

COM/CITEL RES. 5 (II-94)

**DRAFT INTER-AMERICAN CONVENTION ON AN
INTERNATIONAL AMATEUR RADIO PERMIT**

The Second Meeting of the Permanent Executive Committee of CITEL (COM/CITEL),

HAVING SEEN:

The Report of the Chairman of Permanent Consultative Committee III, and the draft Inter-American Convention on an International Amateur Radio Permit (IARP) attached to this Resolution;

CONSIDERING:

That at the initiative of the Caribbean countries the Plenipotentiary Conference of the ITU, in Kyoto, Japan, adopted Resolution COM 4/14 which recognizes the importance of telecommunications for disaster mitigation and disaster relief, and urged administrations to take all practical steps to facilitate the effective use of telecommunications equipment for disaster relief operations, "by reducing and, where possible, removing regulatory barriers and strengthening transborder cooperation".

FURTHER CONSIDERING:

That Member States of CITEL would benefit from the adoption of the draft Inter-American Convention on an International Amateur Radio Permit, attached to this Resolution.

RECOGNIZING:

The Objective of CITEL to facilitate and promote, by all means available to it, the continuing development of telecommunications in the American States;

The benefits which have flowed from the implementation of the Lima Convention regarding the authorization of temporary operation by radio amateurs in Member countries; and

The need to improve further the authorization procedures for temporary operation so as to increase efficiency in the provision of amateur service and to reduce the administrative burden on Member countries; and

FURTHER RECOGNIZING:

That Article 30 of the Charter of the Organization of American States provides that "Inter-American cooperation for integral development is the common and joint responsibility of the Member States", which cooperation includes, among others, economic, scientific and technological fields;

RESOLVES:

To recommend that the General Assembly of the Organization of American States approve said Inter-American Convention on an International Amateur Radio Permit (IARP).

ANNEX TO RESOLUTION COM/CITEL RES. 5 (II-94)

INTER-AMERICAN CONVENTION ON AN INTERNATIONAL AMATEUR RADIO PERMIT

The Member States of the Inter-American Telecommunication Commission (CITEL),

Taking into account the spirit of the Charter of the Organization of American States (OAS), the provisions of the CITEL Statute, and the provisions of the Radio Regulations of the International Telecommunication Union (ITU),

Convinced of the benefits of the Amateur Radio activities and having regard for the interest of CITEL Member states in allowing citizens of any Member State who are authorized to operate in the Amateur Service in their country to operate temporarily in the Amateur Service in any other CITEL Member State,

Have agreed to enter into the following Convention for the use of an International Amateur Radio Permit (IARP):

General Provisions

Article 1

1. While reserving its sovereignty over the use of the radio spectrum within its jurisdiction, each State Party agrees to permit temporary operation of amateur stations under its authority by persons holding an IARP issued by another State Party without further examination. A State Party shall issue permits to operate in other State Parties only to its own citizens.

2. State Parties recognize the International Amateur Radio Permit (IARP) issued under the conditions specified in this Convention.

3. No State Party, other than the issuing State Party, may levy fees or taxes on the IARP's.

4. This Convention does not modify customs regulations concerning transportation of radio equipment across national borders.

Definitions

Article 2

1. Expressions and terms used in this Convention shall carry the definitions of the ITU Radio Regulations.
2. The amateur and amateur-satellite services are radiocommunication services according to Article 1 of the ITU Radio Regulations, and are governed by other provisions of the Radio Regulations as well as by national regulations of the State Parties.
3. The term "IARU" shall mean the International Amateur Radio Union.

Provisions Relating to the International Amateur Radio Permit (IARP)

Article 3

1. The IARP will be issued by the permit holder's home Administration or, to the extent consistent with the home country's domestic laws, under delegated authority by the IARU organization of that State Party. It should conform with the standard form for such permit contained in the Annex to this Convention.
2. The IARP will be drafted in English, French, Portuguese and Spanish and in the official language of the issuing State Party if different.
3. The IARP will not be valid for operation in the territory of the issuing State Party, but only in the territory of other State Parties. It will be valid for one year in visited State Parties, but in no case beyond the date of expiration of the national license of the holder.
4. Radio amateurs holding only a temporary authorization issued in a foreign country shall not benefit from the provisions of this Convention.
5. The IARP shall include the following information:
 - a) A statement that the document is issued in accordance with this Convention.
 - b) The name and mailing address of the holder.
 - c) The call sign.
 - d) The name and address of the issuing authority
 - e) The expiration date of permit.
 - f) The country and date of issuance.
 - g) The IARP operator class.
 - h) A statement that operation is permitted only for the bands specified by the visited State Party.
 - i) A statement that the permittee must abide by the regulations of the visited State Party.
 - j) The need for a notification, if required by the visited State Party, of the date, place and duration of the stay in that State Party.
6. The IARP will be issued in accordance with the following classes of operating authority:

Class 1. Use of all frequency bands allocated to the amateur service and amateur-satellite service and specified by the country where the amateur station is to be operated. It will be open only to those amateurs who have proved their competence with Morse code to

their own Administration in accordance with the requirements of the ITU Radio Regulations.

Class 2. This class permits utilization of all frequency bands allocated to the amateur service and amateur-satellite service above 30 MHz and specified by the country where the amateur station is to be operated.

Conditions of Use

Article 4

1. A State Party may decline to honor, suspend or cancel the operation of an IARP, in accordance with the laws in that State.
2. When transmitting in the visited country, the IARP holder must use the call sign prefix specified by the visited country and the call sign of the home license separated by the word "stroke" or "/".
3. The IARP holder must transmit only on frequencies specified by the visited State Party and must abide by all the regulations of the visited State Party.

Final Provisions

Article 5

State Parties reserve the right to enter into supplementary agreements on methods and procedures for the application of this Convention. However, such agreements may not contravene the provisions of this Convention. The State Parties shall inform the General Secretariat of the Organization of American States of any supplementary agreements they enter into, and that Secretariat shall, for the purposes of registration and publication, send a certified copy of the text of such agreement to the Secretariat of the United Nations, in accordance with Article 102 of its Charter, and to the General Secretariat of the International Telecommunication Union.

Article 6

This Convention shall be open for signature by the Member States of the CITEL.

Article 7

Member States of CITEL may become Parties to this Convention by:

- a. Signature not subject to ratification, acceptance or approval,
- b. Signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval, or
- c. Accession.

Ratification, acceptance, approval or accession shall be effected by deposit of the appropriate instrument with the General Secretariat of the Organization of American States, in its capacity as Depository.

Article 8

Each State may make reservations to this Convention at the time of signature, ratification, acceptance, approval or accession, provided that each reservation concerns at least one specific provision and is not incompatible with the objectives and purposes of the Convention.

Article 9

1. In the case of those States that are Parties to this Convention and the Inter-American Amateur Radio Service Convention ("Lima Convention"), this Convention supersedes the "Lima Convention".

2. Except as provided in Section 1 of this Article, this Convention shall not alter or affect any multilateral or bilateral agreements in force concerning the temporary operation in the Amateur Service in CITEL Member States.

Article 10

This Convention shall enter into force on the thirtieth day following the date on which two States have become Parties to it. For the remaining States, the Convention shall enter into force on the thirtieth day after their compliance with the corresponding procedure set out in Article 7.

Article 11

This Convention shall remain in force indefinitely, but may be terminated by agreement of the State Parties. Any of the State Parties to this Convention may denounce it. The instrument of denunciation shall be deposited with the General Secretariat of the Organization of American States. After one year from the date of deposit of the instrument of denunciation, the Convention shall no longer be in effect for the denouncing State Party, but shall remain in effect for the other State Parties.

Article 12

The original instrument of this Convention, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall forward a certified copy of its text to the Secretariat of the United Nations for the registration and publication, in accordance with Article 102 of its Charter, and to the General Secretariat of the International Telecommunication Union.

The General Secretariat of the Organization of American States shall notify the State Parties of the signatures, deposits of instruments of ratification, acceptance, approval, accession and denunciation, and of reservations, if any.

INTER-AMERICAN CONVENTION
ON AN INTERNATIONAL AMATEUR RADIO PERMIT

ANNEX

This permit is valid in the territories of all the State Parties to the Inter-American Convention on an International Amateur Radio Permit (Convention) with the exception of the territory of the State Party where issued for the period of one year from the date of issue, or expiration of national license, whichever date occurs first, for the operation of amateur stations and amateur-satellite stations in accordance with the class indicated on the last page of this permit.

LIST OF STATE PARTIES TO THE CONVENTION

(as of: [day, month, year])



It is understood that this permit shall in no way affect the obligation of the holder to conform strictly to the laws and regulations relating to the operation of an amateur station and amateur-satellite station in the country in which the station is operated.

Surnames 1

Other names 2

Call sign 3

Place of birth 4

Date of birth 5

Country of permanent residence 6

Address 7

City, state or province 8

Classes of operating authority:

- Class 1.** Use of all the frequency bands allocated to the amateur service and amateur-satellite service and specified by the country where the amateur station is to be operated. It will be open to those amateurs who have proved their competence with Morse code to their own Administration in accordance with the requirements of the ITU Radio Regulations;
- Class 2.** This class permits utilization of all frequency bands allocated to the amateur service and amateur-satellite service above 30 Mhz and specified by the country where the amateur station is to be operated.

IMPORTANT NOTICE TO HOLDER

- 1)The International Amateur Radio Permit (IARP) requires your signature on the line directly beneath your photograph.
- 2)Your valid amateur radio license issued by your administration must accompany the IARP at all times.
- 3)Unless otherwise required by regulations of the country visited, station identification shall be (prefix of the visited country or region thereof) the word "stroke" or "/" followed by the call sign of the license accompanying the IARP.
- 4)The IARP is valid for one year from the date of issue of this permit, or expiration of national license, whichever date occurs first.
- 5)A visited country may decline to honor, suspend or cancel the operation of an IARP.
- 6)Some countries may require you to notify in advance the date, place and duration of your stay.

