIII.—INTERNATIONAL STATUTE FOR RADIOTELEGRAPHERS

## THE CONGRESS RESOLVED:

1) That a complete Statute, comprising all the regulations regarding the conditions of work of radiotelegraphers employed on craft engaged in maritime navigation, excluding ships of war, should be formulated and published in each country.

2) That the B. I. T. should be asked to continue the study of the international status of radiotelegraphers in the merchant marine and that this study should be directed specially on the following points:

- A) To what classes of personnel (staff, petty officers, etc.) should radio operators be assimilated?
  - B) Is a period of service as ship operator necessary before a radiotelegrapher can be placed in charge of a station? If so, how long should such period be?
  - C) Should the captain of a ship be forbidden to give operators tasks not forming part of the radiotelegraphic service?
  - D) Should the use of the radio direction-finder be exclusively limited to radiotelegraphers?
3. That the following wishes should be taken into consideration:
- (1) That radiotelegraphers in the merchant marine should be classed as sailors.
  - (2) That the interested parties and the competent authorities in each country should continue actively the study of the question concerned with the use of the automatic distress call device, with a view to arriving as soon as possible at a positive solution of this question.

#### IX.—VARIOUS WISHES

##### THE CONGRESS EXPRESSED THE FOLLOWING DESIRES:

- 1) That the International Committee of Wireless Telegraphy should study the question of radiotelegraphers on board aircraft, together with the Comité Juridique International de l'Aviation and all other competent bodies.
- 2) That there be examined the opportunities of adopting for each item of broadcast programs, of a national call letter (for example the allocation to each state of a musical instrument)—which would permit the identification of each transmitting station—the manner of using the call letter being left to the states.
- 3) That there should be proceeded with the study of the various system of operating broadcasting service in the various states, their advantages and their inconveniences.

The complete stenographic transcript of the proceedings of the Congress will, in due course, be published by the *Revue Juridique Internationale de la Radioélectricité*.<sup>3</sup> This journal, which is edited by M. Homburg, is the official publication of the International Committee.

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