

CITEL/RES. 32 (III-02)1

PROCEDURE FOR RECOGNITION OF THE CITEL INTER-AMERICAN CONVENTION ON THE INTERNATIONAL AMATEUR RADIO PERMIT (IARP) WITH THE CEPT

The Third Regular Meeting of the Assembly of the Inter-American Telecommunication Commission, CITEL,

CONSIDERING:

- a) That the implementation of the 1987 Lima Convention on temporary radio amateur licenses in member countries, as modified in 1988, together with the 1995 Inter-American Convention on an International Amateur Radio Permit (“IARP Convention”) has been beneficial to telecommunications in the hemisphere;
- b) That within the scope of the European Conference of Postal and Telecommunications Administrations (“CEPT”) in Recommendation T/R 61-01, under the title “CEPT Radio Amateur License”, approved in Nice in 1985, revised in 1992, conditions were established for mutual recognition of radio amateur licenses among the countries of the CEPT, and
- c) That simplification of the administrative procedure for awarding radio amateur licenses enables administrations to reduce their logistic and economic costs,

NOTING :

- a) That several CITEL Member States have independently entered into bilateral reciprocity agreements concerning mutual recognition of radio amateur licenses, and that these agreements exist not only among countries of the Americas but also among countries located in Europe and other continents, and
- b) That the administration of licenses based on bilateral reciprocity agreements involves a considerable increase in work for Administrations which can be reduced through extending the reach of multilateral arrangements like the IAPR Convention and Recommendation T/R 61-01,

BEARING IN MIND:

That the primary purpose of CITEL is to facilitate and promote by all possible means the continuous development of telecommunications in the American States,

OBSERVING:

That the terms and conditions of the IARP Convention and Recommendation T/R 61-01 are fully compatible,

¹ Document CITEL/doc.275/02.

RESOLVES:

1. To encourage the CITEL Member States to adhere to the IARP Convention.
2. To approve the attached draft Protocol to the IARP Convention in annex A intended to extend to CEPT Radio Amateur License holders from CEPT Member States that have implemented Recommendation T/R61-01 the same rights and privileges accorded holders of the IARP from CITEL Member States that become state parties to that the Protocol, subject to the extension by CEPT to holders of the IARP the same privileges and immunities enjoyed by CEPT Radio Amateur License holders from CEPT member states that have implemented Recommendation T/R61-01.
3. To transmit the attached draft Protocol and draft resolution to the OAS General Assembly for approval so that the Protocol may be opened for signature.
4. To ask the Executive Secretary, on behalf of CITEL, to enter an Agreement with CEPT which will permit IARP holders from state parties of the Protocol to enjoy the same rights and privileges accorded CEPT Amateur Radio license holders from CEPT member states that have implemented Recommendation T/R61-01.
5. To promote the development of a global Amateur Radio Permit working with other regional organizations and within the framework of the International Telecommunication Union.

INSTRUCTS THE EXECUTIVE SECRETARY:

To send the IARP Convention and the draft Protocol to other regional organizations to inform them of our activities and encourage them to participate in the development of a global Radio Amateur Permit that will simplify procedures for temporary installation and use of radio amateur stations,

ANNEX A**AMENDMENT TO THE INTER-AMERICAN CONVENTION
ON AN INTERNATIONAL AMATEUR RADIO PERMIT****GENERAL ASSEMBLY,****HAVING SEEN:**

CITEL Resolution RES. 32 (III-02) approved at the Third Assembly of CITEL held in Washington, DC, United States, 12 to 16 August 2002,

CONSIDERING:

- a) That the Assembly of CITEL serves as an Inter-American Forum in which the highest telecommunications authorities of the CITEL Member States share opinions and experiences and make appropriate decisions to direct their activities towards achieving CITEL's assigned objectives and mandates, and

- b) That COM/CITEL as CITEL's executive organ, is authorized, in conjunction with CITEL's Secretariat, to prepare drafts of inter-American conventions and treaties relating to telecommunications in the Americas,

RECOGNIZING:

That CITEL's objective is to facilitate and promote, by all means available to it, the continuing development of telecommunications in the American States, and

CONVINCED:

That the Protocol to the IARP Convention will promote and facilitate through multilateral licensing mechanisms, the valuable interchange of ideas and technology among amateur radio operations in Europe and the Americas,

RESOLVES:

To adopt the following Protocol to the Inter-American Convention on an International Amateur Radio Permit.

ANNEX

**PROTOCOL OF AMENDMENT TO THE
INTER-AMERICAN CONVENTION ON AN INTERNATIONAL
AMATEUR RADIO PERMIT**

The Member States of the Organization of American States,

CONSIDERING that the European Conference of Postal and Telecommunications Administrations ("CEPT") permits holders of the CEPT Radio Amateur License from any CEPT Member States that has implemented CEPT's Recommendation T/R 61 to operate temporarily in all other CEPT Member States that have implemented that Recommendation without having to obtain a license from those other states;

TAKING INTO ACCOUNT that the CEPT Radio Amateur License is similar in scope and purpose to the International Amateur Radio Permit ("IARP") issued and recognized by the State Parties to the Inter-American Convention on an International Amateur Radio Permit ("IARP Convention");

BEARING IN MIND that substantial benefits in reduced administrative and logistical costs can be realized by allowing amateur radio operators with either the CEPT Radio Amateur License or the IARP to operate temporarily in both CEPT member states and IARP State Parties without having to obtain additional licenses and without having to pay additional duties, taxes and fees; and

CONSIDERING that CEPT is authorized to obligate its member states to provide amateur radio operations from non-CEPT states the same exemption from licensing and other related requirements enjoyed by holders of the CEPT Radio Amateur License and has expressed its interest in doing so for IARP licensees from State Parties to the IARP Convention who sign an agreement with CEPT for that purpose.

HAVE AGREED UPON THE FOLLOWING:

ARTICLE I

Articles 5-12 of the IARP Convention shall be renumbered Articles 6-13, respectively.

ARTICLE II

The new Article 5 of the IARP Convention shall state as follows:

Reciprocity with Member States of the European Conference of Postal and Telecommunications Administration

Radio amateurs holding an amateur radio license from a Member State of the European Conference of Postal and Telecommunications Administration ("CEPT Radio Amateur License") which has implemented Recommendation TR/ 61-01 of the Conference of Postal and Telecommunications Administration ("CEPT") shall be entitled to the same rights and privileges enjoyed by holders of the IARP, provided, however, that CEPT accords all holders of the IARP the same rights and privileges enjoyed by holders of the CEPT Radio Amateur License in CEPT Member States that have implemented Recommendation TR/61-10. Such rights and privileges granted under this Article shall be subject to the corresponding conditions established in the IARP Convention and TR/61/01 respectively.

ARTICLE III

For purposes of applying the new Article 5 of the IARP Convention set out in Article II of this Protocol above, the term "holders of the IARP" means only those holders of the IARP from State Parties to this Protocol.

ARTICLE IV

State Parties to the IARP Convention may become State Parties to this Protocol 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 a depository.

ARTICLE V

Each State may make reservations to this Protocol 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 VI

This Protocol shall enter into force on the thirtieth day following the date on which two States have become Parties to it. For the remaining States, this Protocol shall enter into force on the thirtieth day after their compliance with the procedures established in Article IV.

ARTICLE VII

This Protocol shall remain in force indefinitely, but may be terminated by agreement of the State Parties. Any of the State Parties to this Protocol 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 Protocol shall no longer be in effect for the denouncing State Party, but shall remain in effect for the other State Parties.

ARTICLE VIII

The original instrument of this Protocol, the English, French, Portuguese and Spanish texts 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 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 when it receives: the signatures, deposits of instruments of ratification, acceptance, approval, accession and denunciation, and any reservations.

DONE IN _____, the _____ day of _____, two thousand and three.
