

No. 21123

MULTILATERAL

Optional Additional Protocol to the International Telecommunication Convention (Málaga-Torremolinos, 1973) concerning the compulsory settlement of disputes. Concluded at Málaga-Torremolinos on 25 October 1973

Authentic texts: Chinese, English, French, Russian and Spanish.

Registered by the Secretary-General of the International Telecommunication Union on 28 June 1982.

MULTILATÉRAL

Protocole additionnel facultatif à la Convention internationale des télécommunications (Málaga-Torremolinos, 1973) concernant le règlement obligatoire des différends. Conclu à Málaga-Torremolinos le 25 octobre 1973

Textes authentiques: chinois, anglais, français, russe et espagnol.

Enregistré par le Secrétaire général de l'Union internationale des télécommunications le 28 juin 1982.

OPTIONAL ADDITIONAL PROTOCOL¹ TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION (MALAGA-TORREMOLINOS, 1973)²: COMPULSORY SETTLEMENT OF DISPUTES

At the time of signing the International Telecommunication Convention (Malaga-Torremolinos, 1973)², the undersigned plenipotentiaries have also signed the following Optional Additional Protocol on the Compulsory Settlement of Disputes, which forms part of the Final Acts of the Plenipotentiary Conference (Malaga-Torremolinos, 1973).

¹ Came into force on 19 February 1975, i.e., the thirtieth day after the date of deposit with the Secretary-General of the International Telecommunication Union of the second instrument of ratification or accession, in accordance with article 3:

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Canada	20 January 1975
United Kingdom of Great Britain and Northern Ireland	31 December 1974

Subsequently, the Protocol came into force for the following States on the thirtieth day after the day on which the instrument of ratification or accession was deposited with the Secretary-General of the International Telecommunication Union, in accordance with article 3:

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>	<i>Date of entry into force</i>
Malta	30 January 1975 a	1 March 1975
Colombia	21 February 1975 a	23 March 1975
Mauritius	9 April 1975	9 May 1975
Netherlands	17 April 1975	17 May 1975
Fiji	17 April 1975 a	17 May 1975
Jordan	28 May 1975 a	27 June 1975
Japan	17 June 1975	17 July 1975
Australia	23 June 1975	23 July 1975
Qatar	24 October 1975 a	23 November 1975
Gambia	3 November 1975 a	3 December 1975
Finland	5 December 1975	4 January 1976
Central African Republic	5 January 1976	4 February 1976
Republic of Korea	22 January 1976	21 February 1976
Liechtenstein	4 February 1976	5 March 1976
Madagascar	17 March 1976	16 April 1976
Switzerland	28 April 1976	28 May 1976
Suriname	22 July 1976 a	21 August 1976
Luxembourg	26 July 1976	25 August 1976
Paraguay	2 August 1976 a	1 September 1976
Thailand	28 September 1976	28 October 1976
Barbados	1 October 1976 a	31 October 1976
United Arab Emirates	29 December 1976	28 January 1977
Sweden	29 December 1976 a	28 January 1977
Cyprus	31 December 1976	30 January 1977
New Zealand	7 January 1977	6 February 1977
Chile	31 January 1977 a	2 March 1977
Togo	31 March 1977	30 April 1977
Senegal	5 May 1977	4 June 1977
Austria	17 May 1977	16 June 1977
Mali	22 September 1977	22 October 1977
Nicaragua	18 October 1977	17 November 1977
Zaire	23 January 1978	22 February 1978
Belgium	20 March 1978	19 April 1978
Uruguay	10 April 1978 a	10 May 1978
Ivory Coast	25 September 1979	25 October 1979
Morocco	16 February 1981	18 March 1981

² United Nations, *Treaty Series*, vol. 1209 and 1210, No. I-19497.

The Members of the Union, parties to this Optional Protocol to the International Telecommunication Convention (Malaga-Torremolinos, 1973),

Expressing the desire to resort to compulsory arbitration, so far as they are concerned, for the settlement of any disputes concerning the interpretation or application of the Convention or of the Regulations mentioned in Article 42 thereof,

Have agreed upon the following provisions:

Article 1. Unless one of the methods of settlement listed in Article 50 of the Convention has been chosen by common agreement, disputes concerning the interpretation or application of the Convention or of the Regulations mentioned in Article 42 thereof shall, at the request of one of the parties to the dispute, be submitted for compulsory arbitration. The procedure to be followed is laid down in Article 81 of the Convention, paragraph 5 of which shall be amplified as follows:

“5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator. If one of the parties has not appointed an arbitrator within this time-limit, this appointment shall be made, at the request of the other party, by the Secretary-General who shall act in accordance with paragraphs 3 and 4 of Article 81 of the Convention”.

Article 2. This Protocol shall be open to signature by the Members which sign the Convention. It shall be ratified in accordance with the procedure laid down for the Convention and any countries which become Members of the Union may accede to it.

Article 3. This Protocol shall come into force on the same day as the Convention, or on the thirtieth day after the day on which the second instrument of ratification or accession is deposited, but not earlier than the date upon which the Convention comes into force.

With respect to each Member which ratifies this Protocol or accedes to it after its entry into force, the Protocol shall come into force on the thirtieth day after the day on which the instrument of ratification or accession is deposited.

Article 4. The Secretary-General shall notify all Members:

- a) Of the signatures appended to this Protocol and of the deposit of instruments of ratification or accession;
- b) Of the date on which this Protocol shall come into force.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Protocol in each of the Chinese, English, French, Russian and Spanish languages, in a single copy in which, in case of dispute, the French text shall prevail, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

DONE at Malaga-Torremolinos, on 25 October 1973.

Pour la République d'Afghanistan :
[For the Republic of Afghanistan]:

AZIZULLAH ZAHIR
S. M. NACIM ALAWI

Pour l'Australie :
[For Australia]:

EVAN SAWKINS
A. M. SMITH
E. SANDBACH
S. C. MOON
K. F. GREEN

Pour l'Autriche :
[For Austria]:

R. PABESCHITZ
K. VAVRA
J. BAYER

Pour la Belgique :
[For Belgium]:

ROBERT VAES
ALBERT AERTS

Pour l'Union de Birmanie :
[For the Union of Burma]:

U KHIN MAUNG TUN
U HLA THAW

Pour la République fédérative du Brésil :
[For the Federative Republic of Brazil]:

HERVÉ BERLANDEZ PEDROSA
CLAUDIO CASTANHEIRA BRANDÃO
JOÃO SANTELLI JUNIOR
ANTONIO HUMBERTO DOS CAVALCANTI DE
ALBUQUERQUE E FONTES BRANCA
HILTON SANTOS
AUGUSTO CEZAR GUIMARÃES RIBAS
ENÉAS MACHADO DE ASSIS
JOSÉ ANTONIO MARQUES

Pour la République du Burundi :
[For the Republic of Burundi]:

MELCHIOR BWAKIRA
SATURNIN SEMUHERERE
ALBERT NTIBANDETSE
ROMAIN NZOBAKENG

Pour la République-Unie du Cameroun :
[For the United Republic of Cameroon]:

EMMAN. T. EGBE
JEAN JIPGUEP

Pour le Canada :
[For Canada]:

DE MONTIGNY MARCHAND
ANITA SZLAZAK

Pour la République centrafricaine :
[For the Central African Republic]:

JOSEPH ANTOINE GOALO
FIDELE MANDABA-BORNOU
JEAN-CYRILLE KOUNKOU
JEAN-MARIE SAKILA

Pour la République de Chypre :
[For the Republic of Cyprus]:

R. MICHAELIDES

Pour la République populaire du Congo :
[For the People's Republic of the Congo]:

JEAN-PIERRE BOUMBOU
JEAN-GABRIEL OKELI
ROGER RIZET

Pour la République de Corée :
[For the Republic of Korea]:

HEUNG SUN SHIM
SEH KWAN OH

Pour Costa Rica :
[For Costa Rica]:

HÉCTOR SÁNCHEZ MIRANDA

Pour la République de Côte d'Ivoire :
[For the Republic of Ivory Coast]:

SOULEYMANE CISSOKO
KOUASSI APETE
CHRISTOPHE NOGBOU
AKA BONNY LEON
BROU YAPO SAMSON

Pour la République du Dahomey :
[For the Republic of Dahomey]:

TAOFIQUI BOURAIMA
EMMANUEL MOUDJIBOU

Pour la République dominicaine :
[For the Dominican Republic]:

ANSELMO PAULINO-ALVAREZ

Pour la République arabe d'Egypte :
[For the Arab Republic of Egypt]:

Dr. M. M. RIAD
M. F. ELBADRAWY
M. A. SEDKY
T. N. EKDAWI
H. S. ABOU ALY

Pour la République de El Salvador :
[For the Republic of El Salvador]:

VICENTE SÁNCHEZ HERNÁNDEZ
OSCAR EDGARDO LARA

Pour les Emirats arabes unis :
[For the United Arab Emirates]:

HALIM FANOUS

Pour la Finlande :
[For Finland]:

OIVA SALOILA
V. A. JOHANSSON

Pour la République gabonaise :
[For the Gabonese Republic]:

THOMAS SOUAH
STANISLAS EWORE

Pour la Grèce :
[For Greece]:

IOANNIS KOUTRAFOURIS
ARCHELAOS TSAROUCHAS

Pour la République de Haute-Volta :
[For the Republic of Upper Volta]:

M. SIMPORE
J. BALIMA
D. NIKIEMA
D. SANON

Pour la République d'Indonésie :
[For the Republic of Indonesia]:

SOEHARDJONO
J. SUTANGGAR TENGKER
M. K. M. MANGOENDIPRODJO
W. M. MANGOENDIPRODJO
HIRO TUGIMAN

Pour le Japon :
[For Japan]:

SHOJI SATO
YASUO MAKINO
MOTOICHI MASUDA
MASAO MIYAKE

Pour la République khmère :
[For the Khmer Republic]:

CHUM SIRATH

Pour le Royaume du Laos :
[For the Kingdom of Laos]:

KHAMLEUANG SAYARATH
FOY SOUVANLASY
THAO BO

Pour le Liban :
[For Lebanon]:

MAURICE GHAZAL
HASSANE EZZEDINE
ELIE EID

Pour la République du Libéria :
[For the Republic of Liberia]:

TAYLOR E. MAJOR
SAMUEL H. BUTLER, Sr.
MARY E. PAASEWE

Pour la Principauté de Liechtenstein :
[For the Principality of Liechtenstein]:

Dr. BENNO BECK

Pour le Luxembourg :
[For Luxembourg]:

L. BERNARD

Pour le Malawi:

[For Malawi]:

NYEMBA W. MBEKEANI
W. S. COWIE
S. J. F. S. MJIKA

Pour la République malgache:

[For the Republic of Madagascar]:

EDSON RAHALISON

Pour la République du Mali:

[For the Republic of Mali]:

MAMADOU SOW
MAMADOU SIDIBE

Pour le Royaume du Maroc:

[For the Kingdom of Morocco]:

M. BEN ABDELLAH
L. BOUTAMI

Pour Maurice:

[For Mauritius]:

K. S. PYNDIAH

Pour la République islamique de Mauritanie:

[For the Islamic Republic of Mauritania]:

MOUSTAPHA N'DIAYE

Pour le Népal:

[For Nepal]:

RAM PRASAD SHARMA

Pour le Nicaragua:

[For Nicaragua]:

FLORENCIO A. MENDOZA G.
MANUEL CASTILLO J.
ANTONIO A. MULLHAUPT

Pour la Nouvelle-Zélande:

[For New Zealand]:

A. W. BROCKWAY
N. A. WYLIE

Pour Papua-Nouvelle-Guinée :
[For Papua New Guinea]:

S. KULUPI
G. J. PERKINS

Pour le Royaume des Pays-Bas :
[For the Kingdom of the Netherlands]:

PHILIP LEENMAN

Pour le Pérou :
[For Peru]:

GERMÁN PARRA HERRERA
JUAN M. AGUAYO DEL R.
JORGE HERAUD PÉREZ

Pour la République des Philippines :
[For the Republic of the Philippines]:

CEFERINO S. CARREON
PEDRO P. VILLASENOR
CALIXTO V. ESPEJO
ANTONIO B. ESCALANTE

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :
[For the United Kingdom of Great Britain and Northern Ireland]:

H. A. DANIELS
T. U. MEYER
H. C. GREENWOOD
P. C. SANDERS
W. G. MOORE

Pour la République du Sénégal :
[For the Republic of Senegal]:

IBRAHIMA N'DIAYE
MAME N'DARAW CISSE
LEON DIA

Pour la Sierra Leone :
[For Sierra Leone]:

A. E. FERGUSON-NICOL

Pour la République de Sri Lanka (Ceylan) :
[For the Republic of Sri Lanka (Ceylon)]:

H. D. S. A. GUNAWARDENA

Pour la Confédération suisse :
[For the Swiss Confederation]:

FRITZ LOCHER
B. DELALOYE
J. VALLOTON
R. RUTSCHI
TH. MOECKLI-PELET

Pour la République du Tchad :
[For the Republic of Chad]:

J. BENANE

Pour la Thaïlande :
[For Thailand]:

SRIBHUMI SUKHANETR
SUTHORN LIMPISTHIEN
MAHIDOL CHANTRANGKURN
KOWIT SURAPUNTHU

Pour la République togolaise :
[For the Togolese Republic]:

WILLIAM OSSEYI
ANDRE DO AITHNARD
SETH NENONENE

Pour la Tunisie :
[For Tunisia]:

HABIB BEN CHEIKH
BRAHIM KHOUADJA
MOHAMED HACHICHA
HEDI ZEGHAL
GHANOUCI SADOK
AZIZ LADJIMI
ZOUHIR BENLAKHAL
CHEDLY HELAL

Pour la République arabe du Yémen :
[For the Yemen Arab Republic]:

A. DHAIFULLAH
S. A. EL-SINDY

Pour la République démocratique populaire du Yémen :
[For the People's Democratic Republic of Yemen]:

ALI M. ALHAWTARY
ALI A. BASAHI

Pour la République du Zaïre :
[For the Republic of Zaïre]:

MPEMBELE MUNTU
YOKO YAKEMBE
N'SIALA MAVAMBU
NKUBITO-YA-RUGANGO
