

## PAN AMERICAN POSTAL UNION

*Principal convention and final protocol, signed at México November 9, 1926, with resolutions of the Second Pan American Postal Congress*<sup>1</sup>

*Ratified and approved by the Postmaster General May 3, 1927*

*Approved by the President of the United States May 5, 1927*

*Ratification of the United States deposited at México May 28, 1927*

*Entered into force July 1, 1927*

*Terminated by convention of November 10, 1931*<sup>2</sup>

45 Stat. 2409; Post Office Department print

### PRINCIPAL CONVENTION

Concluded between Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru and Uruguay.

The undersigned, Plenipotentiaries of the countries above mentioned, assembled in Congress in Mexico, making use of the right granted them by Article 5 of the Universal Postal Convention of Stockholm,<sup>3</sup> and inspired by the desire to extend and perfect their postal relations and establish a solidarity of action capable of representing effectively in the Universal Postal Congresses the common interests of the American Republics and Spain in regard to communications by mail, have agreed to conclude, subject to ratification, the following Convention:

#### ARTICLE 1

##### *Pan-American Postal Union*

The contracting countries, in accordance with the foregoing declaration, constitute, under the name of Pan-American Postal Union, a single postal territory.

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<sup>1</sup> For text of regulations for execution of the convention, see 45 Stat. 2424.

<sup>2</sup> *Post*, vol. 3.

<sup>3</sup> Convention signed at Stockholm Aug. 28, 1924, *ante*, p. 443.

## ARTICLE 2

*Free and Gratuitous Transit*

The contracting countries are bound to transport freely and gratuitously, by means of the territorial and maritime transportation services which they utilize for their own correspondence, that which they may receive from any of these countries destined for any of them or for any country of the Universal Postal Union.

However, the country of origin will be charged with the expenses of territorial or maritime transportation of the correspondence, when it requires, for its subsequent transmission, the intermediary of countries or services other than those adhering to the present Convention, and when such transportation is subject to charges.

## ARTICLE 3

*Tariffs*

The tariff of the domestic service of each country will govern in the relations of the countries which constitute the Pan-American Postal Union, except when the said domestic tariff is higher than that applicable to correspondence destined for the countries of the Universal Postal Union, in which case the latter will govern.

## ARTICLE 4

*Scope of the Convention, and Special Services*

1. The provisions of this Convention will be applied to letters, post cards, prints of all kinds, commercial papers and samples.

2. The contracting countries, either by reason of their proximity or adjacency or by reason of the intensity of their postal relations, may establish among themselves more restricted unions in connection with any of the services referred to by the present Convention and other special Conventions concluded by this Congress.

## ARTICLE 5

*Registered Correspondence. Responsibility*

1. The objects mentioned in the preceding Article may be sent under registration upon payment in advance of a fee equal to that which the Administration of origin has established in its domestic service.

2. Save in cases of force majeure, the contracting Administrations will be responsible for the loss of every registered article. The sender will have the right to indemnity in a sum which in no case may be higher than 3 dollars 85 cents.

## ARTICLE 6

*Obligatory Prepayment*

1. The complete prepayment of all classes of correspondence is declared obligatory, including sealed packages, with the exception of letters in their usual and ordinary form, which will be forwarded whenever they bear at least the postage corresponding to a single-weight-unit.
2. Other articles not prepaid or insufficiently prepaid will be held in the Office of origin, which will proceed with them in the manner determined by its domestic legislation.
3. For insufficiently prepaid letters, only the difference in postage not paid by the sender will be collected from the addressee.

## ARTICLE 7

*Weight and Volume*

The limits of weight and dimensions of the various articles of correspondence will conform to those fixed for the same in the domestic service of each country.

## ARTICLE 8

*Undelivered Post Cards*

Ordinary post cards which have not been delivered for any reason will be destroyed in the country of destination, unless they bear a request for return and the name and address of the sender, in which case they will be returned to the country of origin.

## ARTICLE 9

*Franking Privilege*

1. The contracting parties agree to grant the franking privilege, both in their domestic service and in the Pan-American service, to the correspondence of the International Office of the Pan-American Postal Union, and to that of the members of the Diplomatic Corps of the signatory countries. Consuls will enjoy the franking privilege for the official correspondence which they direct to their respective countries, for that which they exchange among themselves, and for that which they direct to the Government of the country in which they are accredited, whenever reciprocity exists. Vice-Consuls will enjoy the same franking privilege when they are discharging the functions of Consuls.
2. The exchange of correspondence of the Diplomatic Corps between the Secretaries of State of the respective countries and their Embassies and Legations will have a reciprocal character among the contracting countries, and will be effected in open mail or by means of diplomatic pouches, in accordance

with the provisions of Article 5 of the Regulations of Execution.<sup>4</sup> These pouches will enjoy the franking privilege and all the safeguards of the official dispatches.

3. The correspondence referred to in the two preceding paragraphs may be sent free of postage under registration, but without any right to indemnity in case of loss.

#### ARTICLE 10

##### *Prohibitions*

1. Without prejudice to the provisions of the domestic legislation of each country regarding restrictions on the circulation of correspondence, pornographic publications will not be forwarded nor those endangering public safety and order.

2. The contracting Administrations will have the option of not forwarding correspondence of any class having for its object the commission of frauds, swindles or any other offense against property or persons, in accordance with its domestic laws.

3. It is also prohibited to send by mail articles of any classification which, by their text, form, mechanism or application, are immoral or contrary to good morals.

4. Barring contrary arrangements between the Administrations concerned, it is prohibited to inclose money in cash or values payable to the bearer in ordinary or registered correspondence.

The Administrations will not accept pecuniary responsibility for the loss, or for the partial or total rifling, of the contents of the said correspondence.

#### ARTICLE 11

##### *Special Services*

The contracting countries obligate themselves to make extensive to the other countries of the Pan-American Postal Union, on the basis of special agreements, all of the postal services which they realize in the interior of their countries.

#### ARTICLE 12

##### *Various Provisions*

The signatory countries will have the option of accepting the "postage paid" service, under which they are bound to permit the circulation of newspapers or periodical publications, single or in packages, with the exception of those for propaganda or exclusively commercial advertising.

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<sup>4</sup> See footnote 1, p. 617.

## ARTICLE 13

*Official Language*

Spanish is adopted as the official language for matters relative to the mail service, but countries whose language is not Spanish may use their own.

## ARTICLE 14

*Protection to Postal Agents*

The authorities of the contracting countries will be obliged to lend, when it is requested of them, the co-operation required by the Postal Agents charged with the transportation of pouches and correspondence in transit thru the said countries, and likewise those other functionaries which one Administration agrees to send to any of these countries to carry on studies regarding the development and perfection of its postal services.

For the purpose of the most efficient rendering of such trips, the Administrations may make an agreement to organize an exchange of postal functionaries.

## ARTICLE 15

*International Transfer Office*

1. There is created in Panama a Postal Office charged with receiving and forwarding to its destination all the correspondence which crosses the Isthmus, originating in any of the contracting countries, when it gives rise to transfer operations.

2. For its postal operations, it will be governed by the Regulations formulated by the International Office of the Pan-American Postal Union, after agreement with the Administration of Posts of Panama and the other interested Administrations.

3. The personnel assigned to the service of the said Office will be designated by the Administration of Panama.

4. The cost of maintaining this Office will be charged to the countries which utilize the services thereof, in proportion to the amount of correspondence which they exchange thru its intermediary. The Administration of Panama will advance the necessary funds for the purpose, which shall be reimbursed to it quarterly.

## ARTICLE 16

*Arbitration*

Every conflict or disagreement which may arise in the postal relations of the contracting countries will be settled by arbitration, which will be effected in the manner established by Article 10 of the Universal Postal Convention of Stockholm.

Every designation of arbiters shall be incumbent upon the signatory countries, with the intervention of the International Office of the Pan-American Postal Union if necessary.

#### ARTICLE 17

##### *International Office of the Pan-American Postal Union*

1. With the name of International Office of the Pan-American Postal Union, there will function in Montevideo, under the supervision of the Administration of Posts, Telegraphs and Telephones of the Republic of Uruguay, a Central Office which will serve as an organ of liaison, information and consultation for the countries of this Union.

2. This Office will be charged with :

a) Assembling, co-ordinating, publishing and distributing information of all kinds which specially concerns the Pan-American Postal Service.

b) Giving, at the request of the parties concerned, its opinion on disputed questions which arise in connection with the provisions relative to the relations of the contracting Administrations.

c) Making known the requests for modifications of the Acts of the Congress which may be formulated.

d) Giving notice of the changes which may be adopted.

e) Making known the results obtained from the regulatory provisions and measures of importance which the Administrations may adopt in their domestic service, which will be communicated to it by the same Administrations as information.

f) Preparing a Pan-American Postal Guide.

g) Preparing a Pan-American Postal Atlas.

h) Making up the summary of the Pan-American postal statistics, in accordance with the data which will be communicated to it annually by each Administration.

i) Preparing a table showing the most rapid routes for the transmission of correspondence from one contracting country to another.

j) Publishing the tariff of postage rates of the domestic service of each one of the countries concerned, and the table of equivalents.

k) Publishing and distributing among the countries of the Pan-American Postal Union, annually, a report of the work which it performs.

l) And, in general, carrying out the studies and labors requested of it in the interest of the contracting countries.

3. The special expenses arising from the preparation of the Annual Report, the Pan-American Postal Guide, the Pan-American Postal Atlas, and the Table of Postal Communications of the contracting countries; and those arising on account of the meeting of congresses or conferences, will be proportionately shared by the Administrations of the said countries in conformity with the categories established in Article 8 of the Regulations of Execution.

4. The Administration of Posts, Telegraphs and Telephones of Uruguay will supervise the expenses of the International Office of the Pan-American Postal Union, and will make to it the advances which it requires.

5. The sums advanced by the Postal Administration of Uruguay in accordance with the foregoing Section will be repaid by the debtor Administrations as soon as possible, and, at the latest, before six months from the date on which the country concerned receives the account formulated by the Administration of Posts, Telegraphs and Telephones of Uruguay. After this date, the sums due will bear interest at the rate of seven percent a year, counting from the date of expiration of the said period.

6. The contracting countries are bound to include in their budgets an annual amount destined to take care promptly of the payment of the quota which they are to contribute.

#### ARTICLE 18

##### *Monetary Unit*

For the purposes of this Convention, the dollar is established as the monetary unit.

#### ARTICLE 19

##### *Congresses*

1. Congresses will meet at least every five years, counting from the date on which the Convention concluded by the last one becomes effective.

2. Each Congress will fix the place and year in which the next one shall convene.

#### ARTICLE 20

##### *Propositions in the Interval Between Meetings*

The present Convention may be modified in the interval between Congresses, following the procedure established in Chapter III of the Universal Postal Convention of Stockholm. In order to become effective, the modifications must obtain unanimity of votes for the present Article and Articles 1, 2, 3, 4, 5, 6, 9, 13, 16, 17, 18, 20, 22, 24 and 25; two-thirds of the votes for Articles 7, 10, 11 and 19; and a simple majority for the rest.

#### ARTICLE 21

##### *Modifications and Amendments*

The modifications or resolutions adopted by the contracting parties, even those of a domestic order which affect the international service, will become effective four months after the date of the relative notice from the International Office of the Pan-American Postal Union.

## ARTICLE 22

*Application of the Universal Postal Convention and Domestic Legislation*

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in this Convention will be subject to the stipulations of the Universal Postal Convention and its Regulations.

2. Likewise, the domestic legislation of the said countries will apply in everything that has not been provided for by either Convention.

## ARTICLE 23

*Propositions for Universal Congresses*

All countries forming the Pan-American Postal Union will advise one another, thru the intermediary of the International Office of Montevideo, of the propositions which they may formulate for Universal Postal Congresses, one year in advance of the date on which the particular Congress in question is to be held, in order that, once that they have come to an understanding, they may unanimously support the propositions of a general character, excepting only those which concern the proposing countries alone.

## ARTICLE 24

*New Adherences*

In case of a new adherence, the Government of the Republic of Uruguay, by common consent with the Government of the country concerned, will determine the class in which the said country is to be included, for purposes of sharing the expenses of the International Office.

## ARTICLE 25

*Effective Date and Duration of the Convention and Deposit of Ratifications*

1. The present Convention will become effective July 1, 1927, and will remain in force without time-limit, each one of the contracting parties reserving the right to withdraw from this Union by means of notice given by its Government to that of the Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the City of Mexico as soon as possible, preferably before the effective date of the Conventions in question, and the relative certificate will be made up for each of them, a copy of which will be sent by the Government of Mexico, thru diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Pan-American Postal Convention sanctioned in Buenos Aires September 15, 1921,<sup>5</sup> are abrogated, beginning with the date on which the present Convention enters into force.

<sup>5</sup> *Ante*, p. 309.



4. In case that the Convention is not ratified by one or more of the contracting countries, it will none the less be valid for those which have ratified it.

5. In faith of which, the Plenipotentiaries of the countries above named sign the present Convention in Mexico, D. F., on the 9th day of the month of November, 1926.

For Argentina:

RAÚL D. LÓPEZ

For Bolivia:

GABRIEL A. PARRODI  
LUIS ARCE LACAZE

For Brazil:

OCTAVIO DE TEFFÉ

For Colombia:

CARLOS ALBERTO RODRÍGUEZ

For Costa Rica:

ÁNGEL J. LAGARDA  
LINO B. ROCHÍN

For Cuba:

JOSÉ D. MORALES DÍAZ  
PEDRO I. PÉREZ Y GIL  
CÉSAR CARVALLO Y MIYERES

For Chile:

ENRIQUE BERMÚDEZ

For the Dominican Republic:

FRANCISCO GARCÍA DE CASTAÑEDA

For Ecuador:

ARMANDO E. ASPIAZU  
RODOLFO BECERRA SOTO

For El Salvador:

HÉCTOR REYES  
EUDORO URDANETA

For Spain:

PEDRO DE IGUAL Y MARTÍNEZ DABÁN  
ANTONIO CAMACHO SAN JURJO

For the United States of America:

JOSEPH STEWART  
EUGENE R. WHITE

For Guatemala:

EMILIO ARROYAVE L.

For Honduras:

MIGUEL CARIAS ANDINO  
OTTO REINBECK

For Mexico:

EDUARDO ORTIZ  
COSME HINOJOSA  
JOSÉ V. CHÁVEZ

For Panama:

JOSÉ IGNACIO ICAZA

For Paraguay:

CARLOS MELÉNDEZ

For Peru:

AUGUSTO S. SALAZAR  
WALTER F. FORD

For Uruguay:

CÉSAR MIRANDA

## FINAL PROTOCOL OF THE PRINCIPAL CONVENTION

At the moment of signing the Principal Convention concluded by the Second Pan-American Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

### I

When the Pan-American Railway is established, each one of the contracting countries will contribute to the maintenance of the mail transportation service thereby, in proportion to the weight of the correspondence which it dispatches, in case that gratuitous transportation is not obtained.

### II

The contracting countries are bound to negotiate with the steamship companies transporting their correspondence to foreign countries for a reduction

in the present rates, and in order that they may in no case collect, for the return service, an amount greater than that which they collect from the country of origin.

It is understood that the foregoing clause does not affect cases where, on account of packet or other privileges, they are obliged to effect the transportation gratuitously.

### III

Panama records the fact that it can not accept the provisions of the first paragraph of Article 2 of the Convention relative to gratuity of transit.

### IV

Argentina, Bolivia, Brazil, Chile, Ecuador, Spain, Guatemala, Paraguay and Uruguay reserve the right to fix the equivalents of their rates in gold francs, in accordance with the monetary unit of the Universal Postal Convention of Stockholm.

### V

The Protocol remains open in favor of the countries of America whose representatives have not signed the Principal Convention, or which, having signed that Convention, desire to adhere to the other Conventions sanctioned by the Congress.

### VI

The United States of America records the fact that, until that country enacts legislation on the subject, it can not accept the provisions of Article 9 of the Convention relative to the franking privilege in the domestic service for diplomatic correspondence and official correspondence of Consulates.

### VII

Chile, Ecuador and Peru, as a temporary measure, reserve the right to maintain the rates now applicable in their relations with the Pan-American Postal Union, for both ordinary and registered correspondence.

### VIII

Despite the provisions of Article 5, the contracting countries will have the option of establishing, by means of a reduced rate, a special class of registered articles available for prints, the senders of which will not enjoy the right to indemnity in case of loss.

#### *Transitory Article*

1. For the purpose of complying with the provisions of Article 15 of the Principal Convention, relative to the creation in Panama of the International Office, the Director of the International Office of the Pan-American Postal

Union will proceed immediately to the Canal Zone, in order to study the best means for organizing that Office and to agree with the Panamanian Administration on the details of installation and the regulations to govern it; and also to draw up the tentative budget for the Office.

2. The Administration of Panama will advance to the Director of the International Office of the Pan-American Postal Union the necessary funds for the expenses made necessary by the mission which is entrusted to him, which funds will be reimbursed in proportional shares as soon as possible, and at the latest within a period of three months, by the Administrations of the countries which will utilize the services of the Office of Panama.

For Argentina:

RAÚL D. LÓPEZ

For Bolivia:

GABRIEL A. PARRODI

LUIS ARCE LACAZE

For Brazil:

OCTAVIO DE TEFFÉ

For Colombia:

CARLOS ALBERTO RODRÍGUEZ

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[For text of regulations for execution of the convention, see 45 Stat. 2424.]

## RESOLUTIONS OF THE CONGRESS

The second Pan-American Postal Congress recommends, to all the countries which forms this Union:

I. That they take steps, as far as possible, for the prompt establishment of an air-mail service, as an effective means of obtaining a rapid exchange of correspondence, thus taking another step toward spiritual harmony, which is one of the aims of the Pan-American Postal Union.

II. That, since the parcel-post service constitutes a means which facilitates commercial relations among the contracting countries, it would be convenient to abolish as many requirements as signify a restriction for the effectiveness of the said service; and to abolish the requirement of consular invoices and visas, as well as certificates of origin for parcels whose value does not exceed 150 gold francs or their equivalent in dollars.

III. In view of the fact that advertisements constitute a useful and convenient means of spreading information which tends to increase the knowledge of the peoples, the Congress is of the opinion that articles of this kind should be transported in the international postal service without being subject to customs duties or requirements which tend to limit their aims.

IV. That the Administrations of the Pan-American Postal Union should create, if possible, an Information Office in the Central Post Offices, with a reading room in which will be placed, at the disposal of the public, newspapers, magazines, and publications in general of the various countries of the Union furnished gratuitously by the Governments, publishers or authors.

Mexico, D. F., November 9, 1926.