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MULTILATERAL

**Constitution and Convention of the International Telecommunication Union (with annexes and optional protocol).
Concluded at Geneva on 22 December 1992**

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

Registered by the International Telecommunication Union on 1 October 1994.

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**Constitution et Convention de l'Union internationale des télécommunications (avec annexes et protocole facultatif).
Conclues à Genève le 22 décembre 1992**

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

Enregistrées par l'Union internationale des télécommunications le 1^{er} octobre 1994.

CONSTITUTION¹ OF THE INTERNATIONAL TELECOMMUNICATION UNION

Preamble

1 While fully recognizing the sovereign right of each State to regulate its telecommunication and having regard to the growing importance of telecommunication for the preservation of peace and the economic and social development of all States, the States Parties to this Constitution, as the basic instrument of the International Telecommunication Union, and to the Convention of the International Telecommunication Union (hereinafter referred to as "the Convention") which complements it, with the object of facilitating peaceful relations, international cooperation among peoples and economic and social development by means of efficient telecommunication services, have agreed as follows:

¹ The Constitution and Convention came into force provisionally on 1 March 1993 for all the members of the International Telecommunication Union, in accordance with resolution No. 1 concerning the provisional application of the provisions of the Constitution and the Convention relating to the new structure and working methods of the Union.

The Constitution and Convention came into force definitively on 1 July 1994 for the following members of the International Telecommunication Union which had deposited with the Secretary-General of the Union their instrument of ratification, acceptance, approval or accession, in accordance with article 58 (1) of the Constitution :

<i>Participant</i>	<i>Date of deposit of the instrument of ratification, accession (a) or approval (A)</i>	
Denmark	18 June	1993
Canada	21 June	1993
(Confirming the declarations made upon signature.*)		
Mexico	27 September	1993
(Confirming the reservations made upon signature.**)		
Belize	9 November	1993a
Syrian Arab Republic	25 November	1993a
Romania	30 November	1993
Mauritius	6 December	1993a
Bolivia	30 December	1993a
Andorra	24 January	1994a
Lao People's Democratic Republic	24 January	1994a
Eritrea	31 January	1994a
Malaysia	11 April	1994
Turkmenistan	27 April	1994a
France	18 May	1994A
Oman	18 May	1994
Croatia	3 June	1994
Belarus	15 June	1994
Georgia	20 June	1994a
United Kingdom of Great Britain and Northern Ireland	27 June	1994
Kyrgyzstan	29 June	1994a
South Africa	30 June	1994a
Slovakia	1 July	1994a

* For the text of the declarations see no. 73 on p. (494) of this volume.

** For the text of the reservations see no. 55 on p. (487) of this volume.

CHAPTER I

Basic Provisions

ARTICLE 1

Purposes of the Union

- 2 1. The purposes of the Union are:
- 3 a) to maintain and extend international cooperation between all Members of the Union for the improvement and rational use of telecommunications of all kinds;
- 4 b) to promote and to offer technical assistance to developing countries in the field of telecommunications, and also to promote the mobilization of the material and financial resources needed for implementation;
- 5 c) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;
- 6 d) to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants;
- 7 e) to promote the use of telecommunication services with the objective of facilitating peaceful relations;
- 8 f) to harmonize the actions of Members in the attainment of those ends;
- 9 g) to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society, by cooperating with other world and regional intergovernmental organizations and those non-governmental organizations concerned with telecommunications.
- 10 2. To this end, the Union shall in particular:

- 11 a) effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and registration of radio-frequency assignments and any associated orbital positions in the geostationary-satellite orbit in order to avoid harmful interference between radio stations of different countries;
- 12 b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum and of the geostationary-satellite orbit for radiocommunication services;
- 13 c) facilitate the worldwide standardization of telecommunications, with a satisfactory quality of service;
- 14 d) foster international cooperation in the delivery of technical assistance to the developing countries and the creation, development and improvement of telecommunication equipment and networks in developing countries by every means at its disposal, including through its participation in the relevant programmes of the United Nations and the use of its own resources, as appropriate;
- 15 e) coordinate efforts to harmonize the development of telecommunication facilities, notably those using space techniques, with a view to full advantage being taken of their possibilities;
- 16 f) foster collaboration among its Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;
- 17 g) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services;
- 18 h) undertake studies, make regulations, adopt resolutions, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters;
- 19 i) promote, with international financial and development organizations, the establishment of preferential and favourable lines of credit to be used for the development of social projects aimed, inter alia, at extending telecommunication services to the most isolated areas in countries.

ARTICLE 2

Composition of the Union

- 20** The International Telecommunication Union shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:
- 21** a) any State which is a Member of the Union as a Party to any International Telecommunication Convention prior to the entry into force of this Constitution and the Convention;
- 22** b) any other State, a Member of the United Nations, which accedes to this Constitution and the Convention in accordance with Article 53 of this Constitution;
- 23** c) any other State, not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Constitution and the Convention in accordance with Article 53 of this Constitution. If such application for membership is made during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

ARTICLE 3

Rights and Obligations of Members

- 24** 1. Members of the Union shall have the rights and shall be subject to the obligations provided for in this Constitution and the Convention.
- 25** 2. Rights of Members in respect of their participation in the conferences, meetings and consultations of the Union are:

- 26** a) all Members shall be entitled to participate in conferences, shall be eligible for election to the Council and shall have the right to nominate candidates for election as officials of the Union or as members of the Radio Regulations Board;
- 27** b) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member shall have one vote at all Plenipotentiary Conferences, all world conferences and all radiocommunication assemblies and study group meetings and, if it is a Member of the Council, all sessions of that Council. At regional conferences, only the Members of the region concerned shall have the right to vote;
- 28** c) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member shall also have one vote in all consultations carried out by correspondence. In the case of consultations regarding regional conferences, only the Members of the region concerned shall have the right to vote.

ARTICLE 4

Instruments of the Union

- 29** 1. The instruments of the Union are:
- this Constitution of the International Telecommunication Union,
 - the Convention of the International Telecommunication Union, and
 - the Administrative Regulations.
- 30** 2. This Constitution, the provisions of which are complemented by those of the Convention, is the basic instrument of the Union.
- 31** 3. The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Members:

- International Telecommunication Regulations,
- Radio Regulations.

32 4. In the case of inconsistency between a provision of this Constitution and a provision of the Convention or of the Administrative Regulations, the Constitution shall prevail. In the case of inconsistency between a provision of the Convention and a provision of the Administrative Regulations, the Convention shall prevail.

ARTICLE 5

Definitions

33 Unless the context otherwise requires:

- 34** a) the terms used in this Constitution and defined in its Annex, which forms an integral part of this Constitution, shall have the meanings assigned to them in that Annex;
- 35** b) the terms – other than those defined in the Annex to this Constitution – used in the Convention and defined in the Annex thereto, which forms an integral part of the Convention, shall have the meanings assigned to them in that Annex;
- 36** c) other terms defined in the Administrative Regulations shall have the meanings therein assigned to them.

ARTICLE 6

Execution of the Instruments of the Union

37 1. The Members are bound to abide by the provisions of this Constitution, the Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 48 of this Constitution.

- 38 2. The Members are also bound to take the necessary steps to impose the observance of the provisions of this Constitution, the Convention and the Administrative Regulations upon operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

ARTICLE 7

Structure of the Union

- 39 The Union shall comprise:
- 40 a) the Plenipotentiary Conference, which is the supreme organ of the Union;
 - 41 b) the Council, which acts on behalf of the Plenipotentiary Conference;
 - 42 c) world conferences on international telecommunications;
 - 43 d) the Radiocommunication Sector, including world and regional radio-communication conferences, radiocommunication assemblies and the Radio Regulations Board;
 - 44 e) the Telecommunication Standardization Sector, including world telecommunication standardization conferences;
 - 45 f) the Telecommunication Development Sector, including world and regional telecommunication development conferences;
 - 46 g) the General Secretariat.

ARTICLE 8

Plenipotentiary Conference

- 47 1. The Plenipotentiary Conference shall be composed of delegations representing Members. It shall be convened every four years.
- 48 2. The Plenipotentiary Conference shall:

- 49 a) determine the general policies for fulfilling the purposes of the Union prescribed in Article 1 of this Constitution;
- 50 b) after considering the reports by the Council on the activities of the Union since the previous Plenipotentiary Conference and on the recommended strategic policy and planning for the Union, adopt all decisions it considers appropriate;
- 51 c) establish the basis for the budget of the Union and determine, in the light of its decisions taken on the reports referred to in No. 50 above, a ceiling for the expenditure of the Union until the next Plenipotentiary Conference after considering all relevant aspects of the work of the Union in that period;
- 52 d) provide any general directives dealing with the staffing of the Union and, if necessary, fix the basic salaries, the salary scales and the system of allowances and pensions for all the officials of the Union;
- 53 e) examine the accounts of the Union and finally approve them, if appropriate;
- 54 f) elect the Members of the Union which are to serve on the Council;
- 55 g) elect the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux of the Sectors as elected officials of the Union;
- 56 h) elect the members of the Radio Regulations Board;
- 57 i) consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention in accordance with the provisions of Article 55 of this Constitution and the relevant provisions of the Convention respectively;
- 58 j) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded by the Council on behalf of the Union, and take such measures in connection therewith as it deems appropriate;
- 59 k) deal with such other telecommunication questions as may be necessary.

ARTICLE 9

Principles Concerning Elections and Related Matters

- 60** 1. The Plenipotentiary Conference, at any elections referred to in Nos. 54 to 56 of this Constitution, shall ensure that:
- 61** a) the Members of the Council are elected with due regard to the need for equitable distribution of the seats on the Council among all regions of the world;
- 62** b) the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux and the members of the Radio Regulations Board shall all be nationals of different Members, and at their election, due consideration should be given to equitable geographical distribution amongst the regions of the world; as far as the elected officials are concerned, due consideration should also be given to the principles embodied in No. 154 of this Constitution;
- 63** c) the members of the Radio Regulations Board shall be elected, in their individual capacity, from the candidates proposed by the Members of the Union; each Member may propose only one candidate who shall be one of its nationals.
- 64** 2. The procedures for these elections shall be established by the Plenipotentiary Conference. Provisions relating to taking up duties, vacancy and re-eligibility are contained in the Convention.

ARTICLE 10

The Council

- 65** 1. (1) The Council shall be composed of Members of the Union elected by the Plenipotentiary Conference in accordance with the provisions of No. 61 of this Constitution.
- 66** (2) Each Member of the Council shall appoint a person to serve on the Council who may be assisted by one or more advisers.
- 67** 2. The Council shall adopt its own Rules of Procedure.

- 68** 3. In the interval between Plenipotentiary Conferences, the Council shall act, as governing body of the Union, on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.
- 69** 4. (1) The Council shall take all steps to facilitate the implementation by the Members of the provisions of this Constitution, of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties assigned to it by the Plenipotentiary Conference.
- 70** (2) It shall consider broad telecommunication policy issues in keeping with the guidelines given by the Plenipotentiary Conference in order to ensure that the Union's policies and strategy fully respond to the constantly changing telecommunication environment.
- 71** (3) It shall ensure the efficient coordination of the work of the Union and exercise effective financial control over the General Secretariat and the three Sectors.
- 72** (4) It shall contribute, in accordance with the purposes of the Union, to the development of telecommunications in the developing countries by every means at its disposal, including through the participation of the Union in the appropriate programmes of the United Nations.

ARTICLE 11

General Secretariat

- 73** 1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.
- 74** (2) The Secretary-General, with the assistance of the Coordination Committee, shall prepare strategic policies and plans for the Union and shall coordinate its activities.
- 75** (3) The Secretary-General shall take all the actions required to ensure economic use of the Union's resources and shall be responsible to the Council for all the administrative and financial aspects of the Union's activities.

76 (4) The Secretary-General shall act as the legal representative of the Union.

77 2. The Deputy Secretary-General shall be responsible to the Secretary-General; he shall assist the Secretary-General in the performance of his duties and undertake such specific tasks as may be entrusted to him by the Secretary-General. He shall perform the duties of the Secretary-General in the absence of the latter.

CHAPTER II

Radiocommunication Sector

ARTICLE 12

Functions and Structure

78 1. (1) The functions of the Radiocommunication Sector shall be to fulfil the purposes of the Union, as stated in Article 1 of this Constitution, relating to radiocommunication:

- by ensuring the rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using the geostationary-satellite orbit, subject to the provisions of Article 44 of this Constitution, and
- by carrying out studies without limit of frequency range and adopting recommendations on radiocommunication matters.

79 (2) The precise responsibilities of the Radiocommunication Sector and the Telecommunication Standardization Sector shall be subject to continuing review, in close cooperation, with regard to matters of common interest to both Sectors, in accordance with the relevant provisions of the Convention. Close coordination shall be carried out between the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors.

- 80** 2. The Radiocommunication Sector shall work through:
- 81** a) world and regional radiocommunication conferences;
- 82** b) the Radio Regulations Board;
- 83** c) radiocommunication assemblies, which shall be associated with world radiocommunication conferences;
- 84** d) radiocommunication study groups;
- 85** e) the Radiocommunication Bureau, headed by the elected Director.
- 86** 3. The Radiocommunication Sector shall have as members:
- 87** a) of right, the administrations of all Members of the Union;
- 88** b) any entity or organization authorized in accordance with the relevant provisions of the Convention.

ARTICLE 13

Radiocommunication Conferences and Radiocommunication Assemblies

- 89** 1. A world radiocommunication conference may partially or, in exceptional cases, completely, revise the Radio Regulations and may deal with any question of a worldwide character within its competence and related to its agenda; its other duties are specified in the Convention.
- 90** 2. World radiocommunication conferences shall normally be convened every two years; however, following the application of the relevant provisions of the Convention, such a conference need not be convened or an additional one may be convened.
- 91** 3. Radiocommunication assemblies shall also normally be convened every two years, and be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Radiocommunication assemblies shall provide the necessary technical bases for the work of the

world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the Convention.

- 92** 4. The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and the Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the upper limits on credits laid down by the Plenipotentiary Conference.

ARTICLE 14

Radio Regulations Board

- 93** 1. The Radio Regulations Board shall consist of elected members thoroughly qualified in the field of radiocommunications and possessing practical experience in the assignment and utilization of frequencies. Each member shall be familiar with the geographic, economic and demographic conditions within a particular area of the world. They shall perform their duties for the Union independently and on a part-time basis.
- 94** 2. The duties of the Radio Regulations Board shall consist of:
- 95** a) the approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. These Rules of Procedure shall be used by the Director and the Bureau in the application of the Radio Regulations to register frequency assignments made by Members. These Rules shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to a forthcoming world radiocommunication conference;

- 96** *b)* the consideration of any other matter that cannot be resolved through the application of the above Rules of Procedure;
- 97** *c)* the performance of any additional duties, concerned with the assignment and utilization of frequencies, as indicated in No. 78 of this Constitution, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference or by the Council with the consent of a majority of the Members of the Union, in preparation for, or in pursuance of the decisions of, such a conference.
- 98** 3. (1) In the exercise of their Board duties, the members of the Radio Regulations Board shall serve, not as representing their respective Member States nor a region, but as custodians of an international public trust. In particular, each member of the Board shall refrain from intervening in decisions directly concerning the member's own administration.
- 99** (2) No member of the Board shall request or receive instructions relating to the exercise of his duties for the Union from any government or a member thereof, or from any public or private organization or person. Members shall refrain from taking any action or from participating in any decision which may be incompatible with their status defined in No. 98 above.
- 100** (3) Each Member shall respect the exclusively international character of the duties of the members of the Board and refrain from attempting to influence them in the performance of their Board duties.
- 101** 4. The working methods of the Radio Regulations Board are defined in the Convention.

ARTICLE 15

Radiocommunication Study Groups

- 102** The duties of the radiocommunication study groups are specified in the Convention.

ARTICLE 16

Radiocommunication Bureau

- 103** The functions of the Director of the Radiocommunication Bureau are specified in the Convention.

CHAPTER III

Telecommunication Standardization Sector

ARTICLE 17

Functions and Structure

- 104** 1. (1) The functions of the Telecommunication Standardization Sector shall be to fulfil the purposes of the Union relating to telecommunication standardization, as stated in Article 1 of this Constitution, by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.
- 105** (2) The precise responsibilities of the Telecommunication Standardization and Radiocommunication Sectors shall be subject to continuing review, in close cooperation, with regard to matters of common interest to both Sectors, in accordance with the relevant provisions of the Convention. Close coordination shall be carried out between the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors.
- 106** 2. The Telecommunication Standardization Sector shall work through:
- 107** a) world telecommunication standardization conferences;

- 108 b) telecommunication standardization study groups;
- 109 c) the Telecommunication Standardization Bureau headed by the elected Director.
- 110 3. The Telecommunication Standardization Sector shall have as members:
 - 111 a) of right, the administrations of all Members of the Union;
 - 112 b) any entity or organization authorized in accordance with the relevant provisions of the Convention.

ARTICLE 18

World Telecommunication Standardization Conferences

- 113 1. The duties of world telecommunication standardization conferences are specified in the Convention.
- 114 2. World telecommunication standardization conferences shall be convened every four years; however, an additional conference may be held in accordance with the relevant provisions of the Convention.
- 115 3. Decisions of world telecommunication standardization conferences must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the upper limits on credits laid down by the Plenipotentiary Conference.

ARTICLE 19

Telecommunication Standardization Study Groups

- 116** The duties of the telecommunication standardization study groups are specified in the Convention.

ARTICLE 20

Telecommunication Standardization Bureau

- 117** The functions of the Director of the Telecommunication Standardization Bureau are specified in the Convention.

CHAPTER IV

Telecommunication Development Sector

ARTICLE 21

Functions and Structure

- 118** 1. (1) The functions of the Telecommunication Development Sector shall be to fulfil the purposes of the Union as stated in Article 1 of this Constitution and to discharge, within its specific sphere of competence, the Union's dual responsibility as a United Nations specialized agency and executing agency for implementing projects under the United Nations development system or other funding arrangements so as to facilitate and enhance telecommunications development by offering, organizing and coordinating technical cooperation and assistance activities.

- 119** (2) The activities of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors shall be the subject of close cooperation with regard to matters relating to development, in accordance with the relevant provisions of this Constitution.
- 120** 2. Within the foregoing framework, the specific functions of the Telecommunication Development Sector shall be to:
- 121** a) raise the level of awareness of decision-makers concerning the important role of telecommunications in the national economic and social development programme, and provide information and advice on possible policy and structural options;
 - 122** b) promote the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, by reinforcing capabilities for human resources development, planning, management, resource mobilization, and research and development;
 - 123** c) enhance the growth of telecommunications through cooperation with regional telecommunications organizations and with global and regional development financing institutions, monitoring the status of projects included in its development programme to ensure that they are properly executed;
 - 124** d) activate the mobilization of resources to provide assistance in the field of telecommunications to developing countries by promoting the establishment of preferential and favourable lines of credit, and cooperating with international and regional financial and development institutions;
 - 125** e) promote and coordinate programmes to accelerate the transfer of appropriate technologies to the developing countries in the light of changes and developments in the networks of the developed countries;
 - 126** f) encourage participation by industry in telecommunication development in developing countries, and offer advice on the choice and transfer of appropriate technology;
 - 127** g) offer advice, carry out or sponsor studies, as necessary, on technical, economic, financial, managerial, regulatory and policy issues, including studies of specific projects in the field of telecommunications;

- 128 *h)* collaborate with the other Sectors, the General Secretariat and other concerned bodies in developing a general plan for international and regional telecommunication networks so as to facilitate the coordination of their development with a view to the provision of telecommunication services;
- 129 *i)* in carrying out the above functions, give special attention to the requirements of the least developed countries.
- 130 3. The Telecommunication Development Sector shall work through:
 - 131 *a)* world and regional telecommunication development conferences;
 - 132 *b)* telecommunication development study groups;
 - 133 *c)* the Telecommunication Development Bureau headed by the elected Director.
- 134 4. The Telecommunication Development Sector shall have as members:
 - 135 *a)* of right, the administrations of all Members of the Union;
 - 136 *b)* any entity or organization authorized in accordance with the relevant provisions of the Convention.

ARTICLE 22

Telecommunication Development Conferences

- 137 1. Telecommunication development conferences shall be a forum for the discussion and consideration of topics, projects and programmes relevant to telecommunication development and for the provision of direction and guidance to the Telecommunication Development Bureau.
- 138 2. Telecommunication development conferences shall comprise:

- 139** a) world telecommunication development conferences;
- 140** b) regional telecommunication development conferences.
- 141** 3. There shall be, between two Plenipotentiary Conferences, one world telecommunication development conference and, subject to resources and priorities, regional telecommunication development conferences.
- 142** 4. The telecommunication development conferences shall not produce Final Acts. Their conclusions shall take the form of resolutions, decisions, recommendations or reports. These conclusions must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the upper limits on credits laid down by the Plenipotentiary Conference.
- 143** 5. The duties of telecommunication development conferences are specified in the Convention.

ARTICLE 23

Telecommunication Development Study Groups

- 144** The duties of telecommunication development study groups are specified in the Convention.

ARTICLE 24

Telecommunication Development Bureau

- 145** The functions of the Director of the Telecommunication Development Bureau are specified in the Convention.

CHAPTER V

Other Provisions Concerning the Functioning of the Union

ARTICLE 25

World Conferences on International Telecommunications

- 146** 1. A world conference on international telecommunications may partially, or in exceptional cases, completely revise the International Telecommunication Regulations and may deal with any question of a worldwide character within its competence and related to its agenda.
- 147** 2. Decisions of world conferences on international telecommunications shall in all circumstances be in conformity with this Constitution and the Convention. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the upper limits on credits laid down by the Plenipotentiary Conference.

ARTICLE 26

Coordination Committee

- 148** 1. The Coordination Committee shall consist of the Secretary-General, the Deputy Secretary-General and the Directors of the three Bureaux. It shall be presided over by the Secretary-General, and in his absence by the Deputy Secretary-General.
- 149** 2. The Coordination Committee shall act as an internal management team which advises and gives the Secretary-General practical assistance on all administrative, financial, information system and technical cooperation matters which do not fall under the exclusive competence of a particular Sector or of the General Secretariat and on external relations and public information. In its considerations, the Committee shall keep fully in view the

provisions of this Constitution, the Convention, the decisions of the Council and the interests of the Union as a whole.

ARTICLE 27

Elected Officials and Staff of the Union

150 1. (1) In the performance of their duties, neither the elected officials nor the staff of the Union shall seek or accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.

151 (2) Each Member shall respect the exclusively international character of the duties of these elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.

152 (3) No elected official or any member of the staff of the Union shall participate in any manner or have any financial interest whatsoever in any enterprise concerned with telecommunications, except as part of their duties. However, the term «financial interest» is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.

153 (4) In order to ensure the efficient operation of the Union, any Member, a national of which has been elected Secretary-General, Deputy Secretary-General or Director of a Bureau shall refrain, as far as possible, from recalling that national between two Plenipotentiary Conferences.

154 2. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

ARTICLE 28

Finances of the Union

- 155** 1. The expenses of the Union shall comprise the costs of:
- 156** a) the Council;
- 157** b) the General Secretariat and the Sectors of the Union;
- 158** c) Plenipotentiary Conferences and world conferences on international telecommunications.
- 159** 2. The expenses of the Union shall be met from the contributions of its Members and of entities and organizations authorized to participate in the Union's activities in accordance with the relevant provisions of the Convention. Each Member and any such authorized entity or organization shall pay a sum proportional to the number of units in the class of contribution it has chosen in accordance with the relevant provisions of the Convention.
- 160** 3. (1) Members shall be free to choose their class of contribution for defraying Union expenses.
- 161** (2) This choice shall be made within six months following the end of a Plenipotentiary Conference in accordance with the scale of classes of contribution contained in the Convention.
- 162** (3) If a Plenipotentiary Conference adopts an amendment to the scale of classes of contribution in the Convention, the Secretary-General shall inform each Member of the date of the entry into force of the amendment. Each Member shall notify the Secretary-General, within six months of the date of this communication, of the class of contribution it has chosen in accordance with the amended scale in force.
- 163** (4) The class of contribution chosen by each Member, in accordance with No. 161 or No. 162 above, is applicable only as from 1 January following one year after the expiry of the six-month period referred to in Nos. 161 or 162 above.
- 164** 4. Members who have failed to make known their decision in the time specified respectively in Nos. 161 and 162 above shall retain the class of contribution previously chosen.

- 165** 5. The class of contribution chosen by a Member can only be reduced in accordance with Nos. 161, 162 and 163 above. However, under exceptional circumstances such as natural disasters necessitating international aid programmes, the Council may authorize a reduction in the number of contributory units when so requested by a Member which has established that it can no longer maintain its contribution at the class originally chosen.
- 166** 6. Likewise, Members may, subject to the approval of the Council, choose a class of contribution lower than the one selected under No. 161 above, if their relative contributory positions are, from the date fixed in No. 163 above for a new period of contribution, substantially worse than their previous positions.
- 167** 7. Expenses incurred by the regional conferences referred to in No. 43 of this Constitution shall be borne in accordance with their unit classification by all the Members of the region concerned and, where appropriate, on the same basis by any Members of other regions which have participated in such conferences.
- 168** 8. Members, entities and organizations referred to in No. 159 above shall pay in advance their annual contributory shares, calculated on the basis of the biennial budget approved by the Council as well as of any adjustment adopted by the Council.
- 169** 9. A Member which is in arrear in its payments to the Union shall lose its right to vote as defined in Nos. 27 and 28 of this Constitution for so long as the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two years.
- 170** 10. Specific provisions, which apply to the financial contributions by entities and organizations referred to in No. 159 above and by other international organizations, are contained in the Convention.

ARTICLE 29

Languages

- 171** 1. (1) The official and working languages of the Union shall be Arabic, Chinese, English, French, Russian and Spanish.
- 172** (2) In accordance with the relevant decisions of the Plenipotentiary Conference, these languages shall be used for drawing up and publishing documents and texts of the Union, in versions equivalent in form and content, as well as for reciprocal interpretation during conferences and meetings of the Union.
- 173** (3) In case of discrepancy or dispute, the French text shall prevail.
- 174** 2. When all participants in a conference or in a meeting so agree, discussions may be conducted in fewer languages than those mentioned above.

ARTICLE 30

Seat of the Union

- 175** The seat of the Union shall be at Geneva.

ARTICLE 31

Legal Capacity of the Union

- 176** The Union shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

ARTICLE 32

Rules of Procedure of Conferences and Other Meetings

- 177** 1. For the organization of their work and the conduct of their discussions, conferences and meetings of the Union shall apply the Rules of Procedure in the Convention.
- 178** 2. Conferences and the Council may adopt such rules as they consider to be essential in addition to those in the Rules of Procedure. Such additional rules must, however, be compatible with this Constitution and the Convention; those adopted by conferences shall be published as conference documents.

CHAPTER VI

General Provisions Relating to Telecommunications

ARTICLE 33

**The Right of the Public to Use the International
Telecommunication Service**

- 179** Members recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference.

ARTICLE 34

Stoppage of Telecommunications

- 180** 1. Members reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.
- 181** 2. Members also reserve the right to cut off any other private telecommunications which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency.

ARTICLE 35

Suspension of Services

- 182** Each Member reserves the right to suspend the international telecommunication service, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members through the medium of the Secretary-General.

ARTICLE 36

Responsibility

- 183** Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

ARTICLE 37

Secrecy of Telecommunications

- 184** 1. Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.
- 185** 2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their national laws or the execution of international conventions to which they are parties.

ARTICLE 38

Establishment, Operation and Protection of Telecommunication Channels and Installations

- 186** 1. Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.
- 187** 2. So far as possible, these channels and installations must be operated by the methods and procedures which practical operating experience has shown to be the best. They must be maintained in proper operating condition and kept abreast of scientific and technical progress.
- 188** 3. Members shall safeguard these channels and installations within their jurisdiction.
- 189** 4. Unless other conditions are laid down by special arrangements, each Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

ARTICLE 39

Notification of Infringements

190 In order to facilitate the application of the provisions of Article 6 of this Constitution, Members undertake to inform one another of infringements of the provisions of this Constitution, the Convention and of the Administrative Regulations.

ARTICLE 40

Priority of Telecommunications Concerning Safety of Life

191 International telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

ARTICLE 41

Priority of Government Telecommunications

192 Subject to the provisions of Articles 40 and 46 of this Constitution, government telecommunications (see Annex to this Constitution, No. 1014) shall enjoy priority over other telecommunications to the extent practicable upon specific request by the originator.

ARTICLE 42

Special Arrangements

193 Members reserve for themselves, for the operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special arrangements on telecommunication matters which do not concern Members in general. Such arrangements, however, shall not be in conflict with the terms of this Constitution, of the Convention or of the Administrative Regulations, so far as concerns the harmful interference which their operation might cause to the radio services of other Members, and in general so far as concerns the technical harm which their operation might cause to the operation of other telecommunication services of other Members.

ARTICLE 43

Regional Conferences, Arrangements and Organizations

194 Members reserve the right to convene regional conferences, to make regional arrangements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. Such arrangements shall not be in conflict with either this Constitution or the Convention.

CHAPTER VII

Special Provisions for Radio

ARTICLE 44

Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite Orbit

- 195** 1. Members shall endeavour to limit the number of frequencies and the spectrum used to the minimum essential to provide in a satisfactory manner the necessary services. To that end, they shall endeavour to apply the latest technical advances as soon as possible.
- 196** 2. In using frequency bands for radio services, Members shall bear in mind that radio frequencies and the geostationary-satellite orbit are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to both, taking into account the special needs of the developing countries and the geographical situation of particular countries.

ARTICLE 45

Harmful Interference

- 197** 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Members or of recognized operating agencies, or of other duly authorized operating agencies which carry on a radio service, and which operate in accordance with the provisions of the Radio Regulations.
- 198** 2. Each Member undertakes to require the operating agencies which it recognizes and the other operating agencies duly authorized for this purpose to observe the provisions of No. 197 above.

- 199** 3. Further, the Members recognize the necessity of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in No. 197 above.

ARTICLE 46

Distress Calls and Messages

- 200** Radio stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as may be required.

ARTICLE 47

False or Deceptive Distress, Urgency, Safety or Identification Signals

- 201** Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations under their jurisdiction transmitting such signals.

ARTICLE 48

Installations for National Defence Services

- 202** 1. Members retain their entire freedom with regard to military radio installations.

203 2. Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Administrative Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.

204 3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Administrative Regulations, they must, in general, comply with the regulatory provisions for the conduct of such services.

CHAPTER VIII

Relations With the United Nations, Other International Organizations and Non-Member States

ARTICLE 49

Relations With the United Nations

205 The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement concluded between these two organizations.

ARTICLE 50

Relations With Other International Organizations

206 In furtherance of complete international coordination on matters affecting telecommunication, the Union shall cooperate with international organizations having related interests and activities.

ARTICLE 51

Relations With Non-Member States

- 207** Each Member reserves to itself and to the recognized operating agencies the right to fix the conditions on which it admits telecommunications exchanged with a State which is not a Member of the Union. If a telecommunication originating in the territory of such a State is accepted by a Member, it must be transmitted and, in so far as it follows the telecommunication channels of a Member, the obligatory provisions of this Constitution, of the Convention and of the Administrative Regulations and the usual charges shall apply to it.

CHAPTER IX

Final Provisions

ARTICLE 52

Ratification, Acceptance or Approval

- 208** 1. This Constitution and the Convention shall be simultaneously ratified, accepted or approved by any signatory Member, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Members of each deposit of any such instrument.
- 209** 2. (1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall enjoy the rights conferred on Members of the Union in Nos. 25 to 28 of this Constitution.

- 210** (2) From the end of a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member which has not deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall no longer be entitled to vote at any conference of the Union, at any session of the Council, at any meeting of any of the Sectors of the Union, or during consultation by correspondence conducted in accordance with the provisions of this Constitution and of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.
- 211** 3. After the entry into force of this Constitution and the Convention in accordance with Article 58 of this Constitution, an instrument of ratification, acceptance or approval, shall become effective on the date of its deposit with the Secretary-General.

ARTICLE 53

Accession

- 212** 1. A Member which is not a signatory to this Constitution and the Convention, or, subject to the provisions of Article 2 of this Constitution, any other State referred to in that Article may accede to this Constitution and the Convention at any time. Such accession shall be made simultaneously in the form of one single instrument covering both this Constitution and the Convention.
- 213** 2. The instrument of accession shall be deposited with the Secretary-General, who shall notify the Members of each deposit of any such instrument when it is received and shall forward to each of them a certified copy thereof.
- 214** 3. After the entry into force of this Constitution and the Convention in accordance with Article 58 of this Constitution, an instrument of accession shall become effective on the date of its deposit with the Secretary-General, unless otherwise specified therein.

ARTICLE 54

Administrative Regulations

- 215** 1. The Administrative Regulations, as specified in Article 4 of this Constitution, are binding international instruments and shall be subject to the provisions of this Constitution and the Convention.
- 216** 2. Ratification, acceptance or approval of this Constitution and the Convention, or accession to these instruments, in accordance with Articles 52 and 53 of this Constitution, shall also constitute consent to be bound by the Administrative Regulations adopted by competent world conferences prior to the date of signature of this Constitution and the Convention. Such consent is subject to any reservation made at the time of signature of the Administrative Regulations or revisions thereof to the extent that the reservation is maintained at the time of deposit of the instrument of ratification, acceptance, approval or accession.
- 217** 3. Revisions of the Administrative Regulations, either partial or complete, adopted after the aforementioned date shall, to the extent permitted by their national law, apply provisionally in respect of all Members which have signed such revisions. Such provisional application shall be effective from the date or dates specified therein, and shall be subject to such reservations as may have been made at the time of signature of such revisions.
- 218** 4. Such provisional application shall continue until:
- 219** a) the Member notifies the Secretary-General of its consent to be bound by any such revision and indicates, if appropriate, the extent to which it maintains any reservation made in respect of that revision at the time of signature of that revision; or
- 220** b) sixty days after receipt by the Secretary-General of the Member's notification informing him that it does not consent to be bound by any such revision.
- 221** 5. If no notification under Nos. 219 or 220 above has been received by the Secretary-General from any Member which has signed any such revision, prior to the expiry of a period of thirty-six months from the date or dates specified therein for the commencement of provisional application, that Member shall be deemed to have consented to be bound by that revision, subject to any reservation it may have made in respect of that revision at the time of signature of that revision.

- 222** 6. Any Member of the Union which has not signed any such revision of the Administrative Regulations, either partial or complete, adopted after the date stipulated in No. 216 above, shall endeavour to notify the Secretary-General promptly of its consent to be bound by it. If no such notification has been received by the Secretary-General from such a Member before the expiry of the period stipulated in No. 221 above, that Member shall be deemed to have consented to be bound by that revision.
- 223** 7. The Secretary-General shall inform Members promptly of any notification received pursuant to this Article.

ARTICLE 55

Provisions for Amending this Constitution

- 224** 1. Any Member of the Union may propose any amendment to this Constitution. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Members of the Union, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, forward any such proposal to all the Members of the Union.
- 225** 2. Any proposed modification to any amendment submitted in accordance with No. 224 above may, however, be submitted at any time by a Member of the Union or by its delegation at the Plenipotentiary Conference.
- 226** 3. The quorum required at any Plenary Meeting of the Plenipotentiary Conference for consideration of any proposal for amending this Constitution or modification thereto shall consist of more than one half of the delegations accredited to the Plenipotentiary Conference.
- 227** 4. To be adopted, any proposed modification to a proposed amendment as well as the proposal as a whole, whether or not modified, shall be approved, at a Plenary Meeting, by at least two-thirds of the delegations accredited to the Plenipotentiary Conference which have the right to vote.

- 228** 5. Unless specified otherwise in the preceding paragraphs of the present Article, which shall prevail, the general provisions regarding conferences and the Rules of Procedures of conferences and other meetings as contained in the Convention shall apply.
- 229** 6. Any amendments to this Constitution adopted by a Plenipotentiary Conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Members having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Constitution and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.
- 230** 7. The Secretary-General shall notify all Members of the deposit of each instrument of ratification, acceptance, approval or accession.
- 231** 8. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 52 and 53 of this Constitution shall apply to the Constitution as amended.
- 232** 9. After entry into force of any such amending instrument, the Secretary-General shall register it with the Secretariat of the United Nations, in accordance with the provisions of Article 102 of the Charter of the United Nations. No. 241 of this Constitution shall also apply to any such amending instrument.

ARTICLE 56

Settlement of Disputes

- 233** 1. Members may settle their disputes on questions relating to the interpretation or application of this Constitution, the Convention or of the Administrative Regulations by negotiation, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.
- 234** 2. If none of these methods of settlement is adopted, any Member party to a dispute may have recourse to arbitration in accordance with the procedure defined in the Convention.

- 235** 3. The Optional Protocol on the Compulsory Settlement of Disputes Relating to this Constitution, to the Convention, and to the Administrative Regulations shall be applicable as between Members parties to that Protocol.

ARTICLE 57

Denunciation of this Constitution and the Convention

- 236** 1. Each Member which has ratified, accepted, approved or acceded to this Constitution and the Convention shall have the right to denounce them. In such a case, this Constitution and the Convention shall be denounced simultaneously in one single instrument, by a notification addressed to the Secretary-General. Upon receipt of such notification, the Secretary-General shall advise the other Members thereof.
- 237** 2. Such denunciation shall take effect at the expiration of a period of one year from the date of receipt of its notification by the Secretary-General.

ARTICLE 58

Entry into Force and Related Matters

- 238** 1. This Constitution and the Convention shall enter into force on 1 July 1994 between Members having deposited before that date their instrument of ratification, acceptance, approval or accession.
- 239** 2. Upon the date of entry into force specified in No. 238 above, this Constitution and the Convention shall, as between Parties thereto, abrogate and replace the International Telecommunication Convention (Nairobi, 1982).¹

¹ United Nations, *Treaty Series*, vol. 1531, p. I-26559.

- 240** 3. In accordance with the provisions of Article 102 of the Charter of the United Nations, the Secretary-General of the Union shall register this Constitution and the Convention with the Secretariat of the United Nations.
- 241** 4. The original of this Constitution and the Convention drawn up in the Arabic, Chinese, English, French, Russian and Spanish languages shall remain deposited in the archives of the Union. The Secretary-General shall forward, in the languages requested, a certified true copy to each of the signatory Members.
- 242** 5. In the event of any discrepancy among the various language versions of this Constitution and the Convention, the French text shall prevail.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed the original of this Constitution of the International Telecommunication Union and the original of the Convention of the International Telecommunication Union.

Done at Geneva, on 22 December 1992

For the Islamic State of Afghanistan:

MOHAMMAD AKRAM
MIR AZMUDDIN
ABDUL BAQI AZIZI
KHOWAJA AQA SHARAR
MIR AZIZULLAH BURHANI
MAULAWI SHIREEN MOHAMMAD

For the Republic of Albania:

BEKTESHI HASAN
QESTERI EMIL

For the People's Democratic Republic of Algeria:

OUHADJ MAHIDDINE
FARAOUN BOUALEM

In the name of the Federal Republic of Germany:

ULRICH MOHR
EBERHARD GEORGE

For the Kingdom of Saudi Arabia:

SAMI S. AL-BASHEER

For the Argentine Republic:

ALBERTO JESUS GABRIELLI
MAXIMILIANO MARTIN VON KESSELSTATT
ARMANDO FRANCISCO GARCIA
ANTONIO ERMETE CRISTIANI
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For Australia:

R. N. SMITH
C. L. OLIVER

For Austria:

JOSEF BAYER
GERD LETTNER

For the Commonwealth of the Bahamas:

LEANDER A. BETHEL

For the State of Bahrain:

RASHEED J. ASHOOR

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PHILIP M. GREAVES
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For the Republic of Belarus:

IVAN M. GRITSUK
ANATOLY I. BOUDAI

For Belgium:

ALEX REYN
MICHEL GONY
JEAN-PAUL LAMBOTTE
MARC VAN CRAEN

For the Republic of Benin:

GOUNDE DESIRE ADADJA

HONORE VIGNON

NICOLAS URBAIN ZODEHOUGAN

For the Kingdom of Bhutan:

PALJOR J. DORJI

For the Republic of Botswana:

OLEBILE M. GABORONE

For the Federative Republic of Brazil:

ALMIR FRANCO DE SA BARBUDA

ROBERTO BLOIS

SAVIO PINHEIRO

For Brunei Darussalam:

SAIFULBAHRI BIN DATO PADUKA HAJI JAYA

DEREK TET LEONG WONG

HJ. ALI BIN ABD. HAMID

For the Republic of Bulgaria:

MIRSKI K.

For Burkina Faso:

SANOU BRAHIMA

BONKOUNGOU ZOULI

For the Republic of Burundi:

NDAYIZEYE APOLLINAIRE

For the Republic of Cameroon:

DAKOLE DAISSALA
BISSECK HERVE GUILLAUME
MAGA RICHARD
TALLAH WILLIAM
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DJOUAKA HENRI
WANMI FRANÇOIS

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R. W. JONES

For the Republic of Cape Verde:

ANTONIO PEDRO DE SOUSA LOBO

For the Central African Republic:

VINCENT SAKANGA
JEAN-MARIE SAKILA
EUGENE NZENGOU

For Chile:

ROBERTO PLISCOFF VASQUEZ

For the People's Republic of China:

ZHU GAOFENG
ZHAO XINTONG

For the Republic of Cyprus:

KRITIOTIS ADAM
CHRISTODOULIDES KYRIAKOS Z.

For the Vatican City State:

EUGENIO MATIS S.J.

For the Republic of Colombia:

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For the Islamic Federal Republic of the Comoros:

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CHAIBATI MATOIRI

For the Republic of Korea:

PARK YOUNG IHL
LEE KYO-YOUNG
LEE DONG-HYUNG
YOO HAE-SOO
LEE WON-JA

For the Republic of Côte d'Ivoire:

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TIEMELE KOUANDE CHARLES
KONAN KOUADIO ETIENNE
KOFFI KOUMAN ALEXIS
JEAN-BAPTISTE AHOU JOSEPH
YAO KOUAKOU JEAN-BAPTISTE
N'TAKPE N'CHO ATTE

For the Republic of Croatia:

DOMINIK FILIPOVIC

For Cuba:

CARLOS MARTINEZ ALBUERNE

For Denmark:

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JØRN JENSBY
METTE J. KONNER
HANS ERIKSEN
OLE TOFT

For the Republic of Djibouti:

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For the Arab Republic of Egypt:

MOHAMED SELIM

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JURI JOEMA

For the United States of America:

BRADLEY P. HOLMES

For Ethiopia:

BEKELE YADETTA

MELAKU BELAY

GELANEH TAYE

For the Republic of Fiji:

KALIOPATE TAVOLA

For Finland:

REIJO SVENSSON

For France:

MIYET BERNARD

MAIN DE BOISSIERE JEAN-BAPTISTE

For the Gabonese Republic:

BANGUEBE JEAN-PIERRE

MBENG-EKOGHA FABIEN

LEGNONGO JULES

For the Republic of Gambia:

ELIMAN M. CHAM

MOMODOU M. CHAM

For Ghana:

KOJO AMOO-GOTTFRIED

For Greece:

GEORGES ANTONIOU

ANASTASE NODAROS

Z. PROTOPSALTI

V. G. CASSAPOGLOU

For Grenada:

DEORAJ RAMNARINE

For the Republic of Guinea:

DIALLO ALPHA IBRAHIMA

SOW MAMADOU DIOULDE

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DIALLO MAMADOU MALAL

For the Republic of Honduras:

MARIO ALBERTO FORTIN MIDENCE

For the Republic of Hungary:

SANDOR GYURKOVICS

For the Republic of India:

H. P. WAGLE

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NAZIR AHMAD

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For Papua New Guinea:

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FERNANDO J. P. GALHARDO

LUIS BARROS

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HASHEM A. AL-HASHEMI

ABDULWAHED FAKHROO

For the Democratic People's Republic of Korea:

KIM RYE HYON

For Romania:

IONESCU CANTEMIR

For the United Kingdom of Great Britain and Northern Ireland:

NEIL MCMILLAN

MICHAEL GODDARD

DAVID ANTHONY HENDON

For the Russian Federation:

VLADIMIR BOULGAK

For the Republic of San Marino:

IVO GRANDONI

MICHELE GIRI

For the Republic of Senegal:

CHEIKH TIDIANE MBAYE

CHEIKH TIDIANE NDIONGUE

ALIOUNE SENE

SOULEYMANE MBAYE

For the Republic of Singapore:

LIM CHOON SAI

VALERIE D'COSTA

For the Republic of Slovenia:

JOZE VUGRINEC

For the Republic of the Sudan:

MUSTAFA IBRAHIM MOHAMED

ABDELWAHAB GAMAL

ABDALLA MOHAMED ELAWAD

For the Democratic Socialist Republic of Sri Lanka:

ARUNACHALAM MANICCAVASAGAR

For Sweden:

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For the Republic of Zimbabwe:

MAZWI FANI DANDATO

DZIMBANHETE FREDSON MATAVIRE

FRANK KANEUNYENYE

ANNEX

Definition of Certain Terms Used in this Constitution, the Convention and the Administrative Regulations of the International Telecommunication Union

- 1001** For the purpose of the above instruments of the Union, the following terms shall have the meanings defined below:
- 1002** *Administration:* Any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations.
- 1003** *Harmful Interference:* Interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations.
- 1004** *Public Correspondence:* Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.
- 1005** *Delegation:* The totality of the delegates and, should the case arise, any representatives, advisers, attachés, or interpreters sent by the same Member.

Each Member shall be free to make up its delegation as it wishes. In particular, it may include in its delegation, inter alia, in the capacity of delegates, advisers or attachés, persons belonging to any entity or organization authorized in accordance with the relevant provisions of the Convention.

- 1006** *Delegate:* A person sent by the government of a Member of the Union to a Plenipotentiary Conference, or a person representing a government or an administration of a Member of the Union at a conference or at a meeting of the Union.

- 1007** *Operating Agency*: Any individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.
- 1008** *Recognized Operating Agency*: Any operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member in whose territory the head office of the agency is situated, or by the Member which has authorized this operating agency to establish and operate a telecommunication service on its territory.
- 1009** *Radiocommunication*: Telecommunication by means of radio waves.
- 1010** *Broadcasting Service*: A radiocommunication service in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmission.
- 1011** *International Telecommunication Service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.
- 1012** *Telecommunication*: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.
- 1013** *Telegram*: Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.
- 1014** *Government Telecommunications*: Telecommunications originating with any:
- Head of State;
 - Head of government or members of a government;
 - Commanders-in-Chief of military forces, land, sea or air;
 - diplomatic or consular agents;
 - the Secretary-General of the United Nations; Heads of the principal organs of the United Nations;
 - the International Court of Justice,
- or replies to government telecommunications mentioned above.

1015 *Private Telegrams:* Telegrams other than government or service telegrams.

1016 *Telegraphy:* A form of telecommunication in which the transmitted information is intended to be recorded on arrival as a graphic document; the transmitted information may sometimes be presented in an alternative form or may be stored for subsequent use.

Note: A graphic document records information in a permanent form and is capable of being filed and consulted; it may take the form of written or printed matter or of a fixed image.

1017 *Telephony:* A form of telecommunication primarily intended for the exchange of information in the form of speech.

CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION

CHAPTER I

Functioning of the Union

SECTION 1

ARTICLE 1

Plenipotentiary Conference

- 1** 1. (1) The Plenipotentiary Conference shall be convened in accordance with the relevant provisions of Article 8 of the Constitution of the International Telecommunication Union (hereinafter referred to as “the Constitution”).
- 2** (2) If practicable, the precise place and the exact dates of a Plenipotentiary Conference shall be set by the preceding Plenipotentiary Conference; failing this, they shall be fixed by the Council with the concurrence of the majority of the Members of the Union.
- 3** 2. (1) The precise place and the exact dates of the next Plenipotentiary Conference, or either one of these, may be changed:
- 4** *a)* when at least one-quarter of the Members of the Union have individually proposed a change to the Secretary-General; or
- 5** *b)* on a proposal of the Council.
- 6** (2) Any such change shall require the concurrence of a majority of the Members of the Union.

ARTICLE 2

Elections and Related Matters**The Council**

7 1. Except in the case of vacancies arising in the circumstances described in Nos. 10 to 12 below, the Members of the Union elected to the Council shall hold office until the date on which a new Council is elected. They shall be eligible for re-election.

8 2. (1) If, between two Plenipotentiary Conferences, a seat becomes vacant on the Council, it shall pass by right to the Member of the Union from the same region as the Member whose seat is vacated, which had obtained at the previous election the largest number of votes among those not elected.

9 (2) When for any reason a vacant seat cannot be filled according to the procedure of No. 8 above, the Chairman of the Council shall invite the other Members of the region to seek election within one month of such an invitation being issued. At the end of this period, the Chairman of the Council shall invite Members of the Union to elect a new Member. The election shall be carried out by secret ballot by correspondence. The same majority as indicated above will be required. The new Member shall hold office until the election of the new Council by the next competent Plenipotentiary Conference.

10 3. A seat on the Council shall be considered vacant:

11 a) when a Council Member does not have a representative in attendance at two consecutive ordinary sessions of the Council;

12 b) when a Member of the Union resigns its membership of the Council.

Elected officials

- 13** 1. The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux shall take up their duties on the dates determined by the Plenipotentiary Conference at the time of their election. They shall normally remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for re-election once only.
- 14** 2. If the post of Secretary-General falls vacant, the Deputy Secretary-General shall succeed to it and shall remain in office until a date determined by the following Plenipotentiary Conference. When under these conditions the Deputy Secretary-General succeeds to the office of the Secretary-General, the post of Deputy Secretary-General shall be considered to fall vacant on that same date and the provisions of No. 15 below shall be applied.
- 15** 3. If the post of Deputy Secretary-General falls vacant more than 180 days prior to the date set for the convening of the next Plenipotentiary Conference, the Council shall appoint a successor for the balance of the term.
- 16** 4. If the posts of the Secretary-General and the Deputy Secretary-General fall vacant simultaneously, the Director who has been longest in office shall discharge the duties of Secretary-General for a period not exceeding 90 days. The Council shall appoint a Secretary-General and, if the vacancies occur more than 180 days prior to the date set for the convening of the next Plenipotentiary Conference, a Deputy Secretary-General. An official thus appointed by the Council shall serve for the balance of the term for which his predecessor was elected.
- 17** 5. If the post of a Director becomes unexpectedly vacant, the Secretary-General shall take the necessary steps to ensure that the duties of that Director are carried out until the Council shall appoint a new Director at its next ordinary session following the occurrence of such a vacancy. A Director so appointed shall serve until the date fixed by the next Plenipotentiary Conference.
- 18** 6. Subject to the relevant provisions of Article 27 of the Constitution, the Council shall provide for the filling of any vacancy in the post of Secretary-General or Deputy Secretary-General in the situation described in the relevant provisions of the present Article at an ordinary session, if held within 90 days after a vacancy occurs, or at a session convened by the Chairman within the periods specified in those provisions.

- 19 7. Any period of service in the post of an elected official pursuant to an appointment under Nos. 14 to 18 above shall not affect eligibility for election or re-election to such a post.

Members of the Radio Regulations Board

- 20 1. The members of the Radio Regulations Board shall take up their duties on the dates determined by the Plenipotentiary Conference at the time of their election. They shall remain in office until dates determined by the following Plenipotentiary Conference, and shall be eligible for re-election once only.
- 21 2. If, in the interval between two Plenipotentiary Conferences, a member of the Board resigns or is no longer in a position to perform his duties, the Secretary-General, in consultation with the Director of the Radiocommunication Bureau, shall invite the Members of the Union of the region concerned to propose candidates for the election of a replacement at the next session of the Council. However, if the vacancy occurs more than 90 days before a session of the Council or after the session of the Council preceding the next Plenipotentiary Conference, the Member of the Union concerned shall designate, as soon as possible and within 90 days, another national as a replacement who will remain in office until the new member elected by the Council takes office or until the new members of the Board elected by the next Plenipotentiary Conference take office, as appropriate. The replacement shall be eligible for election by the Council or by the Plenipotentiary Conference, as appropriate.
- 22 3. A member of the Radio Regulations Board is considered no longer in a position to perform his duties after repeated consecutive absences from the Board meetings. The Secretary-General shall, after consultation with the Board's Chairman as well as the member of the Board and the Member of the Union concerned, declare existence of a vacancy in the Board and shall proceed as stipulated in No. 21 above.

ARTICLE 3

Other Conferences

- 23** 1. In conformity with the relevant provisions of the Constitution, the following world conferences of the Union shall normally be convened within the period between two Plenipotentiary Conferences:
- 24** a) two world radiocommunication conferences;
- 25** b) one world telecommunication standardization conference;
- 26** c) one world telecommunication development conference;
- 27** d) two radiocommunication assemblies, associated in place and time with world radiocommunication conferences.
- 28** 2. Exceptionally, within the period between Plenipotentiary Conferences:
- 29** – the second world radiocommunication conference may be cancelled together with its associated radiocommunication assembly; alternatively, either one may be cancelled even if the other is held;
- 30** – an additional telecommunication standardization conference may be convened.
- 31** 3. These actions shall be taken:
- 32** a) by a decision of a Plenipotentiary Conference;
- 33** b) on the recommendation of the previous world conference of the Sector concerned, if approved by the Council;
- 34** c) at the request of at least one-quarter of the Members of the Union, which shall individually address their requests to the Secretary-General; or
- 35** d) on a proposal of the Council.
- 36** 4. A regional radiocommunication conference shall be convened:
- 37** a) by a decision of a Plenipotentiary Conference;
- 38** b) on the recommendation of a previous world or regional radiocommunication conference if approved by the Council;

- 39 c) at the request of at least one-quarter of the Members belonging to the region concerned, which shall individually address their requests to the Secretary-General; or
- 40 d) on a proposal of the Council.
- 41 5. (1) The precise place and the exact dates of a world or regional conference or radiocommunication assembly may be fixed by a Plenipotentiary Conference.
- 42 (2) In the absence of such a decision, the Council shall determine the precise place and the exact dates of a world conference or radiocommunication assembly with the concurrence of a majority of the Members of the Union, and of a regional conference with the concurrence of a majority of the Members of the Union belonging to the region concerned; in both cases the provisions of No. 47 below shall apply.
- 43 6. (1) The precise place and the exact dates of a conference or assembly may be changed:
- 44 a) at the request of at least one-quarter of the Members of the Union in the case of a world conference or assembly, or of at least one-quarter of the Members of the Union belonging to the region concerned in the case of a regional conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or
- 45 b) on a proposal of the Council.
- 46 (2) In the cases specified in Nos. 44 and 45 above, the changes proposed shall not be finally adopted until accepted by a majority of the Members of the Union, in the case of a world conference or assembly, or by a majority of the Members of the Union belonging to the region concerned, in the case of a regional conference, subject to the provisions of No. 47 below.
- 47 7. In the consultations referred to in Nos. 42, 46, 118, 123, 138, 302, 304, 305, 307 and 312 of this Convention, Members of the Union who have not replied within the time limits specified by the Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Members consulted, a further consultation shall take place, the results of which shall be decisive regardless of the number of votes cast.
- 48 8. (1) World conferences on international telecommunications shall be held upon decision by the Plenipotentiary Conference.

- 49** (2) The provisions for the convening of, the adoption of the agenda of, and the participation in a world radiocommunication conference shall, as appropriate, equally apply to world conferences on international telecommunications.

SECTION 2

ARTICLE 4

The Council

- 50** 1. The Council is composed of forty-three Members of the Union elected by the Plenipotentiary Conference.
- 51** 2. (1) The Council shall hold an ordinary session annually at the seat of the Union.
- 52** (2) During this session it may decide to hold, exceptionally, an additional session.
- 53** (3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by the Chairman at the request of a majority of its Members, or on the initiative of the Chairman under the conditions provided for in No. 18 of this Convention.
- 54** 3. The Council shall take decisions only in session. Exceptionally, the Council in session may agree that any specific issue shall be decided by correspondence.
- 55** 4. At the beginning of each ordinary session, the Council shall elect its own Chairman and Vice-Chairman from among the representatives of its Members, taking into account the principle of rotation between the regions. They shall serve until the opening of the next ordinary session and shall not be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.
- 56** 5. The person appointed to serve on the Council by a Member of the Council shall, so far as possible, be an official serving in, or directly responsible to, or for, their telecommunication administration and qualified in the field of telecommunication services.

- 57** 6. Only the travelling, subsistence and insurance expenses incurred by the representative of each Member of the Council in his capacity at Council sessions shall be borne by the Union.
- 58** 7. The representative of each Member of the Council shall have the right to attend, as an observer, all meetings of the Sectors of the Union.
- 59** 8. The Secretary-General shall act as Secretary of the Council.
- 60** 9. The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux may participate as of right in the deliberations of the Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to the representatives of its own Members.
- 61** 10. The Council shall consider each year the report prepared by the Secretary-General on the recommended strategic policy and planning for the Union in keeping with the guidelines given by the Plenipotentiary Conference and shall take appropriate action.
- 62** 11. The Council shall, in the interval between two Plenipotentiary Conferences, supervise the overall management and administration of the Union; it shall in particular:
- 63** (1) approve and revise the Staff Regulations and the Financial Regulations of the Union and any other regulations as it may consider necessary, taking account of current practice of the United Nations and of the specialized agencies applying the common system of pay, allowances and pensions;
- 64** (2) adjust as necessary:
- 65** a) the basic salary scales for staff in the professional and higher categories, excluding the salaries for posts filled by election, to accord with any changes in the basic salary scales adopted by the United Nations for the corresponding common system categories;
- 66** b) the basic salary scales for staff in the general services categories to accord with changes in the rates applied by the United Nations and the specialized agencies at the seat of the Union;
- 67** c) the post adjustment for professional and higher categories, including posts filled by election, in accordance with decisions of the United Nations for application at the seat of the Union;

- 68 d) the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations common system;
- 69 (3) take decisions to ensure equitable geographical distribution of the staff of the Union and monitor the implementation of such decisions;
- 70 (4) decide on proposals for major organizational changes within the General Secretariat and the Bureaux of the Sectors of the Union consistent with the Constitution and this Convention, submitted to it by the Secretary-General following their consideration by the Coordination Committee;
- 71 (5) examine and decide on plans concerning Union posts and staff and human resources development programmes covering several years, and give guidelines for the staffing of the Union, including on staffing levels and structures, taking into account the guidelines given by the Plenipotentiary Conference and the relevant provisions of Article 27 of the Constitution;
- 72 (6) adjust, as necessary, the contributions payable by the Union and its staff to the United Nations Joint Staff Pension Fund, in accordance with the Fund's rules and regulations, as well as the cost of living allowances to be granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of the practice followed by the Fund;
- 73 (7) review and approve the biennial budget of the Union, and consider the budget forecast for the two-year period following that budget, taking account of the decisions of the Plenipotentiary Conference in relation to No. 50 of the Constitution and of the limits for expenditures set by that Conference in accordance with No. 51 of the Constitution; it shall ensure the strictest possible economy but be mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible. In so doing, the Council shall take into account the views of the Coordination Committee as contained in the report by the Secretary-General mentioned in No. 86 and the financial operating report mentioned in No. 101 of this Convention;
- 74 (8) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them, if appropriate, for submission to the next Plenipotentiary Conference;
- 75 (9) arrange for the convening of the conferences of the Union and provide, with the consent of a majority of the Members of the Union in the case of a world conference, or of a majority of the Members of the Union belonging to the region concerned in the case of a regional conference,

appropriate directives to the General Secretariat and the Sectors of the Union with regard to their technical and other assistance in the preparation for and organization of conferences;

- 76** (10) take decisions in relation to No. 28 of this Convention;
- 77** (11) decide upon the implementation of any decisions which have been taken by conferences and which have financial implications;
- 78** (12) to the extent permitted by the Constitution, this Convention and the Administrative Regulations, take any other action deemed necessary for the proper functioning of the Union;
- 79** (13) take any necessary steps, with the agreement of a majority of the Members of the Union, provisionally to resolve questions not covered by the Constitution, this Convention, the Administrative Regulations and their annexes and which cannot await the next competent conference for settlement;
- 80** (14) be responsible for effecting the coordination with all international organizations referred to in Articles 49 and 50 of the Constitution and to this end, conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 50 of the Constitution, and with the United Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the next Plenipotentiary Conference in accordance with the relevant provision of Article 8 of the Constitution;
- 81** (15) send to Members of the Union, as soon as possible after each of its sessions, summary records on the activities of the Council and other documents deemed useful;
- 82** (16) submit to the Plenipotentiary Conference a report on the activities of the Union since the previous Plenipotentiary Conference and any appropriate recommendations.

SECTION 3

ARTICLE 5

General Secretariat

- 83** 1. The Secretary-General shall:
- 84** *a)* be responsible for the overall management of the Union's resources; he may delegate the management of part of these resources to the Deputy Secretary-General and the Directors of the Bureaux, in consultation as necessary with the Coordination Committee;
- 85** *b)* coordinate the activities of the General Secretariat and the Sectors of the Union, taking into account the views of the Coordination Committee, with a view to assuring the most effective and economical use of the resources of the Union;
- 86** *c)* after consultation with the Coordination Committee and taking into account its views, prepare and submit to the Council an annual report indicating changes in the telecommunication environment and containing recommended action relating to the Union's future policies and strategy, as stipulated in No. 61 of this Convention, together with their financial implications;
- 87** *d)* organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the directives of the Plenipotentiary Conference and the rules established by the Council;
- 88** *e)* undertake administrative arrangements for the Bureaux of the Sectors of the Union and appoint their staff on the basis of the choice and proposals of the Director of the Bureau concerned, although the final decision for appointment or dismissal shall rest with the Secretary-General;
- 89** *f)* report to the Council any decisions taken by the United Nations and the specialized agencies which affect common system conditions of service, allowances and pensions;
- 90** *g)* ensure the application of any regulations adopted by the Council;
- 91** *h)* provide legal advice to the Union;

- 92 *i)* supervise, for administrative management purposes, the staff of the Union with a view to assuring the most effective use of personnel and the application of the common system conditions of employment for the staff of the Union. The staff appointed to assist directly the Directors of the Bureaux shall be under the administrative control of the Secretary-General and shall work under the direct orders of the Directors concerned but in accordance with administrative guidelines given by the Council;
- 93 *j)* in the interest of the Union as a whole and in consultation with the Directors of the Bureaux concerned, temporarily reassign staff members from their appointed position as necessary to meet fluctuating work requirements at headquarters;
- 94 *k)* make, in agreement with the Director of the Bureau concerned, the necessary administrative and financial arrangements for the conferences and meetings of each Sector;
- 95 *l)* taking into account the responsibilities of the Sectors, undertake appropriate secretariat work preparatory to and following conferences of the Union;
- 96 *m)* prepare recommendations for the first meeting of the Heads of delegations referred to in No. 342 of this Convention, taking into account the results of any regional consultation;
- 97 *n)* provide, where appropriate in cooperation with the inviting government, the secretariat of conferences of the Union, and provide the facilities and services for meetings of the Union, in collaboration, as appropriate, with the Director concerned, drawing from the Union's staff as he deems necessary in accordance with No. 93 above. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
- 98 *o)* take necessary action for the timely publication and distribution of service documents, information bulletins, and other documents and records prepared by the General Secretariat and the Sectors, communicated to the Union or whose publication is requested by conferences or the Council; the list of documents to be published shall be maintained by the Council, following consultation with the conference concerned, with respect to service documents and other documents whose publication is requested by conferences;
- 99 *p)* publish periodically, with the help of information put at his disposal or which he may collect, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunication;

- 100** *q)* after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Council a biennial draft budget covering the expenditures of the Union within the limits laid down by the Plenipotentiary Conference. This draft shall consist of a consolidated budget, including cost-based budgets for the three Sectors, prepared in accordance with the budget guidelines issued by the Secretary-General, and comprising two versions. One version shall be for zero growth of the contributory unit, the other for a growth less than or equal to any limit fixed by the Plenipotentiary Conference, after any drawing on the Reserve Account. The budget resolution, after approval by the Council, shall be sent for information to all Members of the Union;
- 101** *r)* with the assistance of the Coordination Committee, prepare an annual financial operating report in accordance with the Financial Regulations and submit it to the Council. A recapitulative financial operating report and accounts shall be prepared and submitted to the next Plenipotentiary Conference for examination and final approval;
- 102** *s)* with the assistance of the Coordination Committee, prepare an annual report on the activities of the Union which, after approval by the Council, shall be sent to all Members;
- 103** *t)* perform all other secretarial functions of the Union;
- 104** *u)* perform any other functions entrusted to him by the Council.
- 105** 2. The Secretary-General or the Deputy Secretary-General may participate, in a consultative capacity, in conferences of the Union; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union.

SECTION 4

ARTICLE 6

Coordination Committee

- 106** 1. (1) The Coordination Committee shall assist and advise the Secretary-General on all matters mentioned under the relevant provisions of Article 26 of the Constitution and the relevant Articles of this Convention.
- 107** (2) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Articles 49 and 50 of the Constitution as regards representation of the Union at conferences of such organizations.
- 108** (3) The Committee shall examine the progress of the work of the Union and assist the Secretary-General in the preparation of the report referred to in No. 86 of this Convention for submission to the Council.
- 109** 2. The Committee shall endeavour to reach conclusions unanimously. In the absence of the support of the majority in the Committee, its Chairman may in exceptional circumstances take decisions, on his own responsibility, provided he judges that the decision of the matters in question is urgent and cannot await the next session of the Council. In such circumstances he shall report promptly in writing on such matters to the Members of the Council, setting forth his reasons for such action together with any other written views submitted by other members of the Committee. If in such circumstances the matters are not urgent, but nevertheless important, they shall be submitted for consideration by the next session of the Council.
- 110** 3. The Chairman shall convene the Committee at least once a month; the Committee may also be convened when necessary at the request of two of its members.
- 111** 4. A report shall be made of the proceedings of the Coordination Committee and will be made available on request to Members of the Council.

SECTION 5

Radiocommunication Sector

ARTICLE 7

World Radiocommunication Conference

- 112** 1. In accordance with No. 90 of the Constitution, a world radiocommunication conference shall be convened to consider specific radiocommunication matters. A world radiocommunication conference shall deal with those items which are included in its agenda adopted in accordance with the relevant provisions of this Article.
- 113** 2. (1) The agenda of a world radiocommunication conference may include:
- 114** a) the partial or, exceptionally, complete revision of the Radio Regulations referred to in Article 4 of the Constitution;
- 115** b) any other question of a worldwide character within the competence of the conference;
- 116** c) an item concerning instructions to the Radio Regulations Board and the Radiocommunication Bureau regarding their activities, and a review of those activities;
- 117** d) the adoption of questions to be studied by the radiocommunication assembly, as well as matters that the assembly shall consider in relation to future radiocommunication conferences.
- 118** (2) The general scope of this agenda should be established four years in advance, and the final agenda shall be established by the Council preferably two years before the conference, with the concurrence of a majority of the Members of the Union, subject to the provisions of No. 47 of this Convention.
- 119** (3) This agenda shall include any question which a Plenipotentiary Conference has directed to be placed on the agenda.
- 120** 3. (1) This agenda may be changed:
- 121** a) at the request of at least one-quarter of the Members of the Union. Such requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or

- 122** *b)* on a proposal of the Council.
- 123** (2) The proposed changes to the agenda of a world radiocommunication conference shall not be finally adopted until accepted by a majority of the Members of the Union, subject to the provisions of No. 47 of this Convention.
- 124** 4. The conference shall also:
- 125** (1) consider and approve the report of the Director of the Bureau on the activities of the Sector since the last conference;
- 126** (2) recommend to the Council items for inclusion in the agenda of a future conference and give its views on such agendas for at least a four-year cycle of radiocommunication conferences, together with an estimate of the financial implications;
- 127** (3) include, in its decisions, instructions or requests, as appropriate, to the Secretary-General and the Sectors of the Union.
- 128** 5. The Chairman and Vice-Chairmen of the radiocommunication assembly, or of relevant study groups, may participate in the associated world radiocommunication conference.

ARTICLE 8

Radiocommunication Assembly

- 129** 1. A radiocommunication assembly shall deal with and issue, as appropriate, recommendations on questions adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, the Council or the Radio Regulations Board.
- 130** 2. With regard to No. 129 above, the radiocommunication assembly shall:
- 131** (1) consider the reports of study groups prepared in accordance with No. 157 of this Convention and approve, modify or reject the draft recommendations contained in those reports;

- 132** (2) bearing in mind the need to keep the demands on the resources of the Union to a minimum, approve the programme of work arising from the review of existing questions and new questions and determine the priority, urgency, estimated financial implications and time-scale for the completion of their study;
- 133** (3) decide, in the light of the approved programme of work derived from No. 132 above, on the need to maintain, terminate or establish study groups, and allocate to each of them the questions to be studied;
- 134** (4) group questions of interest to the developing countries as far as possible, in order to facilitate their participation in the study of those questions;
- 135** (5) give advice on matters within its competence in response to requests from a world radiocommunication conference;
- 136** (6) report to the associated world radiocommunication conference on the progress in matters that may be included in the agenda of future radiocommunication conferences.
- 137** 3. A radiocommunication assembly shall be presided over by a person designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the assembly.

ARTICLE 9

Regional Radiocommunication Conferences

- 138** The agenda of a regional radiocommunication conference may provide only for specific radiocommunication questions of a regional nature, including instructions to the Radio Regulations Board and the Radiocommunication Bureau regarding their activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Only items included in its agenda may be discussed by such a conference. The provisions contained in Nos. 118 to 123 of this Convention shall apply to a regional radiocommunication conference, but only with regard to the Members of the region concerned.

ARTICLE 10

Radio Regulations Board

- 139** 1. The Board is composed of nine members elected by the Plenipotentiary Conference.
- 140** 2. In addition to the duties specified in Article 14 of the Constitution, the Board shall also consider reports from the Director of the Radiocommunication Bureau on investigations of harmful interference carried out at the request of one or more of the interested administrations, and formulate recommendations with respect thereto.
- 141** 3. The members of the Board have a duty to participate, in an advisory capacity, in radiocommunication conferences and radiocommunication assemblies. The Chairman and Vice-Chairman of the Board, or their nominated representatives, have a duty to participate, in an advisory capacity, in Plenipotentiary Conferences. In all of these cases, the members having these duties shall not participate in these conferences as members of their national delegations.
- 142** 4. Only the travelling, subsistence and insurance expenses incurred by the members of the Board in the exercise of their duties for the Union shall be borne by the Union.
- 143** 5. The working methods of the Board shall be as follows:
- 144** (1) The members of the Board shall elect from their own members a Chairman and a Vice-Chairman for a period of one year. Thereafter the Vice-Chairman shall succeed the Chairman each year and a new Vice-Chairman shall be elected. In the absence of the Chairman and Vice-Chairman, the Board shall elect a temporary Chairman for the occasion from among its members.
- 145** (2) The Board shall normally hold up to four meetings a year, generally at the seat of the Union, at which at least two-thirds of its members shall be present, and may carry out its duties using modern means of communication.
- 146** (3) The Board shall endeavour to reach its decisions unanimously. If it fails in that endeavour, a decision shall be valid only if at least two-thirds of the members of the Board vote in favour thereof. Each member of the Board shall have one vote; voting by proxy is not allowed.

- 147** (4) The Board may make such internal arrangements as it considers necessary in conformity with the provisions of the Constitution, this Convention and the Radio Regulations. Such arrangements shall be published as part of the Board's Rules of Procedure.

ARTICLE 11

Radiocommunication Study Groups

- 148** 1. Radiocommunication study groups are set up by a radiocommunication assembly.
- 149** 2. (1) The radiocommunication study groups shall study questions and prepare draft recommendations on the matters referred to them in accordance with the provisions in Article 7 of this Convention. Those draft recommendations shall be submitted for approval to a radiocommunication assembly or, between two such assemblies, by correspondence to administrations in accordance with procedures adopted by the assembly. Recommendations approved in either manner shall have equal status.
- 150** (2) The study of the above questions shall, subject to No. 158 below, focus on the following:
- 151** a) use of the radio-frequency spectrum in terrestrial and space radiocommunication (and of the geostationary-satellite orbit);
- 152** b) characteristics and performance of radio systems;
- 153** c) operation of radio stations;
- 154** d) radiocommunication aspects of distress and safety matters.
- 155** (3) These studies shall not generally address economic questions, but when they involve comparing technical alternatives, economic factors may be taken into consideration.

- 156** 3. The radiocommunication study groups shall also carry out preparatory studies of the technical, operational and procedural matters to be considered by world and regional radiocommunication conferences and elaborate reports thereon in accordance with a programme of work adopted in this respect by a radiocommunication assembly or following instructions by the Council.
- 157** 4. Each study group shall prepare for the radiocommunication assembly a report indicating the progress of work, the recommendations adopted in accordance with the consultation procedure contained in No. 149 above and any draft new or revised recommendations for consideration by the assembly.
- 158** 5. Taking into account No. 79 of the Constitution, the tasks enumerated in Nos. 151 to 154 above and in No. 193 of this Convention in relation to the Telecommunication Standardization Sector shall be kept under continuing review by the Radiocommunication Sector and the Telecommunication Standardization Sector with a view to reaching common agreement on changes in the distribution of matters under study. The two Sectors shall cooperate closely and adopt procedures to conduct such a review and reach agreements in a timely and effective manner. If agreement is not reached, the matter may be submitted through the Council to the Plenipotentiary Conference for decision.
- 159** 6. In the performance of their studies, the radiocommunication study groups shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunications in developing countries at both the regional and international levels. They shall conduct their work giving due consideration to the work of national, regional and other international organizations concerned with radiocommunication and cooperate with them, keeping in mind the need for the Union to maintain its pre-eminent position in the field of telecommunications.
- 160** 7. For the purpose of facilitating the review of activities in the Radiocommunication Sector, measures should be taken to foster cooperation and coordination with other organizations concerned with radiocommunication and with the Telecommunication Standardization Sector and the Telecommunication Development Sector. A radiocommunication assembly shall determine the specific duties, conditions of participation and rules of procedure for these measures.

ARTICLE 12

Radiocommunication Bureau

- 161** 1. The Director of the Radiocommunication Bureau shall organize and coordinate the work of the Radiocommunication Sector. The duties of the Bureau are supplemented by those specified in provisions of the Radio Regulations.
- 162** 2. The Director shall, in particular,
- 163** (1) in relation to radiocommunication conferences:
- 164** a) coordinate the preparatory work of the study groups and the Bureau, communicate to Members the results of this preparatory work, collect their comments and submit a consolidated report to the conference which may include proposals of a regulatory nature;
- 165** b) participate as of right, but in an advisory capacity, in the deliberations of the radiocommunication assembly and of the radiocommunication study groups. The Director shall make all necessary preparations for radiocommunication conferences and meetings of the Radiocommunication Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;
- 166** c) provide assistance to the developing countries in their preparations for radiocommunication conferences.
- 167** (2) in relation to the Radio Regulations Board:
- 168** a) prepare and submit draft Rules of Procedure for approval by the Radio Regulations Board; they shall include, *inter alia*, calculation methods and data required for the application of the provisions of the Radio Regulations;
- 169** b) distribute to all Members of the Union the Rules of Procedure of the Board and collect comments thereon received from administrations;

- 170 c) process information received from administrations in application of the relevant provisions of the Radio Regulations and regional agreements and prepare it, as appropriate, in a form suitable for publication;
- 171 d) apply the Rules of Procedure approved by the Board, prepare and publish findings based on those Rules, and submit to the Board any review of a finding which is requested by an administration and which cannot be resolved by the use of those Rules of Procedure;
- 172 e) in accordance with the relevant provisions of the Radio Regulations, effect an orderly recording and registration of frequency assignments and, where appropriate, the associated orbital characteristics, and keep up to date the Master International Frequency Register; review entries in that Register with a view to amending or eliminating, as appropriate, those which do not reflect actual frequency usage, in agreement with the administration concerned;
- 173 f) assist in the resolution of cases of harmful interference, at the request of one or more of the interested administrations, and where necessary, make investigations and prepare, for consideration by the Board, a report including draft recommendations to the administrations concerned;
- 174 g) act as executive secretary to the Board;
- 175 (3) coordinate the work of the radiocommunication study groups and be responsible for the organization of that work;
- 176 (4) also undertake the following:
 - 177 a) carry out studies to furnish advice to Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur, and with a view to the equitable, effective and economical use of the geostationary-satellite orbit, taking into account the needs of Members requiring assistance, the specific needs of developing countries, as well as the special geographical situation of particular countries;
 - 178 b) exchange with members data in machine-readable and other forms, prepare and keep up to date any documents and databases of the Radiocommunication Sector, and arrange, with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;

- 179 c) maintain such essential records as may be required;
- 180 d) submit to the world radiocommunication conference a report on the activities of the Radiocommunication Sector since the last conference; if a world radiocommunication conference is not planned, such a report covering the two-year period since the last conference shall be submitted to the Council and to the Members of the Union;
- 181 e) prepare a cost-based budget estimate for the requirements of the Radiocommunication Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget.
- 182 3. The Director shall choose the technical and administrative personnel of the Bureau within the framework of the budget as approved by the Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.
- 183 4. The Director shall provide technical support, as necessary, to the Telecommunication Development Sector within the framework of the Constitution and this Convention.

SECTION 6

Telecommunication Standardization Sector

ARTICLE 13

World Telecommunication Standardization Conference

- 184 1. In accordance with No. 104 of the Constitution, a world standardization conference shall be convened to consider specific matters related to telecommunication standardization.

- 185 2. The questions to be studied by a world telecommunication standardization conference, on which recommendations shall be issued, shall be those adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, or the Council.
- 186 3. In accordance with No. 104 of the Constitution, the conference shall:
- 187 a) consider the reports of study groups prepared in accordance with No. 194 of this Convention and approve, modify or reject draft recommendations contained in those reports;
- 188 b) bearing in mind the need to keep the demands on the resources of the Union to a minimum, approve the programme of work arising from the review of existing questions and new questions and determine the priority, urgency, estimated financial implications and time-scale for the completion of their study;
- 189 c) decide, in the light of the approved programme of work derived from No. 188 above, on the need to maintain, terminate or establish study groups and allocate to each of them the questions to be studied;
- 190 d) group, as far as practicable, questions of interest to the developing countries to facilitate their participation in these studies;
- 191 e) consider and approve the report of the Director on the activities of the Sector since the last conference.

ARTICLE 14

Telecommunication Standardization Study Groups

- 192 1. (1) Telecommunication standardization study groups shall study questions and prepare draft recommendations on the matters referred to them in accordance with the provisions of Article 13 of this Convention. Those drafts shall be submitted for approval to a world telecommunication standardization conference or, between two such conferences, by correspondence to administrations in accordance with procedures adopted by the conference. Recommendations approved in either manner shall have equal status.

193 (2) The study groups shall, subject to No. 195 below, study technical, operating and tariff questions and prepare recommendations on them with a view to standardizing telecommunications on a worldwide basis, including recommendations on interconnection of radio systems in public telecommunication networks and on the performance required for these interconnections. Technical or operating questions specifically related to radiocommunication as enumerated in Nos. 151 to 154 of this Convention shall be within the purview of the Radiocommunication Sector.

194 (3) Each study group shall prepare for the telecommunication standardization conference a report indicating the progress of work, the recommendations adopted in accordance with the consultation procedure contained in No. 192 above, and any draft new or revised recommendations for consideration by the conference.

195 2. Taking into account No. 105 of the Constitution, the tasks enumerated in No. 193 above and those enumerated in Nos. 151 to 154 of this Convention in relation to the Radiocommunication Sector shall be kept under continuing review by the Telecommunication Standardization Sector and the Radiocommunication Sector with a view to reaching common agreement on changes in the distribution of matters under study. The two Sectors shall cooperate closely and adopt procedures to conduct such a review and reach agreements in a timely and effective manner. If agreement is not reached, the matter may be submitted through the Council to the Plenipotentiary Conference for decision.

196 3. In the performance of their studies, the telecommunication standardization study groups shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunications in developing countries at both the regional and international levels. They shall conduct their work giving due consideration to the work of national, regional and other international standardization organizations, and cooperate with them, keeping in mind the need for the Union to maintain its pre-eminent position in the field of worldwide standardization for telecommunications.

197 4. For the purpose of facilitating the review of activities in the Telecommunication Standardization Sector, measures should be taken to foster cooperation and coordination with other organizations concerned with telecommunication standardization and with the Radiocommunication Sector and the Telecommunication Development Sector. A world telecommunication standardization conference shall determine the specific duties, conditions of participation and rules of procedure for these measures.

ARTICLE 15

Telecommunication Standardization Bureau

- 198** 1. The Director of the Telecommunication Standardization Bureau shall organize and coordinate the work of the Telecommunication Standardization Sector.
- 199** 2. The Director shall, in particular:
- 200** a) update annually the work programme approved by the world telecommunication standardization conference, in consultation with the Chairmen of the telecommunication standardization study groups;
- 201** b) participate, as of right, but in an advisory capacity, in the deliberations of the world telecommunication standardization conferences and of the telecommunication standardization study groups. The Director shall make all necessary preparations for conferences and meetings of the Telecommunication Standardization Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council concerning these preparations;
- 202** c) process information received from administrations in application of the relevant provisions of the International Telecommunication Regulations or decisions of the world telecommunication standardization conference and prepare it, where appropriate, in a suitable form for publication;
- 203** d) exchange with members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Standardization Sector, and arrange with the Secretary-General, where appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;

- 204** *e)* submit to the world telecommunication standardization conference a report on the activities of the Sector since the last conference; he shall also submit to the Council and to the Members of the Union such a report covering the two-year period since the last conference, unless a second conference is convened;
- 205** *f)* prepare a cost-based budget estimate for the requirements of the Telecommunication Standardization Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget.
- 206** 3. The Director shall choose the technical and administrative personnel of the Telecommunication Standardization Bureau within the framework of the budget as approved by the Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision on appointment or dismissal rests with the Secretary-General.
- 207** 4. The Director shall provide technical support, as necessary, to the Telecommunication Development Sector within the framework of the Constitution and this Convention.

SECTION 7

Telecommunication Development Sector

ARTICLE 16

Telecommunication Development Conferences

- 208** 1. In accordance with No. 118 of the Constitution, the duties of the telecommunication development conferences shall be as follows:

- 209** a) world telecommunication development conferences shall establish work programmes and guidelines for defining telecommunication development questions and priorities and shall provide direction and guidance for the work programme of the Telecommunication Development Sector. They may set up study groups, as necessary;
- 210** b) regional telecommunication development conferences may give advice to the Telecommunication Development Bureau concerning the specific telecommunication requirements and characteristics of the region concerned, and may also submit recommendations to world telecommunication development conferences;
- 211** c) the telecommunication development conferences should fix the objectives and strategies for the balanced worldwide and regional development of telecommunications, giving particular consideration to the expansion and modernization of the networks and services of the developing countries as well as the mobilization of the resources required for this purpose. They shall serve as a forum for the study of policy, organizational, operational, regulatory, technical and financial questions and related aspects, including the identification and implementation of new sources of funding;
- 212** d) world and regional telecommunication development conferences, within their respective sphere of competence, shall consider reports submitted to them and evaluate the activities of the Sector; they may also consider telecommunication development aspects related to the activities of the other Sectors of the Union.
- 213** 2. The draft agenda of telecommunication development conferences shall be prepared by the Director of the Telecommunication Development Bureau and be submitted by the Secretary-General to the Council for approval with the concurrence of a majority of the Members of the Union in the case of a world conference, or of a majority of the Members of the Union belonging to the region concerned in the case of a regional conference, subject to the provisions of No. 47 of this Convention.

ARTICLE 17

Telecommunication Development Study Groups

- 214** 1. Telecommunication development study groups shall deal with specific telecommunication questions of general interest to developing countries, including the matters enumerated in No. 211 above. Such study groups shall be limited in number and created for a limited period of time, subject to the availability of resources, shall have specific terms of reference on questions and matters of priority to developing countries and shall be task-oriented.
- 215** 2. Taking into account No. 119 of the Constitution, the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors shall keep the matters under study under continuing review with a view to reaching agreement on the distribution of work, avoiding duplication of effort and improving coordination. The Sectors shall adopt procedures to conduct such reviews and reach such agreement in a timely and effective manner.

ARTICLE 18

**Telecommunication Development Bureau
and Advisory Board**

- 216** 1. The Director of the Telecommunication Development Bureau shall organize and coordinate the work of the Telecommunication Development Sector.
- 217** 2. The Director shall, in particular:
- 218** a) participate as of right, but in an advisory capacity, in the deliberations of the telecommunication development conferences and of the telecommunication development study groups. The Director shall make all necessary preparations for conferences and meetings of the Telecommunication Development Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;

- 219** *b)* process information received from administrations in application of the relevant resolutions and decisions of the Plenipotentiary Conference and telecommunication development conferences and prepare it, where appropriate, in a suitable form for publication;
- 220** *c)* exchange with members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Development Sector, and arrange with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;
- 221** *d)* assemble and prepare for publication, in cooperation with the General Secretariat and the other Sectors of the Union, both technical and administrative information that might be especially useful to developing countries in order to help them to improve their telecommunication networks. Their attention shall also be drawn to the possibilities offered by the international programmes under the auspices of the United Nations;
- 222** *e)* submit to the world telecommunication development conference a report on the activities of the Sector since the last conference; the Director shall also submit to the Council and to the Members of the Union such a report covering the two-year period since the last conference;
- 223** *f)* prepare a cost-based budget estimate for the requirements of the Telecommunication Development Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget.
- 224** 3. The Director shall work collegially with the other elected officials in order to ensure that the Union's catalytic role in stimulating telecommunication development is strengthened and shall make the necessary arrangements with the Director of the Bureau concerned for the convening of information meetings on the activities of the Sector concerned.
- 225** 4. At the request of the Members concerned, the Director, with the assistance of the Directors of the other Bureaux and, where appropriate, the Secretary-General, shall study and offer advice concerning their national telecommunication problems; where a comparison of technical alternatives is involved, economic factors may be taken into consideration.

- 226** 5. The Director shall choose the technical and administrative personnel of the Telecommunication Development Bureau within the framework of the budget as approved by the Council. The appointment of the personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.
- 227** 6. A Telecommunication Development Advisory Board shall be established and the members of the Board shall be appointed by the Director in consultation with the Secretary-General. The Board shall be composed of persons with a wide and equitable cross-section of interests and expertise in telecommunication development and shall elect its chairman from among its members. The Board shall advise the Director, who shall participate in its meetings, on priorities and strategies in the Union's telecommunication development activities; it shall, *inter alia*, recommend steps to foster cooperation and coordination with other organizations interested in telecommunication development.

SECTION 8

Provisions Common to the Three Sectors

ARTICLE 19

Participation of Entities and Organizations Other than Administrations in the Union's Activities

- 228** 1. The Secretary-General and the Directors of the Bureaux shall encourage the enhanced participation in the activities of the Union of the following entities and organizations:
- 229** a) recognized operating agencies, scientific or industrial organizations and financial or development institutions which are approved by the Member concerned;
- 230** b) other entities dealing with telecommunication matters which are approved by the Member concerned;
- 231** c) regional and other international telecommunication, standardization, financial or development organizations.

- 232** 2. The Directors of the Bureaux shall maintain close working relations with those entities and organizations which are authorized to participate in the activities of one or more of the Sectors of the Union.
- 233** 3. Any request from an entity listed in No. 229 above to participate in the work of a Sector, in accordance with the relevant provisions of the Constitution and this Convention, approved by the Member concerned shall be forwarded by the latter to the Secretary-General.
- 234** 4. Any request from an entity referred to in No. 230 above submitted by the Member concerned shall be handled in conformity with a procedure established by the Council. Such a request shall be reviewed by the Council with respect to its conformity with the above procedure.
- 235** 5. Any request from any entity or organization listed in No. 231 above (other than those referred to in Nos. 260 and 261 of this Convention) to participate in the work of a Sector shall be sent to the Secretary-General and acted upon in accordance with procedures established by the Council.
- 236** 6. Any request from an organization referred to in Nos. 260 to 262 of this Convention to participate in the work of a Sector shall be sent to the Secretary-General, and the organization concerned shall be included in the lists referred to in No. 237 below.
- 237** 7. The Secretary-General shall compile and maintain lists of all entities and organizations referred to in Nos. 229 to 231 and Nos. 260 to 262 of this Convention that are authorized to participate in the work of each Sector and shall, at appropriate intervals, publish and distribute these lists to all Members and to the Director of the Bureau concerned. That Director shall advise such entities and organizations of the action taken on their requests.
- 238** 8. Entities and organizations contained in the lists referred to in No. 237 above are also referred to as “members” of the Sectors of the Union; the conditions of their participation in the Sectors are specified in this Article, in Article 33 and in other relevant provisions of this Convention. The provisions of Article 3 of the Constitution do not apply to them.

- 239** 9. A recognized operating agency may act on behalf of the Member which has recognized it, provided that Member informs the Director of the Bureau concerned that it is authorized to do so.
- 240** 10. Any entity or organization authorized to take part in the work of a Sector has the right to denounce such participation by notifying the Secretary-General. Such participation may also be denounced, where appropriate, by the Member concerned. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.
- 241** 11. The Secretary-General shall delete from the list of entities and organizations any entity or organization that is no longer authorized to participate in the work of a Sector, in accordance with criteria and procedures determined by the Council.

ARTICLE 20

Conduct of Business of Study Groups

- 242** 1. The radiocommunication assembly, the world telecommunication standardization conference and the world telecommunication development conference shall appoint a Chairman and normally one Vice-Chairman of each study group. In appointing Chairmen and Vice-Chairmen, particular consideration shall be given to the requirements of competence and equitable geographical distribution, and to the need to promote more efficient participation by the developing countries.
- 243** 2. If the workload of any study group requires, the assembly or conference shall appoint such additional Vice-Chairmen as it deems necessary, normally not more than two in total.

- 244** 3. If, in the interval between two assemblies or conferences of the Sector concerned, a study group Chairman is unable to carry out his duties and only one Vice-Chairman has been appointed, then that Vice-Chairman shall take the Chairman's place. In the case of a study group for which more than one Vice-Chairman has been appointed, the study group at its next meeting shall elect a new Chairman from among those Vice-Chairmen and, if necessary, a new Vice-Chairman from among the members of the study group. It shall likewise elect a new Vice-Chairman if one of the Vice-Chairmen is unable to carry out his duties during that period.
- 245** 4. Study groups shall conduct their work as far as possible by correspondence, using modern means of communication.
- 246** 5. The Director of the Bureau of each Sector, on the basis of the decisions of the competent conference or assembly, after consultation with the Secretary-General and coordination as required by the Constitution and Convention, shall draw up the general plan of study group meetings.
- 247** 6. Study groups may initiate action for obtaining approval from Members for recommendations completed between two assemblies or conferences. The procedures to be applied for obtaining such approval shall be those approved by the competent assembly or conference. Recommendations so approved shall have the same status as ones approved by the conference itself.
- 248** 7. Where necessary, joint working parties may be established for the study of questions requiring the participation of experts from several study groups.
- 249** 8. The Director of the relevant Bureau shall send the final reports of the study groups to the administrations, organizations and entities participating in the Sector. Such reports shall include a list of the recommendations approved in conformity with No. 247 above. These reports shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next session of the conference concerned.

ARTICLE 21

Recommendations from One Conference to Another

- 250** 1. Any conference may submit to another conference of the Union recommendations within its field of competence.
- 251** 2. Such recommendations shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in No. 320 of this Convention.

ARTICLE 22

**Relations Between Sectors and With
International Organizations**

- 252** 1. The Directors of the Bureaux may agree, after appropriate consultation and coordination as required by the Constitution, the Convention and the decisions of the competent conferences or assemblies, to organize joint meetings of study groups of two or three Sectors, in order to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the competent conferences or assemblies of the Sectors concerned.
- 253** 2. Conferences or meetings of a Sector may be attended in an advisory capacity by the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux of the other Sectors, or their representatives, and members of the Radio Regulations Board. If necessary, they may invite, in an advisory capacity, representatives of the General Secretariat or of any other Sector which has not considered it necessary to be represented.
- 254** 3. When a Sector is invited to participate in a meeting of an international organization, its Director is authorized to make arrangements for its representation in an advisory capacity, taking into account the provisions of No. 107 of this Convention.

CHAPTER II

General Provisions Regarding Conferences

ARTICLE 23

Invitation and Admission to Plenipotentiary Conferences when There is an Inviting Government

- 255** 1. The precise place and the exact dates of the Conference shall be fixed in accordance with the provisions of Article 1 of this Convention, following consultations with the inviting government.
- 256** 2. (1) One year before the date of opening of the Conference, the inviting government shall send an invitation to the government of each Member of the Union.
- 257** (2) These invitations may be sent directly or through the Secretary-General or through another government.
- 258** 3. The Secretary-General shall invite the following organizations to send observers:
- 259** a) the United Nations;
- 260** b) regional telecommunication organizations mentioned in Article 43 of the Constitution;
- 261** c) intergovernmental organizations operating satellite systems;
- 262** d) the specialized agencies of the United Nations and the International Atomic Energy Agency.
- 263** 4. (1) The replies of the Members must reach the inviting government at least one month before the date of opening of the Conference and should include whenever possible full information on the composition of the delegation.

- 264** (2) These replies may be sent directly to the inviting government or through the Secretary-General or through another government.
- 265** (3) The replies of the organizations and agencies referred to in Nos. 259 to 262 above must reach the Secretary-General one month before the opening date of the Conference.
- 266** 5. The General Secretariat and the three Bureaux of the Union shall be represented at the Conference in an advisory capacity.
- 267** 6. The following shall be admitted to Plenipotentiary Conferences:
- 268** a) delegations;
- 269** b) observers of organizations and agencies invited in accordance with Nos. 259 to 262 above.

ARTICLE 24

Invitation and Admission to Radiocommunication Conferences when There is an Inviting Government

- 270** 1. The precise place and exact dates of the conference shall be fixed in accordance with the provisions of Article 3 of this Convention, following consultations with the inviting government.
- 271** 2. (1) The provisions of Nos. 256 to 265 of this Convention shall apply to radiocommunication conferences.
- 272** (2) Members of the Union should inform the recognized operating agencies of the invitation they have received to participate in a radiocommunication conference.
- 273** 3. (1) The inviting government, in agreement with or on a proposal by the Council, may notify the international organizations other than those referred to in Nos. 259 to 262 of this Convention which may be interested in sending observers to participate in the conference in an advisory capacity.
- 274** (2) The interested international organizations referred to in No. 273 above shall send an application for admission to the inviting government within a period of two months from the date of notification.

- 275 (3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted.
- 276 4. The following shall be admitted to radiocommunication conferences:
- 277 a) delegations;
- 278 b) observers of organizations and agencies referred to in Nos. 259 to 262 of this Convention;
- 279 c) observers of international organizations admitted in accordance with Nos. 273 to 275 above;
- 280 d) observers representing recognized operating agencies authorized in accordance with Article 19 of this Convention to participate in the radiocommunication study groups and duly authorized by the Member concerned;
- 281 e) in an advisory capacity, the elected officials, when the conference is discussing matters coming within their competence, and the members of the Radio Regulations Board;
- 282 f) observers of Members of the Union participating in a non-voting capacity in a regional radiocommunication conference of a region other than that to which the said Members belong.

ARTICLE 25

Invitation and Admission to Radiocommunication Assemblies and to Telecommunication Standardization and Telecommunication Development Conferences when There is an Inviting Government

- 283 1. The precise place and exact dates of each assembly or conference shall be fixed in accordance with the provisions of Article 3 of this Convention, following consultations with the inviting government.

- 284** 2. One year before the date of the opening of the assembly or conference, the Secretary-General, after consultation with the Director of the Bureau concerned, shall send an invitation to:
- 285** a) the administration of each Member of the Union;
- 286** b) the entities or organizations authorized in accordance with Article 19 of this Convention to participate in the activities of the Sector concerned;
- 287** c) regional telecommunication organizations mentioned in Article 43 of the Constitution;
- 288** d) intergovernmental organizations operating satellite systems;
- 289** e) any other regional organization or other international organization dealing with matters of interest to the assembly or conference.
- 290** 3. The Secretary-General shall also invite the following organizations or agencies to send observers:
- 291** a) the United Nations;
- 292** b) the specialized agencies of the United Nations and the International Atomic Energy Agency.
- 293** 4. The replies must reach the Secretary-General at least one month before the date of opening of the assembly or conference and should, whenever possible, include full information on the composition of the delegation or representation.
- 294** 5. The General Secretariat and the elected officials of the Union shall be represented at the assembly or conference in an advisory capacity.
- 295** 6. The following shall be admitted to the assembly or conference:
- 296** a) delegations;
- 297** b) observers of organizations and agencies invited in accordance with Nos. 287 to 289 and 291 and 292 above;
- 298** c) representatives of entities or organizations referred to in No. 286 above.

ARTICLE 26

**Procedure for Convening or Cancelling World Conferences
or Radiocommunication Assemblies at the Request of
Members of the Union or on a Proposal of the Council**

- 299** 1. The procedures to be applied for convening a second world telecommunication standardization conference in the interval between successive Plenipotentiary Conferences and fixing its precise place and exact dates or for cancelling the second world radiocommunication conference or the second radiocommunication assembly are set forth in the following provisions.
- 300** 2. (1) Any Member of the Union wishing to have a second world telecommunication standardization conference convened shall so inform the Secretary-General, indicating the proposed place and dates of the conference.
- 301** (2) On receipt of similar requests from at least one-quarter of the Members, the Secretary-General shall inform immediately all Members thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.
- 302** (3) If a majority of the Members, determined in accordance with No. 47 of this Convention, agree to the proposal as a whole, that is to say, if they accept the proposed place and dates, the Secretary-General shall so inform immediately all Members by the most appropriate means of telecommunication.
- 303** (4) If the proposal accepted is for a conference elsewhere than at the seat of the Union, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the conference.
- 304** (5) If the proposal as a whole (place and dates) is not accepted by the majority of the Members determined in accordance with No. 47 of this Convention, the Secretary-General shall inform the Members of the Union of the replies received, requesting them to give a final reply on the point or points under dispute within six weeks of receipt.

305 (6) Such points shall be regarded as adopted when they have been approved by a majority of the Members, determined in accordance with No. 47 of this Convention.

306 3. (1) Any Member of the Union wishing to have a second world radiocommunication conference or a second radiocommunication assembly cancelled, shall so inform the Secretary-General. On receipt of similar requests from at least one-quarter of the Members, the Secretary-General shall inform immediately all Members thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

307 (2) If a majority of the Members, determined in accordance with No. 47 of this Convention, agrees to the proposal, the Secretary-General shall so inform immediately all Members by the most appropriate means of telecommunication and the conference or assembly shall be cancelled.

308 4. The procedures indicated in Nos. 301 to 307 above, with the exception of No. 306, shall also be applicable when the proposal to convene a second world telecommunication standardization conference or to cancel a second world radiocommunication conference or a second radiocommunication assembly is initiated by the Council.

309 5. Any Member of the Union wishing to have a world conference on international telecommunications convened shall propose it to the Plenipotentiary Conference; the agenda, precise place and exact dates of such a conference shall be determined in accordance with the provisions of Article 3 of this Convention.

ARTICLE 27

**Procedure for Convening Regional Conferences
at the Request of Members of the Union or
on a Proposal of the Council**

- 310** In the case of a regional conference, the procedure described in Nos. 300 to 305 of this Convention shall be applicable only to the Members of the region concerned. If the conference is to be convened on the initiative of the Members of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Members in that region. The procedure described in Nos. 301 to 305 of this Convention shall also be applicable when the proposal to convene such a conference is initiated by the Council.

ARTICLE 28

**Provisions for Conferences Meeting when There
is no Inviting Government**

- 311** When a conference is to be held without an inviting government, the provisions of Articles 23, 24 and 25 of this Convention shall apply. The Secretary-General shall take the necessary steps to convene and organize it at the seat of the Union, after agreement with the Government of the Swiss Confederation.

ARTICLE 29

Change in the Place or Dates of a Conference

- 312** 1. The provisions of Articles 26 and 27 of this Convention for convening a conference shall apply, by analogy, when a change in the precise place and/or exact dates of a conference is requested by Members of the Union or is proposed by the Council. However, such changes shall only be made if a majority of the Members concerned, determined in accordance with No. 47 of this Convention, have pronounced in favour.
- 313** 2. It shall be the responsibility of any Member proposing a change in the precise place or exact dates of a conference to obtain for its proposal the support of the requisite number of other Members.
- 314** 3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in No. 301 of this Convention, the probable financial consequences of a change in the place or dates, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

ARTICLE 30

**Time-Limits and Conditions for Submission of Proposals
and Reports to Conferences**

- 315** 1. The provisions of this Article shall apply to the Plenipotentiary Conference, world and regional radiocommunication conferences and world conferences on international telecommunications.
- 316** 2. Immediately after the invitations have been despatched, the Secretary-General shall ask Members to send him, at least four months before the start of the conference, their proposals for the work of the conference.
- 317** 3. All proposals the adoption of which will involve amendment of the text of the Constitution or this Convention or revision of the Administrative Regulations must carry references identifying by their marginal numbers those parts of the text which will require such amendment or revision. The reasons for the proposal must be given, as briefly as possible, in each case.

- 318** 4. Each proposal received from a Member of the Union shall be annotated by the Secretary-General to indicate its origin by means of the symbol established by the Union for that Member. Where a proposal is made jointly by more than one Member the proposal shall, to the extent practicable, be annotated with the symbol of each Member.
- 319** 5. The Secretary-General shall communicate the proposals to all Members as they are received.
- 320** 6. The Secretary-General shall assemble and coordinate the proposals received from Members and shall communicate them to Members as they are received, but in any case at least two months before the opening of the conference. Elected officials and staff members of the Union, as well as those observers and representatives that may attend conferences in accordance with the relevant provisions of this Convention, shall not be entitled to submit proposals.
- 321** 7. The Secretary-General shall also assemble reports received from Members, the Council and the Sectors of the Union and recommendations by conferences and shall communicate them to Members, along with any reports by the Secretary-General, at least four months before the opening of the conference.
- 322** 8. Proposals received after the time-limit specified in No. 316 above shall be communicated to all Members by the Secretary-General as soon as practicable.
- 323** 9. The provisions of the present Article shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

ARTICLE 31

Credentials for Conferences

- 324** 1. The delegation sent by a Member of the Union to a Plenipotentiary Conference, a radiocommunication conference or a world conference on international telecommunications shall be duly accredited in accordance with Nos. 325 to 331 below.

- 325** 2. (1) Accreditation of delegations to Plenipotentiary Conferences shall be by means of instruments signed by the Head of State, by the Head of Government or by the Minister for Foreign Affairs.
- 326** (2) Accreditation of delegations to the other conferences referred to in No. 324 above shall be by means of instruments signed by the Head of State, by the Head of Government, by the Minister for Foreign Affairs or by the Minister responsible for questions dealt with during the conference.
- 327** (3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in Nos. 325 or 326 above, a delegation may be provisionally accredited by the Head of the diplomatic mission of the Member concerned to the host government. In the case of a conference held in the Swiss Confederation, a delegation may also be provisionally accredited by the Head of the permanent delegation of the Member concerned to the United Nations Office at Geneva.
- 328** 3. Credentials shall be accepted if they are signed by one of the competent authorities mentioned in Nos. 325 to 327 above, and fulfil one of the following criteria:
- 329** – they confer full powers on the delegation;
- 330** – they authorize the delegation to represent its government, without restrictions;
- 331** – they give the delegation, or certain members thereof, the right to sign the Final Acts.
- 332** 4. (1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member concerned, subject to the provisions of Nos. 169 and 210 of the Constitution, and to sign the Final Acts.
- 333** (2) A delegation whose credentials are found not to be in order by the Plenary Meeting shall not be entitled to exercise the right to vote or to sign the Final Acts until the situation has been rectified.
- 334** 5. Credentials shall be deposited with the secretariat of the conference as early as possible. The Committee referred to in No. 361 of this Convention shall be entrusted with the verification thereof and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, any delegation shall be entitled to participate in the conference and to exercise the right to vote of the Member concerned.

- 335** 6. As a general rule, Members of the Union should endeavour to send their own delegations to conferences of the Union. However, if a Member is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in Nos. 325 or 326 above.
- 336** 7. A delegation with the right to vote may give to another delegation with the right to vote a mandate to exercise its vote at one or more meetings at which it is unable to be present. In such a case it shall, in good time, notify the Chairman of the conference in writing.
- 337** 8. A delegation may not exercise more than one proxy vote.
- 338** 9. Credentials and transfers of powers sent by telegram shall not be accepted. Nevertheless, replies sent by telegram to requests by the Chairman or the secretariat of the conference for clarification of credentials shall be accepted.
- 339** 10. A Member or an authorized entity or organization intending to send a delegation or representatives to a telecommunication standardization conference, a telecommunication development conference or a radiocommunication assembly shall so inform the Director of the Bureau of the Sector concerned, indicating the names and functions of the members of the delegation or of the representatives.

CHAPTER III

Rules of Procedure

ARTICLE 32

Rules of Procedure of Conferences and Other Meetings

- 340** The Rules of Procedure shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

1. Order of Seating

341 At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the Members represented.

2. Inauguration of the Conference

342 1. (1) The inaugural meeting of the conference shall be preceded by a meeting of the Heads of delegation in the course of which it shall prepare the agenda for the first Plenary Meeting and make proposals for the organization, chairmanships and vice-chairmanships of the conference and its committees, taking into account the principles of rotation, geographical distribution, the necessary competence and the provisions of No. 346 below.

343 (2) The Chairman of the meeting of Heads of delegation shall be appointed in accordance with the provisions of Nos. 344 and 345 below.

344 2. (1) The conference shall be opened by a person appointed by the inviting government.

345 (2) When there is no inviting government, it shall be opened by the oldest Head of delegation.

346 3. (1) The Chairman of the conference shall be elected at the first Plenary Meeting; generally he shall be a person nominated by the inviting government.

347 (2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposals made by the Heads of delegation at the meeting described in No. 342 above.

348 4. The first Plenary Meeting shall also:

349 a) elect the Vice-Chairmen of the conference;

350 b) set up the conference committees and elect their respective Chairmen and Vice-Chairmen;

351 c) designate the conference secretariat, in accordance with No. 97 of this Convention; the secretariat may be reinforced, in case of need, by staff provided by the administration of the inviting government.

3. Powers of the Chairman of the Conference

- 352** 1. The Chairman, in addition to the other prerogatives conferred upon him under these Rules of Procedure, shall open and close the meetings of the Plenary Meeting, direct the deliberations, ensure that the Rules of Procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.
- 353** 2. He shall have the general direction of all the work of the conference, and shall ensure that order is maintained at Plenary Meetings. He shall give his ruling on motions of order and points of order and, in particular, he shall be empowered to propose that discussion on a question be postponed or closed, or that a meeting be suspended or adjourned. He may also decide to postpone the convening of a Plenary Meeting should he consider it necessary.
- 354** 3. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.
- 355** 4. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

4. Setting up of Committees

- 356** 1. The Plenary Meeting may set up committees to consider matters referred to the conference. These committees may in turn set up sub-committees. Committees and sub-committees may set up working groups.
- 357** 2. Sub-committees and working groups shall be set up when necessary.
- 358** 3. Subject to the provisions of Nos. 356 and 357 above, the following committees shall be set up:

4.1 Steering Committee

- 359** a) This Committee shall normally be composed of the Chairman of the conference or meeting, who shall be its Chairman, the Vice-Chairmen of the conference and the Chairmen and Vice-Chairmen of committees;
- 360** b) The Steering Committee shall coordinate all matters connected with the smooth execution of work and shall plan the order and number of meetings, avoiding overlapping wherever possible in view of the limited number of members of some delegations.

4.2 Credentials Committee

- 361** A Plenipotentiary Conference, a radiocommunication conference or a world conference on international telecommunications shall appoint a Credentials Committee, the mandate of which shall be to verify the credentials of delegations to these conferences. This Committee shall report on its conclusions to the Plenary Meeting within the time specified by the latter.

4.3 Editorial Committee

- 362** a) The texts prepared in the various committees, which shall be worded as far as possible in their definitive form by these committees, taking account of the views expressed, shall be submitted to an Editorial Committee charged with perfecting their form without altering the sense and, where appropriate, with combining them with those parts of former texts which have not been altered.
- 363** b) The texts shall be submitted by the Editorial Committee to the Plenary Meeting, which shall approve them, or refer them back to the appropriate committee for further examination.

4.4 Budget Control Committee

- 364** a) At the opening of each conference, the Plenary Meeting shall appoint a Budget Control Committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference. In addition to the members of delegations who wish to participate, this Committee shall include a representative of the Secretary-General, of the Director of the Bureau concerned, and, where there is an inviting government, a representative of that government.
- 365** b) Before the budget approved by the Council for the conference is exhausted, the Budget Control Committee, in collaboration with the secretariat of the conference, shall present an interim statement of the expenditure to the Plenary Meeting. The Plenary Meeting shall take this statement into account in considering whether the progress made is sufficient to justify a prolongation of the conference after the date when the approved budget will be exhausted.

- 366** c) At the end of each conference, the Budget Control Committee shall present a report to the Plenary Meeting showing, as accurately as possible, the estimated total expenditure of the conference, as well as an estimate of the costs that may be entailed by the execution of the decisions taken by such conference.
- 367** d) After consideration and approval by the Plenary Meeting, this report, together with the observations of the Plenary Meeting, shall be transmitted to the Secretary-General for submission to the Council at its next ordinary session.

5. Composition of Committees

5.1 Plenipotentiary Conferences

- 368** Committees shall be composed of the delegates of Members and the observers referred to in No. 269 of this Convention who have so requested or who have been designated by the Plenary Meeting.

5.2 Radiocommunication Conferences and World Conferences on International Telecommunications

- 369** Committees shall be composed of the delegates of Members and the observers and representatives referred to in Nos. 278, 279 and 280 of this Convention who have so requested or who have been designated by the Plenary Meeting.

5.3 Radiocommunication Assemblies, Telecommunication Standardization Conferences and Telecommunication Development Conferences

- 370** In addition to delegates of Members and observers referred to in Nos. 259 to 262 of this Convention, the radiocommunication assemblies and the committees of the telecommunication standardization and telecommunication development conferences may be attended by representatives of any entity or organization included in the relevant list referred to in No. 237 of this Convention.

6. Chairmen and Vice-Chairmen of Sub-Committees

- 371** The Chairman of each committee shall propose to his committee the choice of the Chairmen and Vice-Chairmen of the sub-committees which may be set up.

7. Summons to Meetings

- 372** Plenary Meetings and meetings of committees, sub-committees and working groups shall be announced in good time in the meeting place of the conference.

8. Proposals Presented Before the Opening of the Conference

- 373** Proposals presented before the opening of the conference shall be allocated by the Plenary Meeting to the appropriate committees set up in accordance with Section 4 of these Rules of Procedure. Nevertheless, the Plenary Meeting itself shall be entitled to deal with any proposal.

9. Proposals or Amendments Presented During the Conference

- 374** 1. Proposals or amendments presented after the opening of the conference shall be delivered to the Chairman of the conference, to the Chairman of the appropriate committee or to the secretariat of the conference for publication and distribution as conference documents.
- 375** 2. No written proposal or amendment may be presented unless signed by the Head of the delegation concerned or by his deputy.
- 376** 3. The Chairman of the conference or of a committee, a sub-committee or a working group may at any time submit proposals likely to accelerate the debates.
- 377** 4. Every proposal or amendment shall give, in precise and exact terms, the text to be considered.
- 378** 5. (1) The Chairman of the conference or the Chairman of the appropriate committee, sub-committee or working group shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with No. 374 above.

379 (2) In general, the texts of all major proposals to be put to the vote shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.

380 (3) In addition, the Chairman of the conference, on receiving proposals or amendments referred to in No. 374 above, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.

381 6. Any authorized person may read, or may ask to have read, at a Plenary Meeting any proposal or amendment submitted by him during the conference, and he shall be allowed to explain his reasons therefor.

10. Conditions Required for Discussion of or Decision or Vote on any Proposal or Amendment

382 1. No proposal or amendment may be discussed unless it is supported by at least one other delegation when it comes to be considered.

383 2. Each proposal or amendment duly supported shall be submitted for discussion and thereafter for decision, if necessary by a vote.

11. Proposals or Amendments Passed Over or Postponed

384 When a proposal or an amendment has been passed over or when its examination has been postponed, the delegation sponsoring it shall be responsible for seeing that it is considered later.

12. Rules for Debates in Plenary Meetings

12.1 Quorum

385 For a valid vote to be taken at a Plenary Meeting, more than half of the delegations accredited to the conference and having the right to vote must be present or represented at the meeting.

12.2 Order of debates

386 (1) Persons desiring to speak must first obtain the consent of the Chairman. As a general rule, they shall begin by announcing in what capacity they speak.

- 387** (2) Any person speaking must express himself slowly and distinctly, separating his words and pausing as necessary in order that everybody may understand his meaning.

12.3 Motions of order and points of order

- 388** (1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall however stand unless a majority of the delegations present and voting are against it.
- 389** (2) A delegation submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

12.4 Priority of motions of order and points of order

- 390** The motions and points of order mentioned in No. 388 of this Convention shall be dealt with in the following order:
- 391** a) any point of order regarding the application of these Rules of Procedure, including voting procedures;
- 392** b) suspension of a meeting;
- 393** c) adjournment of a meeting;
- 394** d) postponement of debate on the matter under discussion;
- 395** e) closure of debate on the matter under discussion;
- 396** f) any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

12.5 Motion for suspension or adjournment of a meeting

- 397** During the discussion of a question, a delegation may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the floor shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.

12.6 Motion for postponement of debate

- 398** During discussion of any question, a delegation may move that the debate be postponed for a stated period. Once such a proposal has been made, any discussion thereon shall be limited to no more than three speakers not counting the person submitting the proposal, one for the motion and two against, after which the motion shall be put to the vote.

12.7 Motion for closure of debate

- 399** A delegation may at any time move that discussions on the point at issue be closed. In such cases the floor shall be given to not more than two speakers opposing the motion, after which the motion shall be put to the vote. If the motion succeeds, the Chairman will immediately call for a vote on the point at issue.

12.8 Limitation of speeches

- 400** (1) The Plenary Meeting may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.
- 401** (2) However, as regards questions of procedure, the Chairman shall limit the time allowed for a speech to a maximum of five minutes.
- 402** (3) When a speaker has exceeded the time allowed, the Chairman shall notify the Meeting and request the speaker to conclude his remarks briefly.

12.9 Closing the list of speakers

- 403** (1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. He shall add the names of other delegations which indicate that they wish to speak and he may then, with the assent of the Meeting, rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may rule, if he thinks fit, that a reply may be made to any previous statement, even after the list of speakers has been closed.
- 404** (2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

12.10 Questions of competence

- 405** Any question of competence that may arise shall be settled before a vote is taken on the substance of the matter under discussion.

12.11 Withdrawal and resubmission of a motion

- 406** The author of a motion may withdraw it before it is put to a vote. Any motion, whether amended or not, which has been withdrawn from debate may be resubmitted or taken up by the author of the amendment or by another delegation.

13. Right to Vote

- 407** 1. At all meetings of the conference, the delegation of a Member of the Union duly accredited by that Member to take part in the work of the conference shall be entitled to one vote in accordance with Article 3 of the Constitution.
- 408** 2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Article 31 of this Convention.
- 409** 3. When a Member is not represented by an administration at a radio-communication assembly, a world telecommunication standardization conference or a telecommunication development conference, the representatives of the recognized operating agencies of the Member concerned shall, as a whole, and regardless of their number, be entitled to a single vote, subject to the provisions of No. 239 of this Convention. The provisions of Nos. 335 to 338 of this Convention concerning the transfer of powers shall apply to the above conferences.

14. Voting

14.1 Definition of a majority

- 410** (1) A majority shall consist of more than half the delegations present and voting.
- 411** (2) In computing a majority, delegations abstaining shall not be taken into account.

412 (3) In case of a tie, a proposal or amendment shall be considered rejected.

413 (4) For the purpose of these Rules of Procedure, a “delegation present and voting” shall be a delegation voting for or against a proposal.

14.2 Non-participation in voting

414 Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall not be considered as absent, for the purpose of determining a quorum as defined in No. 385 of this Convention, nor as abstaining for the purpose of applying the provisions of No. 416 below.

14.3 Special majority

415 In cases concerning the admission of new Members of the Union, the majority described in Article 2 of the Constitution shall apply.

14.4 Abstentions of more than fifty per cent

416 When the number of abstentions exceeds half the number of votes cast (for, against, abstentions), consideration of the matter under discussion shall be postponed to a later meeting, at which time abstentions shall not be taken into account.

14.5 Voting procedures

417 (1) The voting procedures are as follows:

418 a) by a show of hands as a general rule unless a roll call under b) or secret ballot under c) has been requested;

419 b) by a roll call in the alphabetical order of the French names of the Members present and entitled to vote:

420 1. if at least two delegations, present and entitled to vote, so request before the beginning of the vote and if a secret ballot under c) has not been requested, or

421 2. if the procedure under a) shows no clear majority;

422 c) by a secret ballot, if at least five of the delegations present and entitled to vote so request before the beginning of the vote.

423 (2) The Chairman shall, before commencing a vote, observe any request as to the manner in which the voting shall be conducted, and then shall formally announce the voting procedure to be applied and the issue to be submitted to the vote. He shall then declare the beginning of the vote. When the vote has been taken, he shall announce the results.

424 (3) In the case of a secret ballot, the secretariat shall at once take steps to ensure the secrecy of the vote.

425 (4) Voting may be conducted by an electronic system if a suitable system is available and if the conference so decides.

14.6 Prohibition of interruptions once the vote has begun

426 No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken. The point of order cannot include any proposal entailing a change in the vote that is being taken or a change in the substance of the question put to the vote. Voting shall begin with the Chairman's announcement that the voting has begun and shall end with the Chairman's announcement of its results.

14.7 Reasons for votes

427 The Chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

14.8 Voting on parts of a proposal

428 (1) When the author of a proposal so requests, or when the meeting thinks fit, or when the Chairman, with the approval of the author, so proposes, that proposal shall be sub-divided and its various sections put to the vote separately. The parts of the proposal which have been adopted shall then be put to the vote as a whole.

429 (2) If all the sections of a proposal are rejected the proposal shall be regarded as rejected as a whole.

14.9 Order of voting on concurrent proposals

- 430** (1) When there are two or more proposals on any one matter, they shall be put to the vote in the order in which they were presented, unless the meeting decides to the contrary.
- 431** (2) After each vote, the meeting shall decide whether or not the following proposal shall be voted on.

14.10 Amendments

- 432** (1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in, a part of the original proposal shall be considered an amendment.
- 433** (2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.
- 434** (3) No proposal for modification shall be regarded as an amendment if the meeting considers it to be incompatible with the original proposal.

14.11 Voting on amendments

- 435** (1) When an amendment to a proposal is submitted, a vote shall first be taken on the amendment.
- 436** (2) When two or more amendments to a proposal are submitted, the amendment furthest from the original text shall be put to the vote first; if this amendment does not obtain the support of the majority, of the remaining amendments, that furthest from the proposal shall then be put to the vote and the same procedure shall be followed until a subsequent amendment gains the support of the majority; if all the amendments submitted have been considered and none has gained a majority, the unamended proposal shall be put to the vote.
- 437** (3) If one or more amendments are adopted, the proposal thus amended shall then be put to the vote.

14.12 Repetition of a vote

- 438** (1) In the committees, sub-committees or working groups of a conference or a meeting, a proposal, a part of a proposal or an amendment which has already been decided by a vote within one of the committees, sub-committees or working groups may not be put to the vote again within the same committee, sub-committee or working group. This shall apply irrespective of the voting procedure chosen.
- 439** (2) In the Plenary Meetings a proposal, a part of a proposal or an amendment shall not be put to the vote again unless:
- 440** a) the majority of the Members entitled to vote so request, and
- 441** b) the request for a repetition of the vote is made at least one full day after the vote has been taken.

15. Rules for Debates and Voting Procedures in Committees and Sub-Committees

- 442** 1. The Chairmen of all committees and sub-committees shall have powers similar to those conferred by Section 3 of the present Rules of Procedure on the Chairman of the conference.
- 443** 2. The provisions of Section 12 of the present Rules of Procedure for the conduct of debates in the Plenary Meeting shall also apply to the discussions in committees and sub-committees, except in the matter of the quorum.
- 444** 3. The provisions of Section 14 of the present Rules of Procedure shall also apply to votes taken in committees and sub-committees.

16. Reservations

- 445** 1. As a general rule, any delegation whose views are not shared by the remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

- 446** 2. However, if any decision appears to a delegation to be such as to prevent its government from consenting to be bound by amendments to the Constitution or this Convention or by the revision of the Administrative Regulations, this delegation may make reservations, final or provisional, regarding that decision; any such reservations may be made by a delegation on behalf of a Member which is not participating in the conference and which has given that delegation proxy powers to sign the Final Acts in accordance with the provisions of Article 31 of this Convention.

17. Minutes of Plenary Meetings

- 447** 1. The minutes of Plenary Meetings shall be drawn up by the secretariat of the conference, which shall ensure that they are distributed to delegations as early as possible, and in any event not later than five working days after each meeting.
- 448** 2. After the minutes have been distributed, delegations may submit in writing to the secretariat of the conference any corrections they consider to be justified; this shall be done in the shortest possible time. This shall not prevent them from presenting amendments orally during the meeting at which the minutes are approved.
- 449** 3. (1) As a general rule, the minutes shall contain only proposals and conclusions, together with the principal arguments on which they are based, presented in terms as concise as possible.
- 450** (2) However, any delegation shall have the right to require the insertion in the minutes, either summarized or in full, of any statement it has made during the debates. In this case, the delegation should, as a general rule, announce this at the beginning of its statement in order to facilitate the work of the reporters and must itself hand in the text to the secretariat of the conference within two hours after the end of the meeting.
- 451** 4. The right accorded in No. 450 above regarding the insertion of statements in the minutes shall in all cases be used with discretion.

18. Summary Records and Reports of Committees and Sub-Committees

- 452** 1. (1) Summary records of the debates of meetings of committees or sub-committees shall be drawn up, meeting by meeting, by the secretariat of the conference, which shall ensure that they are distributed to delegations not later than five working days after each meeting. The records shall bring out the essential points of the discussion, and the various opinions of which note ought to be taken, together with any proposals or conclusions resulting from the debates as a whole.

- 453** (2) Nevertheless, any delegation shall be entitled to invoke No. 450 above.
- 454** (3) The right accorded in No. 453 above shall in all circumstances be used with discretion.
- 455** 2. Committees and sub-committees may prepare any interim reports they deem necessary and, if circumstances warrant, they may submit, at the end of their work, a final report recapitulating in concise terms the proposals and conclusions resulting from the studies entrusted to them.

19. Approval of Minutes, Summary Records and Reports

- 456** 1. (1) As a general rule, at the beginning of each Plenary Meeting, or meeting of a committee, or sub-committee, the Chairman shall inquire whether there are any comments on the minutes of the previous meeting, or, in the case of committees or sub-committees, on the summary record of the previous meeting. These documents shall be considered approved if no amendments have been handed in to the secretariat and no objection is made orally. Otherwise, the appropriate amendments shall be made in the minutes or summary record as the case may be.
- 457** (2) Any interim or final report must be approved by the committee or sub-committee concerned.
- 458** 2. (1) The minutes of the last Plenary Meetings shall be examined and approved by the Chairman.
- 459** (2) The summary records of the last meetings of each committee or sub-committee shall be examined and approved by the Chairman of the committee or sub-committee.

20. Numbering

- 460** 1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in Plenary Meeting. The passages added shall bear provisionally the number of the last preceding paragraph in the original text, with the addition of "A", "B", etc.

- 461** 2. The final numbering of the chapters, articles and paragraphs shall normally be entrusted to the Editorial Committee after their adoption at the first reading but may, by a decision of the Plenary Meeting, be entrusted to the Secretary-General.

21. Final Approval

- 462** The texts of the Final Acts of a Plenipotentiary Conference, a radio-communication conference or a world conference on international telecommunications shall be considered final when they have been approved at the second reading in Plenary Meeting.

22. Signature

- 463** The texts of the Final Acts approved by the conferences referred to in No. 462 above shall be submitted for signature, in the alphabetical order of the Members' names in French, to the delegates provided with the powers defined in Article 31 of this Convention.

23. Relations with the Press and the Public

- 464** 1. Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman of the conference.
- 465** 2. The press and the public may, to the extent practicable, be present at the conference in accordance with the guidelines approved by the meeting of Heads of delegations referred to in No. 342 above and with the practical arrangements made by the Secretary-General. The presence of the press and the public shall in no way disturb the normal conduct of the work of the meeting.
- 466** 3. Other meetings of the Union shall not be open to the press and the public, unless the meeting in question decides otherwise.

24. Franking Privileges

467 During the conference, members of delegations, representatives of Members of the Council, members of the Radio Regulations Board, senior officials of the General Secretariat and of the Sectors of the Union attending the conference and the staff of the Secretariat of the Union seconded to the conference shall be entitled to postal, telegram, telephone and telex franking privileges to the extent arranged by the host government in agreement with the other governments and recognized operating agencies concerned.

CHAPTER IV

Other Provisions

ARTICLE 33

Finances

468 1. (1) The scale from which each Member shall choose its class of contribution, in conformity with the relevant provisions of Article 28 of the Constitution, shall be as follows:

40 unit class
35 unit class
30 unit class
28 unit class
25 unit class
23 unit class
20 unit class
18 unit class
15 unit class
13 unit class
10 unit class
8 unit class
5 unit class

4 unit class
3 unit class
2 unit class
1 1/2 unit class
1 unit class
1/2 unit class
1/4 unit class
1/8 unit class*
1/16 unit class*

(*For the least developed countries as listed by the United Nations and other Members as determined by the Council.)

- 469** (2) In addition to the classes of contribution listed in No. 468 above, any Member may choose a number of contributory units over 40.
- 470** (3) The Secretary-General shall communicate the decision of each Member as to the class of contribution chosen by it to all the Members of the Union.
- 471** (4) Members may at any time choose a class of contribution higher than the one already adopted by them.
- 472** 2. (1) Every new Member shall, in respect of the year of its accession, pay a contribution calculated as from the first day of the month of accession.
- 473** (2) Should the Constitution and this Convention be denounced by a Member, its contribution shall be paid up to the last day of the month in which such denunciation takes effect.
- 474** 3. The amounts due shall bear interest from the beginning of each financial year of the Union at 3% (three per cent) per annum during the first six months, and at 6% (six per cent) per annum from the beginning of the seventh month.
- 475** 4. The following provisions shall apply to contributions by the organizations referred to in Nos. 259 to 262 and to entities authorized to participate in the Union's activities in accordance with the provisions of Article 19 of this Convention.
- 476** 5. The organizations referred to in Nos. 259 to 262 of this Convention and other organizations of an international character which participate in a Plenipotentiary Conference, in a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conference or the Sector in accordance with Nos. 479 to 481 below, as appropriate, unless they have been exempted by Council, subject to reciprocity.
- 477** 6. Any entity or organization appearing in the lists mentioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 479 and 480 below.
- 478** 7. Any entity or organization appearing in the lists mentioned in No. 237 of this Convention which participates in a radiocommunication conference, a world conference on international telecommunications or a conference or assembly of a Sector of which it is not a member, shall share in defraying the expenses of the conference or assembly in accordance with Nos. 479 and 481 below.

- 479** 8. The contributions mentioned in Nos. 476, 477 and 478 shall be based on the free choice of a class of contribution from the scale given in No. 468 above, with the exception of the 1/4, 1/8 and 1/16 unit classes reserved for Members of the Union (the latter exception does not apply to the Telecommunication Development Sector); the Secretary-General shall be informed of the class chosen; any entity or organization concerned may at any time choose a class of contribution higher than the one already adopted by it.
- 480** 9. The amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Members of the Union. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.
- 481** 10. The amount of the contribution per unit payable towards the expenses of a conference or assembly shall be set by dividing the total amount of the budget of the conference or assembly in question by the total number of units contributed by Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in No. 474 above.
- 482** 11. Reduction in the number of contributory units shall be possible only in accordance with the principles stipulated in the relevant provisions of Article 28 of the Constitution.
- 483** 12. In the case of denunciation of participation in the work of a Sector or of termination of such participation (see No. 240 of this Convention), the contribution shall be paid up to the last day of the month in which such denunciation or termination takes effect.
- 484** 13. The sale price of publications shall be determined by the Secretary-General, bearing in mind that the cost of reproduction and distribution should, in general, be covered by the sale of the publications.
- 485** 14. The Union shall maintain a reserve account in order to provide working capital to meet essential expenditures and to maintain sufficient cash reserves to avoid resorting to loans as far as possible. The amount of the reserve account shall be fixed annually by the Council on the basis of expected requirements. At the end of each biennial budgetary period all budget credits which have not been expended or encumbered will be placed in the reserve account. Other details of this account are described in the Financial Regulations.

486 15. (1) The Secretary-General may, in agreement with the Coordination Committee, accept voluntary contributions in cash or kind, provided that the conditions attached to such voluntary contributions are consistent, as appropriate, with the purposes and programmes of the Union and with the programmes adopted by a conference and in conformity with the Financial Regulations, which shall contain special provisions for the acceptance and use of such voluntary contributions.

487 (2) Such voluntary contributions shall be reported by the Secretary-General to the Council in the financial operating report as well as in a summary indicating for each case the origin, proposed use and action taken with respect to each voluntary contribution.

ARTICLE 34

Financial Responsibilities of Conferences

488 1. Before adopting proposals or taking decisions with financial implications, the conferences of the Union shall take account of all the Union's budgetary provisions with a view to ensuring that they will not result in expenses beyond the credits which the Council is empowered to authorize.

489 2. No decision of a conference shall be put into effect if it will result in a direct or indirect increase in expenses beyond the credits that the Council is empowered to authorize.

ARTICLE 35

Languages

490 1. (1) At conferences and meetings of the Union, languages other than those mentioned in the relevant provisions of Article 29 of the Constitution may be used:

- 491** a) if an application is made to the Secretary-General or to the Director of the Bureau concerned to provide for the use of an additional language or languages, oral or written, provided that the additional cost so incurred shall be borne by those Members which have made or supported the application;
- 492** b) if any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in the relevant provision of Article 29 of the Constitution.
- 493** (2) In the case provided for in No. 491 above, the Secretary-General or the Director of the Bureau concerned shall comply to the extent practicable with the application, having first obtained from the Members concerned an undertaking that the cost incurred will be duly repaid by them to the Union.
- 494** (3) In the case provided for in No. 492 above, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral translation into its own language from one of the languages referred to in the relevant provision of Article 29 of the Constitution.
- 495** 2. Any of the documents referred to in the relevant provisions of Article 29 of the Constitution may be published in languages other than those there specified, provided that the Members requesting such publication undertake to defray the whole of the cost of translation and publication involved.

CHAPTER V

Various Provisions Related to the Operation of Telecommunication Services

ARTICLE 36

Charges and Free Services

- 496** The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Administrative Regulations.

ARTICLE 37

Rendering and Settlement of Accounts

- 497** 1. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.
- 498** 2. Administrations of Members and recognized operating agencies which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.
- 499** 3. The statement of accounts with respect to debits and credits referred to in No. 498 above shall be drawn up in accordance with the provisions of the Administrative Regulations, unless special arrangements have been concluded between the parties concerned.

ARTICLE 38

Monetary Unit

- 500** In the absence of special arrangements concluded between Members, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:
- either the monetary unit of the International Monetary Fund
 - or the gold franc,
- both as defined in the Administrative Regulations. The provisions for application are contained in Appendix 1 to the International Telecommunication Regulations.

ARTICLE 39

Intercommunication

- 501** 1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of their normal employment, to exchange radio-communications reciprocally without distinction as to the radio system adopted by them.
- 502** 2. Nevertheless, in order not to impede scientific progress, the provisions of No. 501 above shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.
- 503** 3. Notwithstanding the provisions of No. 501 above, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such service, or by other circumstances independent of the system used.

ARTICLE 40

Secret Language

- 504** 1. Government telegrams and service telegrams may be expressed in secret language in all relations.
- 505** 2. Private telegrams in secret language may be admitted between all Members with the exception of those which have previously notified, through the Secretary-General, that they do not admit this language for that category of correspondence.
- 506** 3. Members which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 35 of the Constitution.

CHAPTER VI

Arbitration and Amendment

ARTICLE 41

Arbitration: Procedure

(see Article 56 of the Constitution)

- 507** 1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.
- 508** 2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.
- 509** 3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of a State party to the dispute, nor have their domicile in the States parties to the dispute, nor be employed in their service.
- 510** 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Members which are not involved in the dispute, but which are parties to the agreement, the application of which caused the dispute.
- 511** 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.
- 512** 6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in Nos. 510 and 511 above, by each of the two groups of parties having a common position in the dispute.

513 7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfil the conditions indicated in No. 509 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General shall then draw lots in order to select the third arbitrator.

514 8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General to draw lots to decide which of the persons so nominated is to act as the single arbitrator.

515 9. The arbitrator or arbitrators shall be free to decide upon the venue and the rules of procedure to be applied to the arbitration.

516 10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.

517 11. Each party shall bear the expense it has incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.

518 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need. If the parties to the dispute so agree, the decision of the arbitrator or arbitrators shall be communicated to the Secretary-General for future reference purposes.

ARTICLE 42

Provisions for Amending this Convention

- 519** 1. Any Member of the Union may propose any amendment to this Convention. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Members of the Union, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, forward any such proposal to all the Members of the Union.
- 520** 2. Any proposed modification to any amendment submitted in accordance with No. 519 above may, however, be submitted at any time by a Member of the Union or by its delegation at the Plenipotentiary Conference.
- 521** 3. The quorum required at any Plenary Meeting of the Plenipotentiary Conference for consideration of any proposal for amending this Convention or modification thereto shall consist of more than one half of the delegations accredited to the Plenipotentiary Conference.
- 522** 4. To be adopted, any proposed modification to a proposed amendment as well as the proposal as a whole, whether or not modified, shall be approved, at a Plenary Meeting, by more than half of the delegations accredited to the Plenipotentiary Conference which have the right to vote.
- 523** 5. Unless specified otherwise in the preceding paragraphs of the present Article, which shall prevail, the general provisions regarding conferences and the Rules of Procedures of conferences and other meetings as contained in this Convention shall apply.
- 524** 6. Any amendments to this Convention adopted by a Plenipotentiary Conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the Conference between Members having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Convention and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

- 525** 7. Notwithstanding No. 524 above, the Plenipotentiary Conference may decide that an amendment to this Convention is necessary for the proper implementation of an amendment to the Constitution. In that case, the amendment to this Convention shall not enter into force prior to the entry into force of the amendment to the Constitution.
- 526** 8. The Secretary-General shall notify all Members of the deposit of each instrument of ratification, acceptance, approval or accession.
- 527** 9. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 52 and 53 of the Constitution shall apply to this Convention as amended.
- 528** 10. After the entry into force of any such amending instrument, the Secretary-General shall register it with the Secretariat of the United Nations, in accordance with the provisions of Article 102 of the Charter of the United Nations. No. 241 of the Constitution shall also apply to any such amending instrument.

ANNEX

Definition of Certain Terms Used in this Convention and the Administrative Regulations of the International Telecommunication Union

For the purpose of the above instruments of the Union, the following terms shall have the meanings defined below:

1001 *Expert:* A person sent by either:

- a) the Government or the administration of his country, or
- b) an entity or an organization authorized in accordance with Article 19 of this Convention, or
- c) an international organization

to participate in tasks of the Union relevant to his area of professional competence.

1002 *Observer:* A person sent by:

- the United Nations, a specialized agency of the United Nations, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a Plenipotentiary Conference, a conference or a meeting of a Sector,
- an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector, or
- the government of a Member of the Union to participate in a non-voting capacity in a regional conference,

in accordance with the relevant provisions of this Convention.

1003 *Mobile Service:* A radiocommunication service between mobile and land stations, or between mobile stations.

1004 *Scientific or Industrial Organization:* Any organization, other than a governmental establishment or agency, which is engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services.

1005 *Radiocommunication:* Telecommunication by means of radio waves.

Note 1: Radio waves are electromagnetic waves of frequencies arbitrarily lower than 3 000 GHz, propagated in space without artificial guide.

Note 2: For the requirements of Nos. 149 to 154 of this Convention, the term “radiocommunication” also includes telecommunications using electromagnetic waves of frequencies above 3 000 GHz, propagated in space without artificial guide.

1006 *Service Telecommunication:* A telecommunication that relates to public international telecommunications and that is exchanged among the following:

- administrations,
- recognized operating agencies, and
- the Chairman of the Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux, the members of the Radio Regulations Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

DECLARATIONS AND RESERVATIONS

made at the end of the Additional Plenipotentiary Conference of the International Telecommunication Union

(Geneva, 1992)*

The undersigned plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), that they have taken note of the following declarations and reservations made at the end of that Conference:

1

Original: English

For the Republic of Slovenia:

In signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), subject to formal ratification, the Delegation of the Republic of Slovenia reserves for its Government the right to take any action which it may deem necessary to safeguard its interests in the event that any of the Members does not share in defraying the expenditure of the Union or fails in whatever other manner to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and its Annexes or the Protocols attached hereto, or should reservations by other Members jeopardize its telecommunication services.

* *Note by the General Secretariat:* The texts of the declarations and reservations are shown in the chronological order of their deposit.

In the Table of Contents these texts are grouped in the alphabetical order of the names of the Members which have made them.

2

*Original: French**For the Gabonese Republic:*

The Delegation of the Gabonese Republic reserves its Government's right:

1. to take any action necessary to protect its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other Members be likely to jeopardize the operation of its telecommunication services;

2. to accept or not to accept any financial consequences that may result from such reservations.

3

*Original: English**For the Democratic People's Republic of Korea:*

The Delegation of the Democratic People's Republic of Korea reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or their Annexes or the Protocol attached thereto, or should reservations by any countries jeopardize its telecommunication services.

4

*Original: English**For the Republic of Korea:*

The Delegation of the Republic of Korea reserves the right of its Government to take such action as it considers necessary to safeguard its interests should any Member not share in defraying the expenses of the Union or should any Member fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or the Protocols attached thereto, or should reservations by any countries jeopardize its telecommunication services.

5

*Original: English**For the Republic of Zambia:*

The Delegation of the Republic of Zambia to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right to take any such action as it may consider necessary to safeguard its interests, should any Member of the Union fail in any way to comply with the provisions of the Constitution or the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by such Members directly or indirectly affect the operations of its telecommunication services or its sovereignty.

The Delegation of the Republic of Zambia further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by the Republic of Zambia of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992).

6

*Original: English**For the Islamic State of Afghanistan:*

The Delegation of the Islamic State of Afghanistan to the ITU Additional Plenipotentiary Conference (Geneva, 1992) reserves for its Government the right:

1. to take any action it deems necessary to safeguard its interests should any Member in any way fail to comply with the provisions of the International Telecommunication Convention and Constitution (Geneva, 1992), or its Annexes or the Protocols attached thereto, or should the consequences of reservations by other countries jeopardize its interests and, more particularly, proper functioning of its telecommunication services;

2. not to accept any financial measures which lead to an increase in its contributory share in defraying the Union expenses;

3. to make any reservation or statement until such time as the International Telecommunication Convention and Constitution (Geneva, 1992) is ratified by the Government of the Islamic State of Afghanistan;

4. not to recognize any claims for the extension of State sovereignty to sections of the geostationary orbit, since these are contrary to the generally accepted international status of outer space.

7

*Original: English**For Malawi:*

In signing the Final Acts, the Delegation of Malawi to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right to take such action as it may deem necessary to safeguard its interests should certain Members fail to comply with the provisions of this Constitution and Convention or should reservations made by other Members of the Union jeopardize the operation of its telecommunication services.

8

*Original: French**For the Republic of Senegal:*

In signing the Final Acts of the Additional Plenipotentiary Conference, held at Geneva in December 1992, the Delegation of the Republic of Senegal declares on behalf of its Government that it accepts no consequences arising from reservations made by other governments which result in an increase in its contributory share in defraying the expenses of the Union.

The Republic of Senegal further reserves the right to take any action it deems necessary to safeguard its interests should any Members fail to comply with the provisions of the Constitution and the Convention, the Annexes thereto and the Optional Protocol on the Compulsory Settlement of Disputes, as adopted by the Conference, or should reservations by other countries tend to jeopardize the proper operation of its telecommunication services.

9

*Original: English**For the Kingdom of Swaziland:*

The Delegation of the Kingdom of Swaziland reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members failing in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or the Annexes and Regulations annexed thereto, or should reservations by other countries jeopardize its telecommunication services.

10

*Original: French**For Burkina Faso:*

In signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Delegation of Burkina Faso reserves for its Government the right to take any action it deems necessary to safeguard the interests of Burkina Faso:

1. should any Member in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and/or their respective Annexes;

2. should any Members not pay their share of the Union's expenses;

3. should reservations made by other Members be likely to jeopardize the technical and/or commercial operation of its telecommunication services.

The Delegation of Burkina Faso further reserves for its Government the right to make any declaration or reservation at the time of ratifying the Constitution and Convention of the International Telecommunication Union (Geneva, 1992).

11

*Original: English**For the Republic of Fiji:*

The Delegation of the Republic of Fiji reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize Fiji's telecommunication services or lead to an increase in its contributory share towards defraying the expenses of the Union.

12

*Original: French**For the Republic of Guinea:*

The Delegation of the Republic of Guinea to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right to take any action it may consider necessary to safeguard its interests should any Members of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other countries jeopardize its telecommunication services or entail an increase in its contributory share in defraying the expenses of the Union.

13

Original: English

For the Kingdom of Lesotho:

The Delegation of the Kingdom of Lesotho hereby declares on behalf of the Lesotho Government:

1. that it will not accept any consequences resulting from any reservation made by any country, and reserves the right to take any action it deems fit;
2. that it reserves the right to take such action as it may consider necessary to protect its interests, should any other country not observe the provisions of the Constitution, the Convention and the Administrative Regulations of the International Telecommunication Union (Geneva, 1992), or its Annexes and Protocols attached thereto, or should reservations by other countries jeopardize its telecommunication services.

14

Original: English

For the Republic of Suriname:

The Delegation of the Republic of Suriname declares, on behalf of its Government, that it reserves the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes and Protocols attached thereto, or should reservations by other countries, or any failure to comply with the Constitution and Convention, jeopardize the proper operation of its telecommunication services.

15

Original: English

For the Islamic Republic of Iran:

In the name of God, most merciful, most compassionate,

the Delegation of the Islamic Republic of Iran, on signing the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right:

1. to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Members of the Union fail in any way to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes or the Protocols and Regulations attached thereto;

2. to protect its interests should certain Members not share in defraying the expenses of the Union or should the reservations by other Members jeopardize the telecommunication services of the Islamic Republic of Iran;

3. not to be bound by any Provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), inter alia the provisions of Nos. 222 and 229 of the Constitution and No. 524 of the Convention, which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Islamic Republic of Iran;

4. to make any other reservation or statement until such time as the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), are ratified.

16

Original: French

For Austria, Belgium and Luxembourg:

The Delegations of the above-mentioned countries formally declare with regard to Article 4 of the Constitution of the International Telecommunication Union (Geneva, 1992), that they maintain the reservations made on behalf of their Administrations when signing the Regulations mentioned in Article 4.

17

Original: French

For Austria, Belgium and Luxembourg:

The Delegations of the above-mentioned countries reserve for their Governments the right to take any action which they might consider necessary to safeguard their interests should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or Protocols attached thereto, or should reservations by other countries be liable to cause an increase in their contributory shares in defraying Union expenses, or finally, should reservations by other countries jeopardize their telecommunication services.

18

*Original: French**For the Republic of Côte d'Ivoire:*

The Delegation of the Republic of Côte d'Ivoire reserves for its Government the right:

- a) to take any action it considers necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992);
- b) to reject the consequences of any reservations made to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) by other Governments which might give rise to an increase in its contributory share in defraying the expenses of the Union or which might jeopardize its telecommunication services;
- c) to reject any provisions in the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) which might jeopardize the proper functioning of its telecommunication services or directly or indirectly affect its sovereignty.

19

*Original: French**For the Republic of Burundi:*

The Delegation of the Republic of Burundi reserves for its Government the right:

1. to take any measures it considers necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or the Annexes and Protocols thereto, or should reservations by other countries jeopardize its telecommunication services;
2. to accept or not to accept any measure which might lead to an increase in its contributory share.

20

*Original: Spanish**For the Eastern Republic of Uruguay:*

The Delegation of the Eastern Republic of Uruguay declares, on behalf of its Government, that it reserves the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Optional Protocol, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

21

*Original: French**For the Confederation of Switzerland and the Principality of Liechtenstein:*

1. The Delegations of the above-mentioned countries reserve for their Governments the right to take the necessary action to safeguard their interests should any reservations made or other measures adopted have the effect of jeopardizing their telecommunication services or lead to an increase in their contributory shares in defraying Union expenses.

2. With regard to Articles 4 and 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), the Delegations of the above-mentioned countries formally declare that they maintain the reservations made on behalf of their Administrations when signing the Regulations referred to in the aforesaid Articles.

22

*Original: Spanish**For Chile:*

In signing the Constitution and the Convention of the International Telecommunication Union, the Delegation of Chile to the Additional Plenipotentiary Conference of the Union (Geneva, 1992) declares that it reserves for its Government the sovereign right to make any reservations it may consider or deem necessary or appropriate to protect and safeguard its national interests, should any Member States of the Union fail in any way to observe or comply with the provisions of this Constitution and Convention, or their Annexes or the Protocols and Regulations attached thereto, thus directly or indirectly affecting the operation of its telecommunication services or its sovereignty.

It further reserves the right to protect its interests should reservations by other contracting parties lead to an increase in its contributory share in defraying the expenses of the Union.

23

*Original: English**For Brunei Darussalam:*

The Delegation of Brunei Darussalam reserves for its Government the right to take any action that it deems necessary to safeguard its interests should any country fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or their Annexes or the Protocols attached thereto, or should reservations made by other countries adversely affect the interest of Brunei Darussalam or lead to an increase in its share towards defraying the expenses of the Union.

The Delegation of Brunei Darussalam further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by Brunei Darussalam of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992).

24

*Original: English**For Thailand:*

The Delegation of Thailand reserves the right of its Government to take action that it deems necessary to safeguard its interests should any Member country fail, in any way, to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), their Annexes and Protocols attached thereto, or should any reservation made by any Member country jeopardize its telecommunication services or lead to an increase in its share towards defraying the expenses of the Union.

25

*Original: English**For the Federal Republic of Nigeria:*

The Delegation of the Federal Republic of Nigeria to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), hereby declares that its Government reserves the right to:

1. take any action which it considers necessary to safeguard its interests should certain Members of the Union fail to share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or the Annexes and Protocols attached thereto, or should reservations by other Members of the Union endanger in any way the telecommunication services of the Federal Republic of Nigeria;

2. make any statement or reservation until the time of ratification by the Federal Republic of Nigeria of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992).

26

Original: English

For the United Kingdom of Great Britain and Northern Ireland:

The Delegation of the United Kingdom of Great Britain and Northern Ireland reserves for its Government the right to take such action as they may consider necessary to safeguard their interests should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes thereto, or should reservations by other countries jeopardize their interests.

27

Original: English

For the Socialist Republic of Viet Nam:

In signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), the Delegation of the Socialist Republic of Viet Nam declares on behalf of its Government that it maintains the reservations made at the Nairobi Plenipotentiary Conference (1982) and the Nice Plenipotentiary Conference (1989) of the International Telecommunication Union.

28

Original: English

For the Republic of Singapore:

The Delegation of the Republic of Singapore reserves for its Government the right to take any action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunications Union (Geneva, 1992), or the Annexes and Protocols attached thereto or should reservations by any Member of the Union jeopardize its telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

The Delegation of the Republic of Singapore further reserves for its Government the right to make any additional reservations which it considers necessary up to and including the time of its ratification of the Constitution and Convention of the International Telecommunications Union (Geneva, 1992).

29

*Original: English**For New Zealand:*

The Delegation of New Zealand reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Nairobi, 1982), or its Annexes or the Protocols attached thereto, or should they fail in any way to comply with the Instruments of the Union as given in the Constitution (Geneva, 1992), or should reservations by other countries jeopardize the telecommunication services of New Zealand.

In addition, New Zealand reserves the right to make appropriate specific reservations and statements prior to ratification of the Constitution and the Convention (Geneva, 1992).

30

*Original: English**For Malaysia:*

In signing this Constitution and Convention, the Delegation of Malaysia hereby:

1. reserves for its Government the right to take such action as it may deem necessary to safeguard its interests should certain Members do not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or the Protocol attached thereto, or should reservations by other Members jeopardize its telecommunication service;

2. declares that the signature, and possible subsequent ratification by the Government of Malaysia of the said Constitution and Convention, is not valid with respect to the Member appearing under the name of Israel, and in no way implies its recognition.

31

*Original: English**For the Republic of Cyprus:*

The Delegation of Cyprus reserves for its Government the right to take any action it deems necessary to safeguard its interests should any Members of the Union not share in defraying the expenses of the Union, or should they fail in any way to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or Protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or jeopardize its telecommunication services, or should any other action taken or intend to be taken by any person, natural or juridical directly or indirectly affect its sovereignty.

The Delegation of Cyprus further reserves for its Government the right to make any other declaration or reservation until and up to the time that this Constitution and Convention of the International Telecommunication Union (Geneva, 1992) are ratified by the Republic of Cyprus.

32

*Original: Spanish**For Spain:*

The Delegation of Spain declares on behalf of its Government that any reference to a country in the Constitution and Convention (Geneva, 1992), as subject to rights and obligations, will be understood only as constituting a Sovereign State.

33

*Original: Spanish**For Spain:*

The Delegation of Spain declares, on behalf of its Government, that it does not accept any reservations made by other governments which imply an increase in its financial obligations towards the Union.

34

*Original: English**For the Republic of Hungary:*

The Delegation of the Republic of Hungary reserves for its Government the right not to accept any financial measure liable to lead to unjustified increases in its contributory share in defraying the expenses of the Union and the right to take any action as it may deem necessary to safeguard its interests if certain Members fail to comply with the provisions of the Constitution, the Convention, the Regulations, or if they jeopardize the proper operation of its telecommunication services and the right to make specific reservations and statements prior to ratification of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992).

35

*Original: English**For the Democratic Socialist Republic of Sri Lanka:*

The Delegation of the Democratic Socialist Republic of Sri Lanka reserves for its Government the right to take such action it may deem necessary to safeguard and protect its interests should any Member of the Union fail to comply with the provisions of the Constitution or the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other countries jeopardize the telecommunication services of Sri Lanka or lead to an increase in its contributory share in defraying the expenses of the Union.

36

*Original: English**For the Republic of Yemen:*

The Delegation of the Yemen Republic declares that its Government reserves the right to take such action as it may consider necessary to protect its interests, should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should the reservations made by such Member jeopardize its telecommunication services or lead to an increase in Yemen's share in defraying the expenses of the Union.

37

*Original: Russian**For the Republic of Belarus, the Russian Federation and Ukraine:*

The Delegations of the above-mentioned countries reserve for their respective Governments the right to make any statement or reservation when ratifying the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and the right to take any action they may consider necessary to safeguard their interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the above-mentioned countries or lead to an increase in their annual contribution to defraying the expenses of the Union.

38

*Original: Spanish**For the Republic of Venezuela:*

The Delegation of the Republic of Venezuela reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any other present or future Members fail to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or the Protocols attached thereto, or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

Furthermore, it expresses reservations with respect to all Articles of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) related to arbitration as a means of settling disputes, in conformity with the international policy of the Government of Venezuela in that respect.

39

*Original: English**For Papua New Guinea:*

The Delegation of Papua New Guinea reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Constitution and Convention (Geneva, 1992), or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the telecommunication services of Papua New Guinea.

40

*Original: French**For the Republic of the Niger:*

The Delegation of Niger to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, December 1992) reserves for its Government the right:

1. to take such action as it may consider necessary should any Member of the Union fail in any way to comply with the instruments of the International Telecommunication Union as adopted in Geneva (December 1992) or should any reservations by such Members jeopardize the operation of its telecommunication services;
2. not to accept any consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

41

*Original: French**For the Republic of Cameroon:*

The Delegation of the Republic of Cameroon to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), in signing the Final Acts of this Conference, reserves for its Government the right:

- to take all necessary measures to safeguard its legitimate interests should these be jeopardized by any Member's failure to comply with any of the provisions of the Constitution/Convention or the Annexes and Protocols thereto;
- to enter reservations regarding any provisions of the Constitution or Convention which may be opposed to its basic law.

42

*Original: English**For the Federal Republic of Germany:*

1. The Delegation of the Federal Republic of Germany reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or their Annexes or the Protocols attached thereto, or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

2. The Delegation of the Federal Republic of Germany declares with regard to Article 4 of the Constitution of the International Telecommunication Union (Geneva, 1992) that it maintains the reservations made on behalf of the Federal Republic of Germany when signing the Regulations mentioned in Article 4.

3. The Federal Republic of Germany declares that it will only apply amendments adopted in accordance with Article 55 of the Constitution of the International Telecommunication Union (Geneva, 1992) and Article 42 of the Convention of the International Telecommunication Union (Geneva, 1992) when the requirements of the Constitution of the Federal Republic of Germany for their application are met.

43

Original: English

For the Republic of Bulgaria:

The Delegation of the Republic of Bulgaria to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right:

1. to take any action it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should the consequences of reservations made by other countries jeopardize Bulgarian telecommunication services;

2. not to support any financial measures which may entail an unjustified increase in the share of its contribution to defraying the expenses of the Union;

3. to make any statement or reservation when ratifying the Constitution and the Convention of the ITU (Geneva, 1992).

44

Original: English

For the Republic of the Philippines:

The Delegation of the Republic of the Philippines reserves for its Government the right to take any action it deems necessary and sufficient, consistent with its national law to safeguard its interests, should reservations made by representatives of other States jeopardize its telecommunication services or prejudice its rights as a sovereign country.

The Philippine Delegation further reserves for its Government the right to make any declarations or reservations prior to the deposit of the instrument of ratification of the International Telecommunication Constitution and Convention (Geneva, 1992).

45

Original: English

For the Republic of Sudan:

The Delegation of the Republic of Sudan declares that its Government reserves the right to take such actions as it may consider necessary to protect its interests, should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should the reservations made by any Member jeopardize its telecommunication services or lead to an increase in Sudan's share in defraying the expenses of the Union.

46

Original: English

For Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden:

At the time of signing the Final Acts of the Geneva Additional Plenipotentiary Conference:

1. the Delegations of the above-mentioned countries formally declare with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), that they maintain reservations made on behalf of their Administrations when signing the Regulations mentioned in Article 54;

2. the Delegations of the above-mentioned countries declare on behalf of their respective Governments that they accept no consequences of any reservations which would lead to an increase in the shares they contribute to defraying the expenses of the Union;

3. the Delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests should certain Members of the Union not share in defraying the expenses of the Union, or should any Member fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

Original: English

For the Republic of Indonesia:

On behalf of the Republic of Indonesia, the Delegation of the Republic of Indonesia to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992):

1. reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any provision of the Constitution, the Convention and the Resolutions, as well as any decision of the Additional Plenipotentiary Conference of the ITU (Geneva, 1992), directly or indirectly affect its sovereignty or be in contravention of the Constitution, Laws and Regulations of the Republic of Indonesia as well as the existing rights acquired by the Republic of Indonesia as a party to other treaties and conventions and from any principles of international law;

2. further reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any Member in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should the consequences of reservations by any Member jeopardize its telecommunication services or result in an increase of its contributory share towards defraying expenses of the Union.

Original: Spanish

For the Republic of Colombia:

In signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), the Delegation of the Republic of Colombia:

1. declares that it reserves for its Government the right:
 - a) to take any measures it may deem necessary, consistent with its domestic law and with international law, to safeguard its national interests, should any other Members fail to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the Protocols and Annexes thereto, and of other documents of the Final Acts of the said Union and the Regulations, or should reservations by representatives of other States jeopardize its telecommunication services or its full sovereign rights;
 - b) to accept or not to accept, wholly or partly, any amendments introduced in the Constitution and Convention (Geneva, 1992) or in other international instruments of the International Telecommunication Union;

- c) to express reservations, under the Vienna Convention on the Law of Treaties of 1969, with regard to the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), at any time it sees fit between the date of the signature and the date of the eventual ratification of the international instruments constituting those Final Acts. It is therefore not bound by any rules restricting the sovereign right to make reservations, solely to the time of signing the Final Acts of the conferences and other meetings of the Union;
2. reaffirms, in their essence, Reservations Nos. 40 and 79 adopted at the World Administrative Radio Conference (Geneva, 1979), especially with regard to the new provisions included in the Constitution and Convention (Geneva, 1992) and other documents of the Final Acts;
3. declares that the Republic of Colombia considers itself bound by the instruments of the International Telecommunication Union, including the Constitution, the Convention, the Protocols, the Administrative Regulations and amendments or modifications thereto, only insofar as it has expressly and duly consented to be bound by each of the said international instruments, and subject to the completion of the appropriate constitutional procedures. It therefore does not accept to be bound by any presumed or tacit consent;
4. declares that in conformity with its Constitution, its Government cannot give provisional effect to the international instruments which constitute the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992) and other instruments of the Union, owing to the content and nature of those instruments.

49

Original: Spanish

For the Argentine Republic:

In signing this Constitution and Convention, the Delegation of the Argentine Republic declares on behalf of its Government:

1. that it reaffirms its sovereign rights to the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands as an integral part of its national territory;
2. that it reserves the right to take any action it may deem necessary to safeguard its interests, should other Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes thereto, or should reservations by other Members jeopardize the operation of its telecommunication services.

*Original: French**For Greece:*

In signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), the Delegation of Greece declares:

1. that it reserves for its Government the right:
 - a) to take any action consistent with its domestic law and with international law that it may consider or deem necessary or useful to protect and safeguard its sovereign and inalienable rights and legitimate interests, should any Member States of the International Telecommunication Union fail in any way to comply with or apply the provisions of these Final Acts and the Annexes and Administrative Regulations pertaining to them, or should the acts of any other entities or third parties affect or jeopardize its national sovereignty;
 - b) to make, under the Vienna Convention on the Law of Treaties of 1969, reservations to the said Final Acts at any time it sees fit between the date of signature and the date of ratification of those instruments and to any other instrument of other relevant conferences of the Union that has not yet been ratified, and not to be bound by any provision of such instruments restricting its sovereign right to make reservations;
 - c) not to accept any consequences of any reservations by other contracting parties which could, inter alia, lead to an increase in its contributory share in defraying Union expenditure or to other financial implications, or should such reservations jeopardize the proper and efficient operation of the telecommunication services of the Republic of Greece;

2. that it is fully established that the term “country” used in the provisions of these Final Acts and in any other instrument or act of the International Telecommunication Union with regard to its Members and their rights and obligations is regarded as being synonymous in all respects with the term “sovereign State” as legally constituted and internationally recognized.

*Original: English**For Mongolia:*

The Delegation of Mongolia declares that it reserves for its Government the right to make any statements or reservations when ratifying the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992).

52

*Original: English**For the Union of Myanmar:*

The Delegation of the Union of Myanmar hereby reserves for its Government the right:

1. to protect its interests should reservations made by other Members lead to an increase in its contributory share in defraying the expenses of the Union;
2. to take any action it considers necessary to safeguard its telecommunication services should other Members fail to comply with the requirements of the Constitution and the Convention, their Annexes attached thereto, of the International Telecommunication Union (Geneva, 1992);
3. to make whatever reservations it shall deem appropriate in respect of any text in the Constitution and the Convention, their Annexes attached thereto, of the International Telecommunication Union (Geneva, 1992) which may directly or indirectly affect its sovereignty and interests.

53

*Original: English**For the Republic of Kenya:*

I

The Delegation of the Republic of Kenya reserves for its Government the right to take such action as it may consider necessary and/or appropriate to safeguard and protect its interests should any Member fail to comply in any way with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and/or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Kenya does not accept responsibility for the consequences arising out of any reservations made by other Members of the Union.

II

The Delegation of the Republic of Kenya recalling reservation No. 90 of the Nairobi Convention, 1982 reaffirms, on behalf of its Government, the letter and intent of the said reservation.

54

*Original: English**For Turkey:*

In signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Delegation of the Republic of Turkey reserves for its Government the right to take any action it may consider necessary to safeguard its interests, should any Member in any way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or their Annexes or Protocols thereto, should any reservation made by any Member jeopardize the proper operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

55

*Original: Spanish**For Mexico:*

The Government of Mexico, concerned by some of the results of the Additional Plenipotentiary Conference (Geneva, 1992), makes the following reservations:

- it reserves the right to take whatever measures it considers necessary, should any application of provisions of the adopted Constitution and Convention adversely affect facilities for the use of any geostationary satellite orbit/radio frequency spectrum resources it intends or may need to intend for its telecommunication services, or should be relevant notification, coordination and registration procedures be slowed or delayed;
- it reserves the right not to accept any financial consequence of the functional and structural modifications adopted at this Conference;
- it reserves the right to apply any measures it considers necessary should any other Members fail in any way to comply with the provisions of the Constitution, the Convention, the Administrative Regulations, and the Protocols and Annexes thereto from the date of their entry into force.

56

*Original: French**For France:*

The French Delegation formally declares, with regard to Article 4 of the Constitution of the International Telecommunication Union (Geneva, 1992), that it maintains the reservations made on behalf of its Administration when signing the Regulations mentioned in Article 4.

57

*Original: French**For France:*

The French Delegation reserves for its Government the right to take any action which it may deem necessary to safeguard its interests in the event that certain Members do not share in defraying the expenditure of the Union or fail in whatever other manner to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and the Administrative Regulations which supplement them, or should reservations made by other countries jeopardize the operation of its telecommunication services or entail an increase in its contributory share in defraying the expenditure of the Union.

58

*Original: English**For Ethiopia:*

In signing the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), the Delegation of the Transitional Government of Ethiopia reserves the right of its Government to take any step it may deem necessary to safeguard its interests should other Members fail to comply with these instruments or their reservations jeopardize its telecommunication services.

59

*Original: French**For the Republic of Benin:*

The Delegation of the Republic of Benin to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) reserves for its Government the right to take any action that it deems necessary to protect its interests should certain Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other Members jeopardize the operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

*Original: Spanish**For Cuba:*

In signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Delegation of the Republic of Cuba declares:

- its concern for the work of the Radio Regulations Board during the transition period until Kyoto 1994, when our Administration will raise the issue again; this is due to the haste with which important decisions concerning the part-time nature of the Board have been adopted during the Conference;
- its Government's right to make any declaration or reservation which may be necessary until it proceeds to ratify the basic instruments of the Union;
- that it does not accept the Optional Protocol on the compulsory settlement of disputes relating to this Constitution, Convention and Administrative Regulations;
- that it reserves the right for its Government to take whatever measures it considers necessary to protect its sovereignty, rights and national interests should any States Members of the Union in any way fail to observe or comply with the provisions of this Constitution, Convention and Administrative Regulations, or should reservations by other Members or Administrations jeopardize Cuba's telecommunication services technically, operationally or economically.

*Original: Spanish**For the Republic of Panama:*

The Delegation of Panama at the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, December 1992) declares that it reserves for its Government the right to make any reservations it shall deem or consider necessary to protect and safeguard its rights and national interests, should any States Members of the Union in any way fail to comply with the provisions of this Constitution and Convention and the Annexes, Protocols and Regulations attached thereto and should they directly or indirectly jeopardize the operation of its telecommunication services or its sovereignty.

It also reserves the right to protect its interests should the reservations made by other Contracting Parties jeopardize the operation of its telecommunication services.

Original: English

For the Republic of India:

1. In signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Delegation of the Republic of India does not accept any financial implications for its Government, resulting from any reservations that might be made by any Member on matters pertaining to the finances of the Union.

2. The Delegation of the Republic of India further reserves the right of its Government to take any action it deems necessary, to safeguard and protect its interest in the event of any Member failing in any way to comply with one or more provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Administrative Regulations.

Original: English

For the Islamic State of Afghanistan, the People's Democratic Republic of Algeria, the State of Bahrain, the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the State of Kuwait, Lebanon, the Islamic Republic of Mauritania, the Kingdom of Morocco, the Sultanate of Oman, the Islamic Republic of Pakistan, the State of Qatar, the Kingdom of Saudi Arabia, the Republic of the Sudan, Tunisia, the United Arab Emirates and the Republic of Yemen:

The above-mentioned Delegations to the Additional Plenipotentiary Conference (Geneva, 1992) declare that the signature and possible ratification by their respective Governments of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), are not valid with respect to the Zionist-Entity appearing in this Convention under the name of the so-called "Israel" and in no way whatsoever imply its recognition.

64

Original: English

For the State of Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, the Kingdom of Saudi Arabia and the United Arab Emirates:

The above-mentioned Delegations to the Additional Plenipotentiary Conference (Geneva, 1992) declare that their Governments reserve the right to take such action as they may consider necessary to safeguard their interests should any Member not share in defraying the expenses of the Union, or should they fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or their Annexes or Protocols or the Resolutions attached thereto, or should reservations made by any Member jeopardize their telecommunication services.

65

Original: English

For Ghana:

The Delegation of Ghana to the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992) hereby reserves for its Government the right to take any measures it considers necessary to safeguard its interests should non-compliance with, or reservations to the provisions of this Constitution, the Convention or their Annexes or the Protocol attached thereto by other Members in any way jeopardize its telecommunication services.

66

Original: English

For Australia:

The Delegation of Australia reserves for its Government the right to take such action as they may consider necessary to safeguard their interests should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes attached thereto, or should reservations by other countries jeopardize their interests.

67

*Original: English**For the Kingdom of the Netherlands:*

I

The Delegation of the Netherlands reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or their Annexes, or the Optional Protocol attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying Union expenses, or, finally, should reservations by other countries jeopardize its telecommunication services.

II

The Netherlands Delegation formally declares, with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), that it maintains the reservations made on behalf of its Government when signing the Administrative Regulations mentioned in Article 4.

68

*Original: English**For the United States of America:*

The United States of America reiterates and incorporates by reference all reservations and declarations made at world administrative conferences.

The United States of America does not by signature or by any subsequent ratification of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the United States of America be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete revisions, adopted subsequent to the date of signature of these Final Acts, without specific notification to the International Telecommunication Union by the United States of America of its consent to be bound.

Finally, the United States of America refers to Article 32, paragraph 16 of the Convention and notes that in considering the Constitution and Convention, the United States may find it necessary to make additional reservations. Accordingly, the United States of America reserves the right to make additional specific reservations at the time of deposit of its instrument of ratification to the Constitution and the Convention.

69

*Original: English**For Malta:*

In signing the present document the Delegation of Malta reserves for its Government the right to take such action as it may consider to safeguard its interests should any Members not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or its Annexes or Protocol attached thereto, or should reservations by other countries jeopardize its telecommunication services.

70

*Original: French**For Portugal:*

The Portuguese Delegation declares on behalf of its Government that it will not accept any consequences resulting from the reservations made by other governments which might entail an increase in its contributory share in defraying the expenses of the Union.

It likewise declares that it reserves for its Government the right to take any action which it may deem necessary to safeguard its interests in the event that certain Members not share in defraying the expenditure of the Union or fail in any other way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes or Protocols thereto, or in the event that reservations made by other countries should jeopardize the operation of its telecommunication services.

71

*Original: English**For Ireland:*

Taking account of the reservations deposited by certain Members, contained in Document 195 of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), the Irish Delegation reserves for its Government the right to take any action it may deem necessary to safeguard its interests in the event that certain Members do not share in defraying the expenditure of the Union or fail in whatever other manner to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the Administrative Regulations that supplement them, or should the reservations made by other countries jeopardize the operation of its telecommunication services or be likely to increase its share in defraying the expenses of the Union.

In addition, the Delegation of Ireland reserves for its Government the right to make appropriate specific reservations and statements prior to ratification of the Constitution and Convention (Geneva, 1992).

72

*Original: French**For the Islamic Republic of Mauritania:*

On taking cognizance of Document 195 concerning declarations and reservations, and on signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), the Delegation of the Islamic Republic of Mauritania declares that its Government reserves the right:

1. to take any measures it deems necessary to protect its interests should any Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or should reservations by other Members be likely to jeopardize the operation of its telecommunication services;

2. to accept or not to accept any financial implications that might arise from the Final Acts or from reservations by Members of the Union.

The Delegation of the Islamic Republic of Mauritania further declares that the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) are subject to ratification by the competent national institutions.

73

Original: English

For Australia, Austria, Belgium, the Republic of Bulgaria, Canada, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Japan, the Principality of Liechtenstein, Luxembourg, Malta, Monaco, the Kingdom of the Netherlands, New Zealand, Norway, Portugal, Romania, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America:

The Delegations of the above-mentioned countries referring to the Declarations made by the Republic of Colombia (No. 48) and the Republic of Kenya (No. 53), inasmuch as these statements refer to the Bogota Declaration of 3 December 1976 by equatorial countries and to the claims of those countries to exercise sovereign rights over segments of the geostationary-satellite orbit, and any similar statements, consider the claims in question cannot be recognized by this Conference. Further, the above-mentioned Delegations wish to affirm or reaffirm the Declarations made on behalf of a number of the above-mentioned Administrations in this regard when signing the Final Acts of the World Administrative Radio Conference (Geneva, 1979), and the World Administrative Radio Conference on the Use of the Geostationary-Satellite Orbit and the Planning of Space Services Utilizing It (first and second sessions, Geneva, 1985 and 1988), the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) and in the Final Protocol of the International Telecommunication Convention (Nairobi, 1982) as if these Declarations were here repeated in full.

The above-mentioned Delegations also wish to state that reference in Article 44 of the Constitution to the “geographical situation of particular countries” does not imply a recognition of claim to any preferential rights to the geostationary-satellite orbit.

74

*Original: Spanish**For Mexico:*

The Government of Mexico, taking note of some reservations entered by other countries, confirms the reservations made in the Final Acts of the World Administrative Radio Conferences and the World Administrative Telegraph and Telephone Conference.

75

*Original: English**For the State of Israel:*

1. The Declaration made by certain Delegations in No. 63 of the Final Acts being in flagrant contradiction with the principles and purposes of the International Telecommunication Union and, therefore, devoid of any legal validity, the Government of Israel wishes to put on record that it rejects these Declarations outright and will proceed on the assumption that they can have no validity with respect to the rights and duties of any Member State of the International Telecommunication Union.

Furthermore, in view of the fact that Israel and the Arab States are currently in the midst of negotiations aimed at achieving a peaceful solution to the Arab-Israeli conflict, the Delegation of the State of Israel finds these Declarations counterproductive and damaging to the cause of peace in the Middle East.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards the Members whose Delegations have made the above-mentioned Declaration, an attitude of complete reciprocity.

The Delegation of the State of Israel further notes that Declaration No. 63 does not refer to the State of Israel by its full and correct name. As such it is totally inadmissible and must be repudiated as a violation of recognized rules of international behaviour.

2. Furthermore, after noting various other declarations already deposited, the Delegation of the State of Israel reserves for its Government the right to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services should they be affected by the decisions of this Conference or by the reservations made by other delegations.

76

*Original: English**For Malta:*

The Delegation of Malta having regard to the Declarations made by certain Delegations reserving their Government's right to make reservations between the date of signature and the date of ratification of the Final Acts, Geneva, 1992, as well as any other instruments of other relevant conferences of the Union that have not yet been ratified, reserves the right for its Government to make additional reservations until and up to the time that this Constitution and Convention of the International Telecommunication Union (Geneva, 1992) are ratified by the Government of Malta.

77

*Original: English**For the People's Republic of China:*

After having considered the Declarations contained in Document 195, the Delegation of the People's Republic of China:

1. in signing the Final Acts of the Additional Plenipotentiary Conference of the International Telecommunication Union (Geneva, 1992), declares on behalf of its Government that it reiterates the Declarations made at the Nairobi Plenipotentiary Conference (1982) and the Nice Plenipotentiary Conference (1989) of the International Telecommunication Union.

2. The Delegation of the People's Republic of China further reserves for its Government the right to make any declarations or reservations prior to the deposit of the instrument of ratification of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992).

78

*Original: English**For Romania:*

After having considered the Declarations and reservations contained in Conference Document 195, the Delegation of Romania, in signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992), reserves for its Government the right to take any action it may consider necessary for the purpose of safeguarding its interest should the reservation made by other countries jeopardize its telecommunication services or entail an increase in its contributory share in defraying the expenses of the Union.

79

*Original: English**For Japan:*

After having considered the Declarations contained in Document 195, the Delegation of Japan reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the Annexes thereto, or should reservations by other countries jeopardize in any way its interests.

80

*Original: English**For the United Kingdom of Great Britain and Northern Ireland:*

With reference to Declaration No. 49 by the Delegation of the Argentine Republic concerning the Falkland Islands, and South Georgia and South Sandwich Islands, the United Kingdom Delegation wishes to state that Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have no doubt as to United Kingdom sovereignty over the Falkland Islands and South Georgia and South Sandwich Islands.

81

*Original: French**For Italy:*

Having taken cognizance of the Declarations in Document 195, the Delegation of Italy reserves for its Government the right to take any action it may deem necessary to safeguard its interests should any Members fail to contribute to defraying the expenses of the Union or to observe in any other way the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) or the Annexes or Optional Protocols thereto, should reservations by other countries be liable to lead to an increase in its contributory share in defraying the expenses of the Union, or, lastly, should reservations by other countries jeopardize the proper operation of its telecommunication services.

The Delegation of Italy hereby formally declares with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992) that it maintains the reservations entered on behalf of its Government at the time of the signature of the Administrative Regulations referred to in Article 4.

Original: English

For the United States of America:

The United States of America refers to Declarations made by various Members reserving their rights to take any such actions as they may consider necessary to safeguard their interests in response to reservations by other countries which jeopardize their interests, application of provisions of the Constitution and Convention (Geneva, 1992) which adversely affect their interests, and other Members not sharing in defraying the expenses of the Union. The United States of America reserves the right to take whatever measures it may consider necessary to safeguard United States interests in response to such actions.

The signatures following are the same as those which follow the Constitution and the Convention.

OPTIONAL PROTOCOL¹

on the Compulsory Settlement of Disputes Relating to the Constitution of the International Telecommunication Union, to the Convention of the International Telecommunication Union and to the Administrative Regulations

At the time of signing the Constitution of the International Telecommunication Union and the Convention of the International Telecommunication Union (Geneva, 1992), the undersigned Plenipotentiaries have signed the present Optional Protocol on the Compulsory Settlement of Disputes.

The Members of the Union, parties to this Optional Protocol,

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 Constitution, the Convention or of the Administrative Regulations mentioned in Article 4 of the Constitution,

have agreed upon the following provisions:

¹ Came into force on 1 July 1994, for the following Parties, which had ratified, accepted, approved or acceded to it, in accordance with article 3:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>	
Denmark	18 June	1993
Canada	21 June	1993
Mexico	27 September	1993
Mauritius	6 December	1993a
Belize	7 December	1993a
Lao People's Democratic Republic	24 January	1994a
Oman	18 May	1994
Belarus	15 June	1994
United Kingdom of Great Britain and Northern Ireland	27 June	1994
South Africa	30 June	1994a

ARTICLE 1

Unless one of the methods of settlement listed in Article 56 of the Constitution has been chosen by common agreement, disputes concerning the interpretation or application of the Constitution, the Convention or the Administrative Regulations mentioned in Article 4 of the Constitution 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 41 of the Convention, paragraph 5 (No. 511) 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 Nos. 509 and 510 of the Convention.”

ARTICLE 2

This Protocol shall be open to signature by Members at the same time as they sign the Constitution and the Convention. It shall be ratified, accepted or approved by any Signatory Member in accordance with its constitutional rules. It may be acceded to by any Members parties to the Constitution and the Convention and by any States which become Members of the Union. The instrument of ratification, acceptance, approval or accession shall be deposited with the Secretary-General.

ARTICLE 3

This Protocol shall come into force for the Parties hereto, who have ratified, accepted, approved or acceded to it, on the same date as the Constitution and the Convention, provided that at least two instruments of ratification, acceptance, approval or accession in its respect have been deposited on that date. Otherwise, it shall come into force on the thirtieth day after the date on which the second instrument of ratification, acceptance, approval or accession is deposited.

ARTICLE 4

This Protocol may be amended by the Parties hereto during a Plenipotentiary Conference of the Union.

ARTICLE 5

Each Member party to this Protocol may denounce it by a notification addressed to the Secretary-General, such denunciation taking effect at the expiration of a period of one year from the date of receipt of its notification by the Secretary-General.

ARTICLE 6

The Secretary-General shall notify all Members:

- a) of the signatures appended to this Protocol and of the deposit of each instrument of ratification, acceptance, approval or accession;
- b) of the date on which this Protocol shall have come into force;
- c) of the date of entry into force of any amendment;
- d) of the effective date of any denunciation.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Protocol in each of the Arabic, Chinese, English, French, Russian and Spanish languages, in a single copy within which, in case of discrepancy, 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 Geneva, 22 December 1992

Note by the General Secretariat:

This Optional Protocol has been signed by the following delegations:

Islamic State of Afghanistan, Republic of Albania, Kingdom of Saudi Arabia, Australia, Austria, Commonwealth of the Bahamas, State of Bahrain, Barbados, Republic of Belarus, Belgium, Republic of Benin, Kingdom of Bhutan, Republic of Botswana, Federative Republic of Brazil, Brunei Darussalam, Republic of Bulgaria, Burkina Faso, Republic of Burundi, Republic of Cameroon, Canada, Republic of Cape Verde, Central African Republic, Chile, Republic of Cyprus, Republic of Colombia, Islamic Federal Republic of the Comoros, Republic of Korea, Republic of Côte d'Ivoire, Cuba, Denmark, Republic of Djibouti, Arab Republic of Egypt, United Arab Emirates, Republic of Estonia, Ethiopia, Republic of Fiji, Finland, Gabonese Republic, Republic of the Gambia, Ghana, Greece, Grenada, Republic of Guinea, Republic of Honduras, Republic of Hungary, Republic of India, Republic of Indonesia, Islamic Republic of Iran, Ireland, Iceland, State of Israel, Italy, Jamaica, Japan, Hashemite Kingdom of Jordan, Republic of Kenya, State of Kuwait, Kingdom of Lesotho, Republic of Latvia, Lebanon, Republic of Liberia, Principality of Liechtenstein, Republic of Lithuania, Luxembourg, Democratic Republic of Madagascar, Malawi, Republic of Mali, Malta, Islamic Republic of Mauritania, Mexico, Monaco, Nepal, Republic of the Niger, Federal Republic of Nigeria, Norway, New Zealand, Sultanate of Oman, Islamic Republic of Pakistan, Republic of Panama, Papua New Guinea, Kingdom of the Netherlands, Republic of the Philippines, Republic of Poland, Portugal, State of Qatar, Democratic People's Republic of Korea, United Kingdom of Great Britain and Northern Ireland, Republic of San Marino, Republic of Senegal, Republic of Singapore, Republic of Slovenia, Republic of the Sudan, Democratic Socialist Republic of Sri Lanka, Sweden, Confederation of Switzerland, Republic of Suriname, Kingdom of Swaziland, United Republic of Tanzania, Republic of Chad, Czech and Slovak Federal Republic, Thailand, Tunisia, Turkey, Eastern Republic of Uruguay, Socialist Republic of Viet Nam, Republic of Yemen, Republic of Zambia, Republic of Zimbabwe.
