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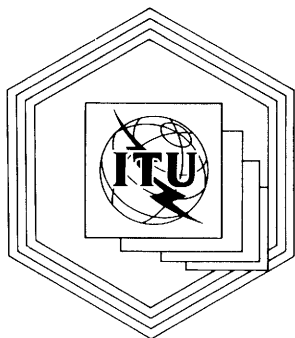
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Finals Acts of the Plenipotentiary Conference



Nice, 1989

**Constitution and Convention
of the International Telecommunication Union,
Optional Protocol,
Decisions, Resolutions,
Recommendations and Opinions**

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**CONSTITUTION OF THE
INTERNATIONAL
TELECOMMUNICATION UNION**

CONSTITUTION 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 social and economic 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 and economic and social development among peoples by means of efficient telecommunication services, have agreed as follows:

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, as well as to promote and to offer technical assistance to developing countries in the field of telecommunications;
- 4 b) 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;
- 5 c) to promote the use of telecommunication services with the objective of facilitating peaceful relations;
- 6 d) to harmonize the actions of Members in the attainment of those ends.
- 7 2. To this end, the Union shall in particular:
- 8 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;
- 9 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;

- 10 c) facilitate the world-wide standardization of telecommunications, with a satisfactory quality of service;
- 11 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;
- 12 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;
- 13 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;
- 14 g) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services;
- 15 h) undertake studies, make regulations, adopt resolutions, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters;
- 16 i) promote, with international financial organizations, the establishment of preferential and favourable lines of credit to be used for the development of social projects aimed at extending telecommunication services to the most isolated areas in countries.

ARTICLE 2

Composition of the Union

- 17 The International Telecommunication Union shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:
- 18 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;
- 19 b) any other State, a Member of the United Nations, which accedes to this Constitution and the Convention in accordance with Article 42 of this Constitution;
- 20 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 42 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

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

- 23 a) all Members shall be entitled to participate in conferences of the Union, shall be eligible for election to the Administrative Council and shall have the right to nominate candidates for the posts of elected officials of all the permanent organs of the Union;
- 24 b) subject to the provisions of Nos. 148 and 189 of this Constitution, each Member shall have one vote at all Plenipotentiary Conferences, all world administrative conferences, all meetings of the International Consultative Committees and, if it is a Member of the Administrative Council, all sessions of that Council. At regional administrative conferences, only the Members of the region concerned shall have the right to vote;
- 25 c) subject to the provisions of Nos. 148 and 189 of this Constitution, each Member shall also have one vote in all consultations carried out by correspondence. In the case of consultations regarding regional administrative conferences, only the Members of the region concerned shall have the right to vote.

ARTICLE 4

Instruments of the Union

- 26 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.
- 27 2. This Constitution, the provisions of which are complemented by those of the Convention, is the basic instrument of the Union.
- 28 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.

29 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

30 Unless the context otherwise requires:

- 31 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;
- 32 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;
- 33 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

34 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 37 of this Constitution.

35 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 private 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

36 The Union shall comprise the following organs:

37 1. the Plenipotentiary Conference, which is the supreme organ of the Union;

38 2. administrative conferences;

39 3. the Administrative Council;

40 4. the permanent organs, which are:

41 a) the General Secretariat;

- 42 *b)* the International Frequency Registration Board (IFRB);
- 43 *c)* the International Radio Consultative Committee (CCIR);
- 44 *d)* the International Telegraph and Telephone Consultative Committee (CCITT);
- 45 *e)* the Telecommunications Development Bureau (BDT).

ARTICLE 8

Plenipotentiary Conference

- 46 1. The Plenipotentiary Conference shall be composed of delegations representing Members. It shall normally be convened every five years and, in any case, the interval between successive Plenipotentiary Conferences shall not exceed six years.
- 47 2. The Plenipotentiary Conference shall:
 - 48 *a)* determine the general policies for fulfilling the purposes of the Union prescribed in Article 1 of this Constitution;
 - 49 *b)* consider the report by the Administrative Council on the activities of all the organs of the Union since the previous Plenipotentiary Conference;
 - 50 *c)* establish the basis for the budget of the Union and determine 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, including the programme of conferences and meetings and any medium-term plan submitted by the Administrative Council;
 - 51 *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;

- 52 e) examine the accounts of the Union and finally approve them, if appropriate;
- 53 f) elect the Members of the Union which are to serve on the Administrative Council;
- 54 g) elect the Secretary-General and the Deputy Secretary-General and fix the dates of their taking office;
- 55 h) elect the members of the International Frequency Registration Board and fix the dates of their taking office;
- 56 i) elect the Directors of the International Consultative Committees and fix the dates of their taking office;
- 57 j) elect the Director of the Telecommunications Development Bureau and fix the date of taking office;
- 58 k) consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention in accordance with the provisions of Article 44 of this Constitution and Article 35 of the Convention respectively;
- 59 l) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded, on behalf of the Union, by the Administrative Council, and take such measures in connection therewith as it deems appropriate;
- 60 m) deal with such other telecommunication questions as may be necessary.

ARTICLE 9

Administrative Conferences

- 61 1. Administrative conferences of the Union shall comprise:
 - 62 a) world administrative conferences;
 - 63 b) regional administrative conferences.

- 64 2. Administrative conferences shall normally be convened to consider specific telecommunication matters. Only items included in their agenda may be discussed by such conferences. The decisions of such conferences must in all circumstances be in conformity with the provisions of this Constitution and the Convention. When adopting resolutions and decisions, administrative conferences should take into account the foreseeable financial implications and shall try to 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.
- 65 3. (1) The agenda of a world administrative conference may include:
- 66 a) the partial revision of the Administrative Regulations referred to in Article 4 of this Constitution;
- 67 b) exceptionally, the complete revision of one or more of those Regulations;
- 68 c) any other question of a world-wide character within the competence of the conference.
- 69 (2) The agenda of a regional administrative conference may provide only for specific telecommunication questions of a regional nature, including instructions to the International Frequency Registration Board regarding its activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Furthermore, the decisions of such a conference must in all circumstances be in conformity with the provisions of the Administrative Regulations.

ARTICLE 10

Administrative Council

- 70 1. (1) The Administrative Council shall be composed of forty-three Members of the Union elected by the Plenipotentiary Conference with due

regard to the need for equitable distribution of the seats on the Council among all regions of the world. Except in the case of vacancies arising in the circumstances described in the Convention, the Members of the Union elected to the Administrative Council shall hold office until the date on which a new Administrative Council is elected by the Plenipotentiary Conference. They shall be eligible for re-election.

71 (2) Each Member of the Council shall appoint a person to serve on the Council who may be assisted by one or more advisers.

72 2. The Administrative Council shall adopt its own Rules of Procedure.

73 3. In the interval between Plenipotentiary Conferences, the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.

74 4. (1) The Administrative 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.

75 (2) It shall determine each year the policy of technical assistance, in accordance with the purposes of the Union.

76 (3) It shall ensure the efficient coordination of the work of the Union and exercise effective financial control over its permanent organs.

77 (4) It shall promote international cooperation for the provision of technical cooperation to the developing countries by every means at its disposal, including through the participation of the Union in the appropriate programmes of the United Nations, in accordance with the purposes of the Union, one of which is to promote by all possible means the development of telecommunications.

ARTICLE 11

General Secretariat

- 78 1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.
- 79 (2) The Secretary-General shall act as the legal representative of the Union.
- 80 (3) The Secretary-General and the Deputy Secretary-General shall take up their duties on the dates determined 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.
- 81 (4) The Secretary-General shall take all the action required to ensure economic use of the Union's resources and he shall be responsible to the Administrative Council for all the administrative and financial aspects of the Union's activities. The Deputy Secretary-General shall be responsible to the Secretary-General.
- 82 2. (1) 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. He shall be eligible for election to that office subject to the provisions of No. 80 above. 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. 83 below shall be applied.
- 83 (2) 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 Administrative Council shall appoint a successor for the balance of the term.

84 (3) If the posts of the Secretary-General and the Deputy Secretary-General fall vacant simultaneously, the elected official who has been longest in office shall discharge the duties of Secretary-General for a period not exceeding 90 days. The Administrative 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 Administrative Council shall serve for the balance of the term for which his predecessor was elected. Such officials shall be eligible for election as Secretary-General and/or Deputy Secretary-General at the aforementioned Plenipotentiary Conference.

85 3. The Deputy Secretary-General 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.

ARTICLE 12

International Frequency Registration Board

86 1. The International Frequency Registration Board (IFRB) shall consist of five independent members, elected by the Plenipotentiary Conference. These members shall be elected from the candidates proposed by Members of the Union in such a way as to ensure equitable distribution amongst the regions of the world. Each Member may propose only one candidate who shall be one of its nationals.

87 2. The members of the International Frequency Registration Board shall take up their duties on the dates determined at the time of their election and shall remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for re-election once only.

- 88** 3. If, in the interval between two Plenipotentiary Conferences which elect members of the Board, an elected member of the Board resigns or abandons his duties or dies, the Chairman of the Board shall request the Secretary-General to invite the Members of the Union of the region concerned to propose candidates for the election of a replacement at the next annual session of the Administrative Council. However, if the vacancy occurs more than 90 days before the annual session of the Administrative Council or after the annual session of the Administrative 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 Administrative Council takes office or until the new members of the Board elected by the next Plenipotentiary Conference take office, as appropriate; in both cases, the travel expenses incurred by the replacement member shall be borne by his Administration. The replacement shall be eligible for election by the Administrative Council or by the Plenipotentiary Conference, as appropriate.
- 89** 4. The members of the International Frequency Registration Board shall serve, not as representing their respective Member States nor a region, but as custodians of an international public trust.
- 90** 5. The essential duties of the International Frequency Registration Board shall be:
- 91** a) to effect an orderly recording and registration of frequency assignments made by the different Members in accordance with the procedure provided for in the Radio Regulations and in accordance with any decision which may be taken by competent conferences of the Union, with a view to ensuring formal international recognition thereof;
- 92** b) to effect, in the same conditions and for the same purpose, an orderly recording of the frequencies and the associated orbital positions assigned by Members to geostationary satellites;
- 93** c) 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;

- 94 *d)* to perform any additional duties, concerned with the assignment and utilization of frequencies and with the equitable utilization of the geostationary-satellite orbit, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference of the Union, or by the Administrative 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;
- 95 *e)* to provide technical assistance in making preparations for radio conferences in consultation, as appropriate, with the other permanent organs of the Union, and with due regard for the directives of the Administrative Council in carrying out these preparations; the Board shall also provide assistance to the developing countries in their preparations for these conferences;
- 96 *f)* to maintain such essential records as may be related to the performance of its duties;
- 97 *g)* to exchange, as appropriate, with Members of the Union, data of the International Frequency Registration Board in machine-readable and other forms.

ARTICLE 13

International Consultative Committees

- 98 1. (1) The duties of the International Radio Consultative Committee (CCIR) shall be to study technical and operating questions relating specifically to radiocommunication without limit of frequency range, and to issue recommendations on them with a view to standardizing

telecommunications on a world-wide basis; these studies shall not generally address economic questions but where they involve comparing technical alternatives, economic factors may be taken into consideration.

99 (2) The duties of the International Telegraph and Telephone Consultative Committee (CCITT) shall be to study technical, operating and tariff questions and to issue recommendations on them with a view to standardizing telecommunications on a world-wide basis; technical or operating questions specifically relating to radiocommunications according to No. 98 above come within the purview of the International Radio Consultative Committee.

100 (3) In the performance of its studies, each International Consultative Committee 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 in both the regional and international fields. Each International Consultative Committee shall conduct its work with due consideration for the work of national and regional standardization bodies keeping in mind the need for the Union to maintain its pre-eminent position in the field of world-wide standardization for telecommunications.

101 2. The International Consultative Committees shall have as members:

102 a) of right, the administrations of all Members of the Union;

103 b) any recognized private operating agency or any scientific or industrial organization which, with the approval of the Member concerned, expresses a desire to participate in the work of these Committees.

104 3. Each International Consultative Committee shall work through the medium of:

105 a) its Plenary Assembly;

106 b) study groups set up by it;

- 107 c) a Director, elected by the Plenipotentiary Conference for the interval between two Plenipotentiary Conferences. He shall be eligible for re-election once only.
- 108 4. If the post of Director becomes unexpectedly vacant, the Administrative Council shall appoint a new Director at its next annual session in accordance with the relevant provisions of Article 3 of the Convention.
- 109 5. There shall be a World Plan Committee, and such Regional Plan Committees as may be jointly approved by the Plenary Assemblies of the International Consultative Committees. These Plan Committees shall develop a General Plan for the international telecommunication network to facilitate coordinated development of international telecommunication services. They shall refer to the International Consultative Committees questions the study of which is of particular interest to developing countries and which are within the terms of reference of those Committees.
- 110 6. The Regional Plan Committees may cooperate closely with regional organizations which express a desire for such cooperation.
- 111 7. The working arrangements of the International Consultative Committees are defined in the Convention.

ARTICLE 14

Telecommunications Development Bureau

- 112 1. The duties of the Telecommunications Development Bureau (BDT) shall be to fulfil the purposes of the Union as embodied 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.

- 113 2. Within the foregoing framework, the specific functions of the Telecommunications Development Bureau shall be to:
- 114 a) raise the level of awareness of decision-makers concerning the important role of telecommunications in the national socio-economic development programme, and provide information and advice on possible policy options;
 - 115 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;
 - 116 c) enhance the growth of telecommunications through cooperation with regional telecommunications organizations and with global and regional development financing institutions;
 - 117 d) encourage participation by industry in telecommunications development in developing countries, and offer advice on the choice and transfer of appropriate technology;
 - 118 e) 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;
 - 119 f) collaborate with the International Consultative Committees 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;

- 120 g) provide support in preparing for and organizing development conferences.
- 121 3. The Telecommunications Development Bureau shall work through the medium of:
- 122 a) world development conferences and regional development conferences; the draft agenda of the development conferences shall be drawn up by the Telecommunications Development Bureau for subsequent approval by the Administrative Council;
- 123 b) a Director elected by the Plenipotentiary Conference for the interval between two Plenipotentiary Conferences; he shall be eligible for re-election once only.
- 124 4. If the post of Director becomes unexpectedly vacant, the Administrative Council shall appoint a new Director at its next annual session in accordance with the relevant provisions of Article 3 of the Convention.

ARTICLE 15

Coordination Committee

- 125 1. The Coordination Committee shall consist of the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the Director of the Telecommunications Development Bureau, and the Chairman and Vice-Chairman of the International Frequency Registration Board. It shall be presided over by the Secretary-General, and in his absence by the Deputy Secretary-General.
- 126 2. The Coordination Committee shall advise and give the Secretary-General practical assistance on all administrative, financial and technical cooperation matters affecting more than one permanent organ, 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 Administrative Council and the interests of the Union as a whole.

- 127 3. The Coordination Committee shall also consider the other matters with which it is entrusted under the Convention and any matters referred to it by the Administrative Council. After examining such matters, the Committee shall report through the Secretary-General to the Administrative Council.

ARTICLE 16

Elected Officials and Staff of the Union

- 128 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.
- 129 (2) Each Member shall respect the exclusively international character of the duties of the elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.
- 130 (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.
- 131 (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, member of the International Frequency Registration Board, Director of an International Consultative Committee or Director of the

Telecommunications Development Bureau shall refrain, as far as possible, from recalling that national between two Plenipotentiary Conferences.

132 2. The Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the Director of the Telecommunications Development Bureau as well as the members of the International Frequency Registration Board shall all be nationals of different Members. At their election, due consideration should be given to the principles embodied in No. 133 below and to equitable geographical distribution amongst the regions of the world.

133 3. 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 17

Finances of the Union

134 1. The expenses of the Union shall comprise the costs of:

135 a) the Administrative Council and the permanent organs of the Union;

136 b) Plenipotentiary Conferences and world administrative conferences;

137 c) technical cooperation and assistance provided to the developing countries.

138 2. The expenses of the Union shall be met from the contributions of its Members, each Member paying a sum proportional to the number of units in the class of contribution it has chosen from the scale in Article 26 of the Convention.

- 139 3. (1) Members shall be free to choose their class of contribution for defraying Union expenses.
- 140 (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 Article 26 of the Convention.
- 141 (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.
- 142 (4) The class of contribution chosen by each Member, in accordance with No. 140 or No. 141 above, is applicable only as from 1 January following one year after the expiry of the six-month period referred to in Nos. 140 or 141 above.
- 143 4. Members who have failed to make known their decision in the time specified respectively in Nos. 140 and 141 above shall retain the class of contribution previously chosen.
- 144 5. The class of contribution chosen by a Member can only be reduced in accordance with Nos. 140, 141 and 142 above. However, under exceptional circumstances such as natural disasters necessitating international aid programmes, the Administrative 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.
- 145 6. Likewise, Members may, subject to the approval of the Administrative Council, choose a class of contribution lower than the one selected under No. 140 above, if their relative contributory positions are, from the date fixed

in No. 142 above for a new period of contribution, substantially worse than their previous positions.

- 146** 7. Expenses incurred by the regional administrative conferences referred to in No. 63 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.
- 147** 8. Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.
- 148** 9. A Member which is in arrear in its payments to the Union shall lose its right to vote as defined in Nos. 24 and 25 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.
- 149** 10. The provisions which apply to the financial contributions by recognized private operating agencies, scientific or industrial organizations and international organizations are in the Convention.

ARTICLE 18

Languages

- 150** 1. (1) The official and working languages of the Union shall be Arabic, Chinese, English, French, Russian and Spanish.
- 151** (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, Plenary Assemblies and meetings of the Union.

152 (3) In case of discrepancy or dispute, the French text shall prevail.

153 2. When all participants in a conference, in a Plenary Assembly or in a meeting so agree, discussions may be conducted in fewer languages than those mentioned above.

ARTICLE 19

Seat of the Union

154 The seat of the Union shall be at Geneva.

ARTICLE 20

Legal Capacity of the Union

155 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 21

Rules of Procedure of Conferences and Other Meetings

156 1. For the organization of their work and the conduct of their discussions, conferences and the Plenary Assemblies and meetings of the International Consultative Committees shall apply the Rules of Procedure in the Convention.

157 2. Conferences, the Administrative Council and Plenary Assemblies and meetings of International Consultative Committees 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 Plenary Assemblies and study groups shall be published in the form of a resolution in the documents of the Plenary Assemblies.

CHAPTER II

General Provisions Relating to Telecommunications

ARTICLE 22

The Right of the Public to Use the International Telecommunication Service

158 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 23

Stoppage of Telecommunications

159 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 their 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.

- 160 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 24

Suspension of Services

- 161 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 25

Responsibility

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

ARTICLE 26

Secrecy of Telecommunications

- 163 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.

164 2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their internal laws or the execution of international conventions to which they are parties.

ARTICLE 27

Establishment, Operation and Protection of Telecommunication Channels and Installations

165 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.

166 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.

167 3. Members shall safeguard these channels and installations within their jurisdiction.

168 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 28

Notification of Infringements

169 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 29

Priority of Telecommunications Concerning Safety of Life

170 The 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 30

Priority of Government Telecommunications

171 Subject to the provisions of Articles 29 and 35 of this Constitution, government telecommunications (see Annex to this Constitution, No. 1015) shall enjoy priority over other telecommunications to the extent practicable upon specific request by the originator.

ARTICLE 31

Special Arrangements

172 Members reserve for themselves, for the private 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 32

Regional Conferences, Arrangements and Organizations

173 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 III

Special Provisions for Radio

ARTICLE 33

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

- 174 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.
- 175 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 34

Harmful Interference

- 176 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 private operating agencies, or of other duly authorized operating agencies which carry on radio

service, and which operate in accordance with the provisions of the Radio Regulations.

177 2. Each Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose to observe the provisions of No. 176 above.

178 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. 176 above.

ARTICLE 35

Distress Calls and Messages

179 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 36

False or Deceptive Distress, Urgency, Safety or Identification Signals

180 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 37

Installations for National Defence Services

- 181** 1. Members retain their entire freedom with regard to military radio installations.
- 182** 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.
- 183** 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 IV

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

ARTICLE 38

Relations With the United Nations

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

ARTICLE 39

Relations With International Organizations

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

ARTICLE 40

Relations with Non-Member States

186 Each Member reserves to itself and to the recognized private 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, insofar 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 V

Final Provisions

ARTICLE 41

Ratification, Acceptance or Approval

187 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.

188 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. 187 above, shall enjoy the rights conferred on Members of the Union in Nos. 22 to 25 of this Constitution.

189 (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. 187 above, shall no longer be entitled to vote at any conference of the Union, at any session of the Administrative Council, at any meeting of any of the permanent organs 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.

190 3. After the entry into force of this Constitution and the Convention in accordance with Article 47 of this Constitution, an instrument of ratification, acceptance or approval, shall become effective on the date of its deposit with the Secretary-General.

ARTICLE 42

Accession

191 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.

192 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.

193 3. After the entry into force of this Constitution and the Convention in accordance with Article 47 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 43

Administrative Regulations

194 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.

195 2. Ratification, acceptance or approval of this Constitution and the Convention, or accession to these instruments, in accordance with Articles 41 and 42 of this Constitution, shall also constitute consent to be bound by the Administrative Regulations adopted by competent world administrative conferences prior to the date of signature (30 June 1989) 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.

196 3. Revisions of the Administrative Regulations, either partial or complete, adopted after the aforementioned date shall, to the extent permitted by their domestic 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.

- 197 4. Such provisional application shall continue until:
- 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
 - 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.
- 198 5. If no notification under *a)* or *b)* in No. 197 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.
- 199 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. 195 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. 198 above, that Member shall be deemed to have consented to be bound by that revision.
- 200 7. The Secretary-General shall inform Members promptly of any notification received pursuant to this Article.

ARTICLE 44

Provisions for Amending this Constitution

- 201** 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.
- 202** 2. Any proposed modification to any amendment submitted in accordance with No. 201 above may, however, be submitted at any time by a Member of the Union or by its delegation at the Plenipotentiary Conference.
- 203** 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.
- 204** 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.
- 205** 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.
- 206** 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 on the thirtieth day after the deposit with the Secretary-General by three-quarters of the Members of instruments of ratification, acceptance or approval, or of instruments of accession by Members which have not signed the amending instrument. Thereafter, such amendments shall be binding on all the Members of the Union. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

- 207 7. The Secretary-General shall notify all Members of the deposit of each instrument of ratification, acceptance, approval or accession and of the date of entry into force of any such amending instrument.
- 208 8. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 41 and 42 of this Constitution shall apply to the Constitution as amended.
- 209 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. 219 of this Constitution shall also apply to any such amending instrument.

ARTICLE 45

Settlement of Disputes

- 210 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.

- 211 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.
- 212 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 46

Denunciation of the Constitution and the Convention

- 213 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.
- 214 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 47

Entry into Force and Related Matters

- 215 1. (1) This Constitution and the Convention shall enter into force between Parties thereto on the 30th day after deposit of the 55th instrument of ratification, acceptance, approval or accession by a Member of the Union.

- 216 (2) The Secretary-General shall notify all Members of the date of entry into force of this Constitution and the Convention.
- 217 2. Upon the date of entry into force specified in No. 215 above, this Constitution and the Convention shall, as between Parties thereto, abrogate and replace the International Telecommunication Convention (Nairobi, 1982).
- 218 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.
- 219 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.
- 220 5. In case of any discrepancy among the various language versions of this Constitution and the Convention, the French text shall prevail.

ARTICLE 48

Special Provisions for the Plenipotentiary Conference Following the Plenipotentiary Conference (Nice, 1989)

- 221 1. The Plenipotentiary Conference following the Plenipotentiary Conference (Nice, 1989) shall consider the results of the review of the structure and functioning of the Union contained in the final report of the high-level Committee established by the Administrative Council. Such consideration shall be based on the proposals submitted to that Conference by the Members of the Union in respect of that report.

- 222 2. As a result of such consideration, it may adopt proposals for amendments to the Articles of this Constitution and the Convention relevant to the structure and functioning of the Union, as it deems necessary or appropriate, and may take consequential measures resulting from such amendments.
- 223 3. Any proposal for amendment submitted in accordance with No. 221 shall be adopted in conformity with the rules of procedure of conferences and meetings as contained in Article 25 of the Convention (see in particular Nos. 312 to 315) and not in application of the relevant provisions of Articles 44 of this Constitution (No. 204) and 35 of the Convention (No. 420), the other provisions of the latter two Articles remaining applicable.
- 224 4. If the Plenipotentiary Conference referred to in No. 221 above takes place before the one normally convened in accordance with No. 46 of this Constitution, its agenda shall – by virtue of an exceptional derogation from Nos. 48 to 60 in Article 8 of this Constitution and for that sole occasion – be limited to the matters listed in Nos. 221 and 222 above. In addition, it shall elect the Director of the Telecommunications Development Bureau and may hold such other elections which become necessary as a result of its action taken under No. 222 above.

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 Nice, on 30 June 1989

For the Republic of Afghanistan:

MIRAZMUDDIN
SAID MOHAMMAD NASIM ALAWI
MOHAMMAD JAN KARGAR
KHOWAJA AQA SHARAR

For the People's Democratic Republic of Algeria:

YOUYOU MOHAND SALAH
OUHADJ MAHIDDINE
HAMZA ALI
HOUYOU ABDELMALEK

In the name of the Federal Republic of Germany:

H. VENHAUS
K. GREWLICH

For the People's Republic of Angola:

JOSE LUIS DO LIVRAMENTO MONTEIRO

For Antigua and Barbuda:

VERE CORNWALL BIRD (JNR)

For the Kingdom of Saudi Arabia:

DR. ZAIDAN FAISALA.
AL-BASHEER SAMI S.
ALSHANKITI HABEEB K.

For the Argentine Republic:

ARMANDO FRANCISCO GARCIA
HECTOR JOSE VERGARA
ANTONIO ERMETE CRISTIANI
ANAM. MOGLIA

For Australia:

W.R. ELLIS

C.L. OLIVER

For Austria:

DR. WALTER KUDRNA

DR. JOSEF BAYER

EVA HALBRITTER

For the Commonwealth of the Bahamas:

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LEANDERA. BETHEL

For the State of Bahrain:

ABDULLA S. AL-THAWADI

For the People's Republic of Bangladesh:

S.A.L.M. MUSTAKIM

For Barbados:

IAN DEV. ARCHER

For Belgium:

H. DOUXCHAMPS SEGESSER

L. EGGERMONT

M. GONY

For the People's Republic of Benin:

ADADJA GOUNDE DESIRE

VIGNON HONORE

DANDJINO ADRIEN

For the Kingdom of Bhutan:

DR. T. TOBGYEL
BAP YESHEY DORJI
H.N. PRADHAN

For the Byelorussian Soviet Socialist Republic:

GRITSOUK IVAN

For the Republic of Botswana:

OLEBILE M. GABORONE

For the Federative Republic of Brazil:

ARTHUR ITUASSU
MARIO MARSIAJ
ENEAS MACHADO DE ASSIS

For Brunei Darussalam:

DATO HAJI ABDULLAH BIN B.M.D.P.HJ. BAKAR
HAJI ABDUL GHAFAR HAJI LAMAT
SAIFULBAHRI HAJI JAYA
PENGIRAN SAZALEE PENGIRAN ZOHARI

For the People's Republic of Bulgaria:

POPOVA.

For Burkina Faso:

SAWADOGO Y. JACQUES
BONKOUNGOU ZOULI
SANOU BRAHIMA
LOUARI JEAN HERVE

For the Republic of Burundi:

BUSOKOZA BERNARD
SINDAYIGAYA JEAN-MARIE
NIYOKINDI FIACRE

For the Republic of Cameroon:

MBOG GOTTLIEB MATTHIEU
KAMDEM-KAMGA EMMANUEL
ABESOLO-NSILI PIERRE
WANMI FRANÇOIS
ACHU SAMBA FRANCIS
BISSECK HERVE G.
TANYI-TANG ENOH
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ROBERT W. JONES
PIERRE A. GAGNE

For the Republic of Cape Verde:

JOSE LUIS DO LIVRAMENTO MONTEIRO

For the Central African Republic:

HUGUES DOBOZENDI
MICHEL BANGUE-TANDET
JEAN-CYRILLE KOUNKOU
PAUL MAGONZI
JOSEPH KONDAOULE

For Chile:

GUSTAVO ARENAS
JULIO POLLONI
LUIS LENNON
MIGUEL PIZARRO ARAGONES

For the People's Republic of China:

SONG ZHIYUAN
LIU ZHONGEN

For the Republic of Cyprus:

PHILIPPOS VATILIOTIS

For the Vatican City State:

STEFANIZZI ANTONIO

For the Republic of Colombia:

FERNANDO REY
SERGIO REGUEROS
EMILIO SARAVIA
FELIX CASTRO R.

For the Islamic Federal Republic of the Comoros:

AHMED BENDAOU
DAHALANI SAID ABASSE

For the People's Republic of the Congo:

OMBAKA-EKORI VINCENT RAYMOND
OKOUYA RENE
KINZONZI LEONARD
EBAYI FAUSTIN

For the Republic of Korea:

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H.E. LEE SANG OK

LEE KYE CHEOL

PARK SUNG DEUK

KIM CHANG KON

For Costa Rica:

INES LEON-DOBLES

NESTOR CALDERON AGUIRRE

ARMANDO VARGAS-ARAYA

For the Republic of Côte d'Ivoire:

BLAKOU GOSSAN

AHOU JOSEPH JEAN-BAPTISTE

GNON LESAN BASILE

KOFFI KOUMAN ALEXIS

For Cuba:

RAFAEL PEDROSA PEREZ

For Denmark:

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JØRN JENSBY

METTE J. KONNER

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SAEED MOHAMMAD ALBAHHAR

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MAKRAM OBEID
ZIAD AZZOUZ
TALAL MOUSLI
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For the Ukrainian Soviet Socialist Republic:

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NG BOON SIM
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For Somali Democratic Republic:

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For the Republic of the Sudan:

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SERRY NDIINGA-HADOUM

For the Czechoslovak Socialist Republic:

JIRAJIRI

For Thailand:

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CHIRAPA CHITRASWANG
AURAPIN AIYARA
LINNA TINTUKASIRI

For the Togolese Republic:

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DANG VAN THAN
MAILIEM TRUC

For the Yemen Arab Republic:

ABDULLAH ALHAMAMI

For the People's Democratic Republic of Yemen:

AHMED ABDOUL MOULA MOH'D

For the Socialist Federal Republic of Yugoslavia:

ČAGORVIĆ VUČIĆ

For the Republic of Zaire:

MASUDI AUMA KATENGA

For the Republic of Zambia:

SWATULANI W. MUNTHALI

JOE C. KASAMA

CHARLES S. NDANDULA

ROBERT C. CHISHIMBA

For the Republic of Zimbabwe:

DR. WITNESS P.M. MANGWENDE

M.F. DANDATO

MOSES MASHUMBA

DZIMBANHETE FREDSON MATAVIRE

L. NDHLOVU

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 in the capacity of delegates, advisers or attachés, persons belonging to private operating agencies which it recognizes or persons belonging to other private enterprises interested in telecommunications.

- 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 an administrative conference, or at a meeting of an International Consultative Committee.
- 1007** *Private Operating Agency*: Any individual or company or corporation, other than a governmental establishment or agency, which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.
- 1008** *Recognized Private Operating Agency*: Any private 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** *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.
- 1010** *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 No. 98 of this Constitution, the term "radiocommunication" also includes telecommunications using electromagnetic waves of frequencies above 3 000 GHz, propagated in space without artificial guide.

- 1011** *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.
- 1012** *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.
- 1013** *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.
- 1014** *Telegram:* Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.
- 1015** *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.
- 1016** *Private Telegrams:* Telegrams other than government or service telegrams.

1017 *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.

1018 *Telephony*: A form of telecommunication primarily intended for the exchange of information in the form of speech.

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**CONVENTION OF THE INTERNATIONAL
TELECOMMUNICATION UNION**

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CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION

CHAPTER I

Functioning of the Union

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 date and place of a Plenipotentiary Conference shall be set by the preceding Plenipotentiary Conference; failing this, they shall be fixed by the Administrative Council with the concurrence of the majority of the Members of the Union.
- 3 2. (1) The date and place 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 Administrative Council.
- 6 (2) In either case a new date or place or both shall be fixed with the concurrence of a majority of the Members of the Union.

ARTICLE 2

Administrative Conferences

- 7 1. (1) The agenda of an administrative conference shall be established by the Administrative Council with the concurrence of a majority of the Members of the Union in the case of a world administrative conference, or of a majority of the Members belonging to the region concerned in the case of a regional administrative conference, subject to the provisions of No. 29 below.
- 8 (2) This agenda shall include any question which a Plenipotentiary Conference has directed to be placed on the agenda.
- 9 (3) A world administrative conference dealing with radiocommunication may also include in its agenda an item concerning instructions to the International Frequency Registration Board regarding its activities and a review of those activities. A world administrative conference may include in its decisions instructions or requests, as appropriate, to the permanent organs.
- 10 2. (1) A world administrative conference shall be convened:
- 11 a) by a decision of a Plenipotentiary Conference which may fix the date and place of its meeting;
- 12 b) on the recommendation of a previous world administrative conference if approved by the Administrative Council;

13 c) at the request of at least one-quarter of the Members of the Union, who shall individually address their requests to the Secretary-General;
or

14 d) on a proposal of the Administrative Council.

15 (2) In the cases specified in Nos. 12, 13 and 14 and, if necessary, in the case specified in No. 11 above, the date and place of meeting shall be determined by the Administrative Council with the concurrence of a majority of the Members of the Union, subject to the provisions of No. 29 below.

16 3. (1) A regional administrative conference shall be convened:

17 a) by a decision of a Plenipotentiary Conference;

18 b) on the recommendation of a previous world or regional administrative conference if approved by the Administrative Council;

19 c) at the request of at least one-quarter of the Members belonging to the region concerned, who shall individually address their requests to the Secretary-General; or

20 d) on a proposal of the Administrative Council.

21 (2) In the cases specified in Nos. 18, 19 and 20 and, if necessary, in the case specified in No. 17 above, the date and place of meeting shall be determined by the Administrative Council with the concurrence of a majority of the Members of the Union belonging to the region concerned, subject to the provisions of No. 29 below.

22 4. (1) The agenda, or date or place of an administrative conference may be changed:

23 a) at the request of at least one-quarter of the Members of the Union in the case of a world administrative conference, or of at least one quarter of the Members of the Union belonging to the region concerned in the case of a regional administrative conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Administrative Council for approval; or

24 b) on a proposal of the Administrative Council.

- 25 (2) In cases specified in Nos. 23 and 24 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 administrative conference, or of a majority of the Members of the Union belonging to the region concerned, in the case of a regional administrative conference, subject to the provisions of No. 29 below.
- 26 5. (1) A Plenipotentiary Conference or the Administrative Council may deem it advisable for the main session of an administrative conference to be preceded by a preparatory session to draw up and submit a report on the technical bases for the work of the Conference.
- 27 (2) The convening of such a preparatory session and its agenda must be approved by a majority of the Members of the Union in the case of a world administrative conference, or by a majority of the Members of the Union belonging to the region concerned, in the case of a regional administrative conference, subject to the provisions of No. 29 below.
- 28 (3) Unless the plenary meeting of a preparatory session of an administrative conference decides otherwise, the texts finally approved by it will be assembled in a report which will also be approved by the said plenary meeting and signed by its Chairman.
- 29 6. In the consultations referred to in Nos. 7, 15, 21, 25 and 27 above, Members of the Union who have not replied within the time limits specified by the Administrative 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.
- 30 7. If invited by a Plenipotentiary Conference, the Administrative Council or a preceding administrative conference to draw up and submit the technical bases for a forthcoming administrative conference, subject to budgetary

provision being made available by the Administrative Council, an International Consultative Committee may convene an administrative conference preparatory meeting. The report of such a conference preparatory meeting shall be submitted by the Director of the International Consultative Committee concerned through the Secretary-General for use as an input document to the administrative conference.

ARTICLE 3

Administrative Council

- 31** 1. (1) The Administrative Council is composed of Members of the Union elected by the Plenipotentiary Conference.
- 32** (2) If, between two Plenipotentiary Conferences, a seat becomes vacant on the Administrative 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.
- 33** (3) A seat on the Administrative Council shall be considered vacant:
- 34** a) when a Council Member does not have a representative in attendance at two consecutive annual sessions of the Administrative Council;
- 35** b) when a Member of the Union resigns its membership of the Council.
- 36** 2. The person appointed to serve on the Council by a Member of the Administrative 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.
- 37** 3. At the beginning of each annual session, the Administrative 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 annual session and shall not be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.

- 38 4. (1) The Administrative Council shall hold an annual session at the seat of the Union.
- 39 (2) During this session it may decide to hold, exceptionally, an additional session.
- 40 (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. 67 below.
- 41 5. The Secretary-General and the Deputy Secretary-General, the Chairman and the Vice-Chairman of the International Frequency Registration Board, the Directors of the International Consultative Committees and the Director of the Telecommunications Development Bureau may participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to the representatives of its own Members.
- 42 6. The Secretary-General shall act as Secretary of the Administrative Council.
- 43 7. The Administrative Council shall make decisions only in session. Exceptionally, the Council in session may agree that any specific issue shall be decided by correspondence.
- 44 8. The representative of each Member of the Administrative Council shall have the right to attend, as an observer, all meetings of the permanent organs of the Union mentioned in the relevant provisions of Article 7 of the Constitution.

- 45 9. Only the travelling, subsistence and insurance expenses incurred by the representative of each Member of the Administrative Council in his capacity at Council sessions shall be borne by the Union.
- 46 10. In the discharge of its duties prescribed in the Constitution, the Administrative Council shall in particular:
- 47 a) in the interval between Plenipotentiary Conferences, be responsible for effecting the coordination with all international organizations referred to in Articles 38 and 39 of the Constitution and to this end, shall conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 39 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;
- 48 b) decide upon the implementation of any decisions relating to future conferences or meetings which have financial implications and which have been taken by administrative conferences or Plenary Assemblies of the International Consultative Committees. In so doing, the Administrative Council shall take into account the provisions of Article 27 of this Convention;
- 49 c) decide on proposals for organizational changes within the permanent organs of the Union which are referred to it by the Secretary-General;
- 50 d) examine and decide on plans concerning Union posts and staff covering several years;
- 51 e) decide on the numbers and grading of the staff of the General Secretariat and of the specialized secretariats of the permanent organs of the Union, taking into account the general directives given by the Plenipotentiary Conference, and, bearing in mind the relevant provisions of Article 16 of the Constitution, approve a list of posts in the professional and higher categories, which, taking into account the constant advances made in the technology and operation of telecommunications, shall be filled by holders of fixed-term contracts which may be extended, with a view to employing the most competent

specialists, whose applications are submitted through Members of the Union; this list shall be proposed by the Secretary-General in consultation with the Coordination Committee and shall be kept under constant review;

- 52 *f)* draw up such regulations as it may consider necessary for the administrative and financial activities of the Union, and also the administrative regulations to take account of current practice of the United Nations and of the specialized agencies applying the Common System of pay, allowances and pensions;
- 53 *g)* supervise the administrative functions of the Union and decide on appropriate measures for the rationalization of those functions;
- 54 *h)* review and approve the annual budget of the Union, and the budget forecast for the following year, taking account of the limits for expenditures set by the Plenipotentiary Conference and ensuring the strictest possible economy but mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible through conferences and the work programmes of the permanent organs; in so doing, the Council shall take into account the views of the Coordination Committee as reported by the Secretary-General regarding the work plans mentioned in No. 102 of this Convention and the results of any cost analyses mentioned in Nos. 101 and 104 of this Convention;
- 55 *i)* 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;
- 56 *j)* adjust as necessary:
- 57 1. 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;

- 58 2. 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;
- 59 3. 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;
- 60 4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;
- 61 5. the contributions payable by the Union and the staff to the United Nations Joint Staff Pension Fund, in accordance with the decisions of the United Nations Joint Staff Pension Board;
- 62 6. the cost-of-living allowances granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of practice in the United Nations;
- 63 *k)* arrange for the convening of Plenipotentiary and administrative conferences of the Union in accordance with Articles 1 and 2 of this Convention;
- 64 *l)* submit to the Plenipotentiary Conference any recommendations deemed useful;
- 65 *m)* review and coordinate the work programmes as well as their progress and the working arrangements of the permanent organs of the Union including the meeting schedules and, in particular, take such action as it deems appropriate for reducing the number and duration of conferences and meetings and curtailing expenditure for conferences and meetings;
- 66 *n)* provide, with the consent of a majority of the Members of the Union in the case of a world administrative conference, or of a majority of the Members of the Union belonging to the region concerned in the case of a regional administrative conference, appropriate directives to

the permanent organs of the Union with regard to their technical and other assistance in the preparation for and organization of administrative conferences;

- 67 o) subject to the relevant provisions of Article 16 of the Constitution, 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 Article 11 of the Constitution, 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 of the Constitution;
- 68 p) provide for the filling of any vacancy in the post of Director of either of the International Consultative Committees at the next ordinary session following the occurrence of such a vacancy. A Director so selected shall serve until the date fixed by the next Plenipotentiary Conference as provided for in the relevant provisions of Article 13 of the Constitution and shall be eligible for election to the post at the next Plenipotentiary Conference;
- 69 q) provide for the filling of vacancies for members of the International Frequency Registration Board in accordance with the procedure in the relevant provisions of Article 12 of the Constitution;
- 70 r) perform the other functions prescribed for it in the Constitution and this Convention and, within the framework of these instruments and the Administrative Regulations, any functions deemed necessary for the proper administration of the Union or its permanent organs taken individually;
- 71 s) take the 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;
- 72 t) submit to the Plenipotentiary Conference a report on the activities of all the organs of the Union since the previous Plenipotentiary Conference;

- 73 *u)* send to Members of the Union, as soon as possible after each of its sessions, summary records on the activities of the Administrative Council and other documents deemed useful;
- 74 *v)* take decisions to ensure equitable geographical distribution of the staff of the Union and monitor the implementation of such decisions.

ARTICLE 4

General Secretariat

- 75 1. The Secretary-General shall:
 - 76 *a)* coordinate the activities of the different permanent organs of the Union taking into account the views of the Coordination Committee referred to in the relevant provisions of Article 15 of the Constitution with a view to assuring the most effective and economical use of personnel and of the financial and other resources of the Union;
 - 77 *b)* 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 Administrative Council;
 - 78 *c)* undertake administrative arrangements for the specialized secretariats of the permanent organs of the Union and appoint the staff of those secretariats on the basis of the choice and proposals of the Head of each permanent organ, although the final decision for appointment or dismissal shall rest with the Secretary-General;
 - 79 *d)* report to the Administrative Council any decisions taken by the United Nations and the specialized agencies which affect Common System conditions of service, allowances and pensions;
 - 80 *e)* ensure the application of the financial and administrative regulations approved by the Administrative Council;
 - 81 *f)* provide legal advice to the organs of the Union;

- 82 g) supervise, for administrative management purposes, the staff of the Headquarters 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 Consultative Committees, the Director of the Telecommunications Development Bureau and the International Frequency Registration Board shall work under the direct orders of those senior officials concerned but in accordance with general administrative directives of the Administrative Council and of the Secretary-General;
- 83 h) in the interest of the Union as a whole and in consultation with the Chairman of the International Frequency Registration Board, the Director of the International Consultative Committee concerned or the Director of the Telecommunications Development Bureau, temporarily reassign staff members from their appointed position as necessary to meet fluctuating work requirements at Headquarters. The Secretary-General shall report such temporary reassignments, including the financial implications thereof, to the Administrative Council;
- 84 i) undertake secretarial work preparatory to, and following conferences of the Union;
- 85 j) prepare recommendations for the first meeting of the Heads of delegations referred to in No. 246 of this Convention, taking into account the results of any regional consultation;
- 86 k) 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 permanent organs of the Union in collaboration with their respective Heads, drawing from the Union's staff as he deems necessary in accordance with No. 83 above. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
- 87 l) keep up to date the official lists, compiled from data supplied for this purpose by the permanent organs of the Union or by administrations, with the exception of the master registers and such other essential

records as may be related to the duties of the International Frequency Registration Board;

- 88 *m)* publish the principal reports of the permanent organs of the Union, the recommendations and the operating instructions derived from such recommendations for use in the international telecommunication services;
- 89 *n)* publish international and regional telecommunication agreements communicated to him by the parties thereto, and keep up-to-date records of these agreements;
- 90 *o)* publish the technical standards of the International Frequency Registration Board and any other data concerning the assignment and utilization of frequencies and geostationary-satellite orbit positions prepared by the Board in the performance of its duties;
- 91 *p)* prepare, publish and keep up to date with the assistance, where appropriate, of the other permanent organs of the Union:
- 92 1. a record of the composition of the Union, including the situation of Members with respect to the deposit of the instrument of ratification, acceptance, approval of or accession to the Constitution and the Convention and amendments thereto and revisions of the Administrative Regulations;
- 93 2. the general statistics and the official service documents of the Union as prescribed by the Administrative Regulations;
- 94 3. such other documents as conferences or the Administrative Council may direct;
- 95 *q)* collect and publish, in suitable form, data, both national and international, regarding telecommunication throughout the world;
- 96 *r)* assemble and publish, in cooperation with the other permanent organs 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;

- 97 s) collect and publish such information as would be of assistance to Members regarding the application of technical methods with a view to achieving the most efficient operation of telecommunication services and specially the best possible use of radio frequencies so as to diminish interference;
- 98 t) 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;
- 99 u) determine, in consultation with the Director of the International Consultative Committee concerned, or the Director of the Telecommunications Development Bureau or, as appropriate, the Chairman of the International Frequency Registration Board, the form and presentation of all publications of the Union, taking into account the nature and the contents as well as the most suitable and economical means of publication;
- 100 v) arrange the timely distribution of the published documents;
- 101 w) after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Administrative Council an annual draft budget and a preliminary budget for the following year covering the expenditures of the Union within the limits laid down by the Plenipotentiary Conference 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 draft budget and the annex containing a cost analysis, after approval by the Council, shall be sent for information to all Members of the Union;
- 102 x) after consultation with the Coordination Committee and taking into account their views, prepare and submit to the Administrative Council future work plans comprising the main activities at the seat of the

Union in accordance with the instructions of the Administrative Council;

- 103 y) prepare and submit to the Administrative Council plans covering several years for recruitment and the reclassification and abolition of posts;
 - 104 z) taking into account the views of the Coordination Committee, prepare and submit to the Administrative Council cost analyses of the main activities at the seat of the Union during the year immediately prior to the session, taking into account in particular results obtained by rationalization;
 - 105 aa) with the assistance of the Coordination Committee, prepare a financial operating report and accounts to be submitted annually to the Administrative Council and a recapitulative account immediately preceding each Plenipotentiary Conference; these documents, after verification and approval by the Administrative Council, shall be circulated to all Members and submitted to the next Plenipotentiary Conference for examination and final approval;
 - 106 ab) with the assistance of the Coordination Committee, prepare an annual report on the activities of the Union which, after approval by the Administrative Council, shall be sent to all Members;
 - 107 ac) perform all other secretarial functions of the Union;
 - 108 ad) perform any other functions entrusted to him by the Administrative Council.
- 109 2. The Secretary-General or the Deputy Secretary-General should participate, in a consultative capacity, in Plenipotentiary and administrative conferences of the Union and in Plenary Assemblies of the International Consultative Committees; they should also participate in a consultative capacity in development conferences; their participation in the meetings of the Administrative Council is governed by Nos. 41 and 42 of this Convention; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union.

ARTICLE 5

International Frequency Registration Board

- 110** 1. (1) The members of the International Frequency Registration Board shall be thoroughly qualified by technical training in the field of radio and shall possess practical experience in the assignment and utilization of frequencies.
- 111** (2) Moreover, for the more effective understanding of the problems coming before the Board under the relevant provisions of Article 12 of the Constitution, each member shall be familiar with geographic, economic and demographic conditions within a particular area of the world.
- 112** 2. The election procedure shall be established by the Plenipotentiary Conference as specified in the relevant provisions of Article 12 of the Constitution.
- 113** 3. (1) The working arrangements of the Board are defined in the Radio Regulations.
- 114** (2) The members of the Board shall elect from their own numbers 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.
- 115** (3) The Board shall be assisted by a specialized secretariat.
- 116** 4. No member of the Board shall request or receive instructions relating to the exercise of his duties from any government or a member thereof, or from any public or private organization or person. Furthermore, each Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

ARTICLE 6

International Consultative Committees

- 117 1. Each International Consultative Committee shall work through the medium of:
- 118 a) the Plenary Assembly, preferably meeting every four years; when a corresponding world administrative conference has been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference;
 - 119 b) Study Groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;
 - 120 c) a Director, assisted by a specialized secretariat.
- 121 2. (1) The questions studied by each International Consultative Committee, on which it shall issue Recommendations, shall be those referred to it by the Plenipotentiary Conference, by an administrative conference, by the Administrative Council, by the other International Consultative Committee, or by the International Frequency Registration Board, in addition to those decided upon by the Plenary Assembly of the International Consultative Committee itself, or, in the interval between its Plenary Assemblies, when requested or approved by correspondence by at least twenty Members of the Union.
- 122 (2) At the request of the Members concerned each International Consultative Committee may also study and offer advice concerning their national telecommunication problems. The study of such problems shall be conducted in accordance with No. 121 above; where a comparison of technical alternatives is involved, economic factors may be taken into consideration.

ARTICLE 7

Coordination Committee

- 123 1. (1) The Coordination Committee shall assist and advise the Secretary-General on all matters mentioned under the relevant provisions of Article 15 of the Constitution and shall assist the Secretary-General in the duties assigned to him under Nos. 76, 98, 101, 102, 105 and 106 of this Convention.
- 124 (2) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Articles 38 and 39 of the Constitution as regards representation of the permanent organs of the Union at conferences of such organizations.
- 125 (3) The Committee shall examine the progress of the work of the Union in technical cooperation and submit recommendations, through the Secretary-General, to the Administrative Council.
- 126 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 Administrative Council. In such circumstances he shall report promptly in writing on such matters to the Members of the Administrative 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 Administrative Council.
- 127 3. The Committee shall meet when convened by its Chairman at least once a month; it may also be convened when necessary at the request of two of its members.

- 128 4. A report shall be made of the proceedings of the Coordination Committee and will be made available on request to Members of the Administrative Council.

CHAPTER II

General Provisions Regarding Conferences

ARTICLE 8

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

- 129 1. The inviting government, in agreement with the Administrative Council, shall fix the definitive date and the exact place of the conference.
- 130 2. (1) One year before this date, the inviting government shall send an invitation to the government of each Member of the Union.
- 131 (2) These invitations may be sent directly or through the Secretary-General or through another government.
- 132 3. The Secretary-General shall send an invitation to the United Nations in accordance with Article 38 of the Constitution and to any of the regional telecommunication organizations mentioned in Article 32 of the Constitution if requested by it.
- 133 4. The inviting government, in agreement with or on a proposal by the Administrative Council, may invite the specialized agencies of the United Nations and the International Atomic Energy Agency to send observers to take part in the conference in an advisory capacity, on the basis of reciprocity.

- 134 5. (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.
- 135 (2) These replies may be sent directly to the inviting government or through the Secretary-General or through another government.
- 136 6. All the permanent organs of the Union shall be represented at the conference in an advisory capacity.
- 137 7. The following shall be admitted to Plenipotentiary Conferences:
- 138 a) delegations;
- 139 b) observers of the United Nations;
- 140 c) observers of regional telecommunication organizations in conformity with No. 132 above;
- 141 d) observers of the specialized agencies and of the International Atomic Energy Agency in conformity with No. 133 above.

ARTICLE 9

Invitation and Admission to Administrative Conferences When There is an Inviting Government

- 142 1. (1) The provisions of Nos. 129 to 135 of this Convention shall apply to administrative conferences.
- 143 (2) Members of the Union may inform the private operating agencies recognized by them of the invitation they have received.

144 2. (1) The inviting government, in agreement with or on a proposal by the Administrative Council, may notify the international organizations which are interested in sending observers to participate in the conference in an advisory capacity.

145 (2) The interested international organizations shall send an application for admission to the inviting government within a period of two months from the date of notification.

146 (3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted.

147 3. The following shall be admitted to administrative conferences:

148 a) delegations;

149 b) observers of the United Nations;

150 c) observers of regional telecommunication organizations mentioned in Article 32 of the Constitution;

151 d) observers of the specialized agencies and of the International Atomic Energy Agency in conformity with No. 133 of this Convention;

152 e) observers of international organizations admitted in accordance with Nos. 144 to 146 above;

153 f) representatives of recognized private operating agencies, duly authorized by the Member to which they belong;

154 g) permanent organs of the Union in an advisory capacity when the conference is discussing matters coming within their competence. If necessary, the conference may invite a permanent organ which has not considered it necessary to be represented;

155 h) observers for Members of the Union participating in a non-voting capacity in a regional administrative conference of a region other than that to which the said Members belong.

ARTICLE 10

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

- 156 1. Any Member of the Union wishing to have a world administrative conference convened shall so inform the Secretary-General, indicating the proposed agenda, place and date of the conference.
- 157 2. On receipt of similar requests from at least one-quarter of the Members, the Secretary-General shall inform 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.
- 158 3. If a majority of the Members, determined in accordance with No. 29 of this Convention, agree to the proposal as a whole, that is to say, if they accept the agenda, date and place of the proposed meeting, the Secretary-General shall so inform the Members by the most appropriate means of telecommunication.
- 159 4. (1) If the proposal accepted is for a conference elsewhere than at the seat of the Union, the Secretary-General shall ask the government of the Member concerned whether it agrees to act as inviting government.
- 160 (2) If the answer is in the affirmative, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the conference.
- 161 (3) If the answer is in the negative, the Secretary-General shall request the Members desiring the conference to make alternative suggestions for the place of the conference.
- 162 5. Where the proposal accepted is for a conference at the seat of the Union, the provisions of Article 12 of this Convention shall apply.

163 6. (1) If the proposal as a whole (agenda, date and place) is not accepted by the majority of the Members determined in accordance with No. 29 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.

164 (2) Such points shall be regarded as adopted when they have been approved by the majority of the Members determined in accordance with No. 29 of this Convention.

165 7. The procedure indicated above shall also be applicable when the proposal to convene a world administrative conference is initiated by the Administrative Council.

ARTICLE 11

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

166 In the case of a regional administrative conference, the procedure described in Article 10 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.

ARTICLE 12

Provisions for Conferences Meeting When There is no Inviting Government

- 167** When a conference is to be held without an inviting government, the provisions of Articles 8 and 9 of this Convention 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 13

Provisions Common to All Conferences Change in the Date or Place of a Conference

- 168** 1. The provisions of Articles 10 and 11 of this Convention shall apply, by analogy, when a change in the date and/or place of a conference is requested by Members of the Union or is proposed by the Administrative Council. However, such changes shall only be made if a majority of the Members concerned, determined in accordance with No. 29 of this Convention, have pronounced in favour.
- 169** 2. It shall be the responsibility of any Member proposing a change in the date or place of a conference to obtain for its proposal the support of the requisite number of other Members.
- 170** 3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in No. 157 of this Convention, the probable financial consequences of a change in the date or place, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

ARTICLE 14

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

- 171** 1. Immediately after the invitations have been despatched, the Secretary-General shall ask Members to send him, within four months, their proposals for the work of the conference.
- 172** 2. 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.
- 173** 3. 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.
- 174** 4. The Secretary-General shall communicate the proposals to all Members as they are received.
- 175** 5. The Secretary-General shall assemble and coordinate the proposals received from administrations, the Plenary Assemblies of the International Consultative Committees and conference preparatory meetings, and shall communicate them to Members as they are received, but in any case at least four 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 administrative conferences in accordance with Nos. 149 to 155 of this Convention, shall not be entitled to submit proposals.

- 176 6. The Secretary-General shall also assemble reports received from Members, the Administrative Council, the International Consultative Committees, the Telecommunications Development Bureau and the International Frequency Registration Board and shall communicate them to Members at least four months before the opening of the Conference.
- 177 7. Proposals received after the time-limit specified in No. 171 above shall be communicated to all Members by the Secretary-General as soon as practicable.
- 178 8. The provisions of the present Article shall apply without prejudice to the amendment provisions contained in Article 44 of the Constitution and in Article 35 of this Convention.

ARTICLE 15

Credentials for Delegations to Conferences

- 179 1. The delegation sent by a Member of the Union to a conference shall be duly accredited in accordance with Nos. 180 to 186 below.
- 180 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.
- 181 (2) Accreditation of delegations to administrative conferences 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.
- 182 (3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in Nos. 180 or 181 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.

183 3. Credentials shall be accepted if they are signed by one of the competent authorities mentioned in Nos. 180 to 182 above, and fulfil one of the following criteria:

184 – they confer full powers on the delegation;

185 – they authorize the delegation to represent its government, without restrictions;

186 – they give the delegation, or certain members thereof, the right to sign the Final Acts.

187 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. 148 and 189 of the Constitution, and to sign the Final Acts.

188 (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.

189 5. Credentials shall be deposited with the secretariat of the conference as early as possible. The committee referred to in No. 265 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.

190 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. 180 or 181 above.

- 191** 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.
- 192** 8. A delegation may not exercise more than one proxy vote.
- 193** 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.

CHAPTER III

General Provisions Regarding International Consultative Committees

ARTICLE 16

Conditions for Participation

- 194** 1. The Members of the International Consultative Committees referred to in the relevant provisions of Article 13 of the Constitution may participate in all the activities of the International Consultative Committee concerned.
- 195** 2. (1) Any request from a recognized private operating agency or scientific or industrial organization to take part in the work of an International Consultative Committee must be approved by the Member concerned. The request should be forwarded by that Member to the Secretary-General who shall inform all Members and the Director of that International Consultative

Committee. The Director of the International Consultative Committee shall advise the recognized private operating agency or scientific or industrial organization of the action taken on its request.

196 (2) A recognized private operating agency may act on behalf of the Member which has recognized it provided that Member informs the International Consultative Committee concerned in each particular case that it is authorized to do so.

197 3. (1) International organizations and regional telecommunication organizations mentioned in Article 32 of the Constitution which coordinate their work with the Union and which have related activities may be admitted to participate in the work of the International Consultative Committee in an advisory capacity.

198 (2) The first request from an international organization or regional telecommunication organization mentioned in Article 32 of the Constitution to take part in the work of an International Consultative Committee shall be addressed to the Secretary-General who shall inform all the Members by the most appropriate means of telecommunication and invite them to state whether the request should be granted; the request shall be granted if the majority of the replies of the Members received within a period of one month are favourable. The Secretary-General shall inform all the Members and the members of the Coordination Committee of the result of the consultation.

199 4. Any recognized private operating agency, international organization, regional telecommunication organization or scientific or industrial organization allowed to take part in the work of an International Consultative Committee has the right to denounce such participation by notifying the Secretary-General. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.

ARTICLE 17

Duties of the Plenary Assembly

- 200 The Plenary Assembly:
- 201 a) shall consider the reports of Study Groups and approve, modify or reject the draft Recommendations contained in these reports, and take note of the amended or new Recommendations which have been approved by procedures that may be agreed to by the Plenary Assembly for the approval of new and revised Recommendations between Plenary Assemblies;
- 202 b) shall consider existing questions as to whether or not their study should be continued, and prepare a list of the new questions to be studied in conformity with No. 121 of this Convention. In formulating new questions, it shall be borne in mind that, in principle, their consideration should be completed in a period which is no longer than twice the interval between two Plenary Assemblies;
- 203 c) shall approve the programme of work arising from the considerations in No. 202 above, determine the order of questions to be studied according to their importance, priority and urgency, bearing in mind the need to keep the demands on the resources of the Union to a minimum;
- 204 d) shall decide, in the light of the approved programme of work derived from No. 203 above, whether or not existing Study Groups should be maintained or dissolved and whether or not new Study Groups should be set up;
- 205 e) shall allocate to Study Groups the questions to be studied;
- 206 f) shall consider and approve the report of the Director on the activities of the Committee since the last meeting of the Plenary Assembly;
- 207 g) shall approve, if appropriate, for submission to the Administrative Council, the estimate of the financial needs of the Committee up to the next Plenary Assembly, as submitted by the Director in accordance with No. 234 of this Convention;

- 208 *h)* should, when adopting resolutions and decisions, take into account the foreseeable financial implications and shall try to 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;
- 209 *i)* shall consider the reports of the World Plan Committee and any other matters deemed necessary under the provisions of Article 13 of the Constitution and of this Chapter.

ARTICLE 18

Meetings of the Plenary Assembly

- 210 1. The Plenary Assembly shall normally meet at a date and place fixed by the preceding Plenary Assembly.
- 211 2. The date and place, or either, of the meeting of the Plenary Assembly may be changed with the approval of the majority of the Members of the Union replying to the Secretary-General's request for their opinion.
- 212 3. At each of these meetings, the Plenary Assembly shall be presided over by the Head of the delegation of the Member in whose territory the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the Plenary Assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.
- 213 4. The Secretary-General shall be responsible for making the necessary administrative and financial arrangements, in agreement with the Director of the International Consultative Committee concerned, for meetings of the Plenary Assembly and the Study Groups.

ARTICLE 19

Right to Vote in Plenary Assemblies

- 214** 1. The Members which are authorized to vote at sessions of Plenary Assemblies of the International Consultative Committees are those to which reference is made in the relevant provision of Article 3 of the Constitution. However, when a Member is not represented by an administration, the representatives of the recognized private 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. 196 of this Convention.
- 215** 2. The provisions of Nos. 190 to 193 of this Convention concerning the transfer of powers shall apply to Plenary Assemblies.

ARTICLE 20

Study Groups

- 216** 1. The Plenary Assembly shall set up and maintain as necessary Study Groups to deal with questions to be studied with a view to preparing reports and recommendations. The administrations, recognized private operating agencies, scientific or industrial organizations, international organizations and regional telecommunication organizations admitted in accordance with Nos. 197 and 198 of this Convention which desire to take part in the work of the Study Groups shall submit their names either at the meeting of the Plenary Assembly or, at a later date, to the Director of the International Consultative Committee concerned.
- 217** 2. The Plenary Assembly shall normally appoint a Chairman and one Vice-Chairman of each Study Group. If the workload of any Study Group requires, the Plenary Assembly shall appoint such additional Vice-Chairmen as it feels necessary for such Study Group or Groups. In appointing Chairmen and Vice-Chairmen, particular consideration shall be given to the

requirements of competence, equitable geographical distribution and the need to promote more efficient participation by the developing countries. If, in the interval between two meetings of the Plenary Assembly, a Study Group Chairman is unable to carry out his duties and only one Vice-Chairman has been appointed, then such a Vice-Chairman shall take the Chairman's place. In the case of a Study Group for which the Plenary Assembly has appointed more than one Vice-Chairman, the Study Group at its next meeting shall elect a new Chairman from among such 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.

ARTICLE 21

Conduct of Business of Study Groups

- 218** 1. Study Groups shall conduct their work as far as possible by correspondence.
- 219** 2. (1) However, the Plenary Assembly may give directives concerning the convening of any meetings of the Study Groups that may appear necessary to deal with large groups of questions.
- 220** (2) As a general rule, Study Groups shall hold no more than two meetings between sessions of the Plenary Assembly, including the final meetings held before that Plenary Assembly.
- 221** (3) Moreover, if after a Plenary Assembly a Chairman considers it necessary for his Study Group to hold one or more meetings not provided for by the Plenary Assembly to discuss orally questions which it has not been

possible to deal with by correspondence, he may, with the approval of his Administration and after consultation with the Director concerned and the members of his Study Group, suggest a meeting at a convenient place bearing in mind the need to keep expenses to a minimum.

- 222 3. Study Groups may initiate action for obtaining approval from Members for recommendations completed between Plenary Assemblies. The procedures to be applied for obtaining such approval shall be those approved by the relevant Plenary Assembly. Recommendations so approved shall have the same status as ones approved by the Plenary Assembly.
- 223 4. Where necessary, the Plenary Assembly may set up joint working parties for the study of questions requiring the participation of experts from several Study Groups.
- 224 5. The Director of an International Consultative Committee, after consultation with the Secretary-General and in agreement with the Chairmen of the various Study Groups concerned, shall draw up the general plan of meetings of groups of Study Groups which are to meet in the same place during the same period.
- 225 6. The Director shall send the final reports of the Study Groups including a listing of the recommendations approved since the previous Plenary Assembly to the participating administrations, to the recognized private operating agencies, scientific or industrial organizations of the International Consultative Committee and, as occasion may demand, to such international organizations and regional telecommunication organizations as have participated. These 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 Plenary Assembly. This provision may be waived only when Study Group meetings are held immediately prior to the meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear on the agenda for the meeting of the Plenary Assembly.

ARTICLE 22

Duties of the Director. Specialized Secretariat

- 226** 1. (1) The Director of an International Consultative Committee shall coordinate the work of the Plenary Assembly and Study Groups, and shall be responsible for the organization of the work of the Committee.
- 227** (2) The Director shall be responsible for the documents of the Committee and arrange for their publication, in the working languages of the Union, with the Secretary-General.
- 228** (3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.
- 229** (4) The staff of the specialized secretariats of the International Consultative Committees shall be under the administrative control of the Secretary-General in accordance with the provisions of No. 82 of this Convention.
- 230** 2. The Director shall choose the technical and administrative personnel of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative 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.
- 231** 3. The Director shall participate as of right, but in an advisory capacity, in the deliberations of the Plenary Assembly and of the Study Groups. He shall, subject to the provisions of No. 213 of this Convention, make all necessary preparations for meetings of the Plenary Assembly and of the Study Groups.

- 232** 4. The Director shall submit to the Plenary Assembly a report on the activities of the International Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary-General for transmission to the Administrative Council.
- 233** 5. The Director shall submit to the Administrative Council at its annual session a report on the activities of the Committee during the previous year for the information of the Council and of the Members of the Union.
- 234** 6. The Director, after consultation with the Secretary-General, shall submit for the approval of the Plenary Assembly an estimate of the financial needs of the Committee up to the next meeting of the Plenary Assembly; this estimate, after approval by the Plenary Assembly, shall be sent to the Secretary-General for submission to the Administrative Council.
- 235** 7. The Director shall prepare, for inclusion by the Secretary-General in the annual budget estimates of the Union, an estimate of the expenses of the Committee for the following year, based on the estimate of the financial needs of the Committee approved by the Plenary Assembly.
- 236** 8. The Director shall participate as necessary in technical cooperation and assistance activities of the Union within the framework of the Constitution and this Convention.

ARTICLE 23

Proposals for Administrative Conferences

- 237** 1. The Plenary Assemblies of the International Consultative Committees are authorized to submit to administrative conferences proposals arising directly from their recommendations or from findings on questions under their study.

- 238** 2. The Plenary Assemblies may also make proposals for modification of the Administrative Regulations.
- 239** 3. Such proposals shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in No. 175 of this Convention.

ARTICLE 24

Relations of International Consultative Committees Between Themselves and With International Organizations

- 240** 1. (1) Plenary Assemblies of the International Consultative Committees may set up joint Study Groups to study and make recommendations on questions of common interest.
- 241** (2) The Directors of the Committees may, in collaboration with Study Group Chairmen, organize joint meetings of Study Groups of both Committees, to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the next meeting of the Plenary Assembly of each Committee.
- 242** 2. When one of the Committees is invited to participate in a meeting of the other Committee or of an international organization, the Plenary Assembly or the Director of the invited Committee is authorized to make arrangements for such representation in an advisory capacity, taking into account the provisions of No. 124 of this Convention.
- 243** 3. Meetings of an International Consultative Committee may be attended in an advisory capacity by the Secretary-General, the Deputy Secretary-General, the Chairman of the International Frequency Registration Board, the Director of the other International Consultative Committee and the Director of the Telecommunications Development Bureau, or their representatives. If necessary, an International Consultative Committee may invite to attend its meetings, in an advisory capacity, representatives of any permanent organ of the Union which has not considered it necessary to be represented.

CHAPTER IV

Rules of Procedure

ARTICLE 25

Rules of Procedure of Conferences and Other Meetings

244 The Rules of Procedure shall apply without prejudice to the amendment provisions contained in Article 44 of the Constitution and in Article 35 of this Convention:

1. Order of Seating

245 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

246 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. 250 below.

247 (2) The Chairman of the meeting of Heads of delegation shall be appointed in accordance with the provisions of Nos. 248 and 249 below.

248 2. (1) The conference shall be opened by a person appointed by the inviting government.

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

250 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.

251 (2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the Heads of delegation at the meeting described in No. 246 above.

252 4. The first Plenary Meeting shall also:

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

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

255 c) constitute the conference secretariat, made up of the staff of the General Secretariat of the Union, and, in case of need, of staff provided by the administration of the inviting government.

3. Powers of the Chairman of the Conference

256 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.

- 257 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.
- 258 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.
- 259 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. Appointment of Committees

- 260 1. The Plenary Meeting may appoint committees to consider matters referred to the conference. These committees may in turn appoint sub-committees. Committees and sub-committees may form working groups.
- 261 2. However, sub-committees and working groups shall be formed only when it is absolutely necessary.
- 262 3. Subject to the provisions of Nos. 260 and 261 above, the following committees shall be set up:
- 4.1 *Steering Committee*
- 263 a) This committee shall normally be composed of the Chairman of the conference or meeting, who shall be its Chairman, by the Vice-Chairmen of the conference and by the Chairmen and Vice-Chairmen of committees;
- 264 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*

265 This committee shall verify the credentials of delegations to the conferences and shall report on its conclusions to the Plenary Meeting within the time specified by the latter.

4.3 *Editorial Committee*

266 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.

267 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*

268 a) At the opening of each conference or meeting, 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 or meeting. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General and, where there is an inviting government, a representative of that government.

269 b) Before the budget approved by the Administrative Council for the conference or meeting is exhausted, the budget control committee, in collaboration with the secretariat of the conference or meeting, 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 or meeting after the date when the approved budget will be exhausted.

270 c) At the end of each conference or meeting, the budget control committee shall present a report to the Plenary Meeting showing, as

accurately as possible, the estimated total expenditure of the conference or meeting, as well as an estimate of the costs that may be entailed by the execution of the decisions taken by such conference or meeting.

- 271 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 Administrative Council at its next annual session.

5. Composition of Committees

5.1 Plenipotentiary Conferences

- 272 Committees shall be composed of the delegates of Members and the observers referred to in Nos. 139, 140 and 141 of this Convention who have so requested or who have been designated by the Plenary Meeting.

5.2 Administrative Conferences

- 273 Committees shall be composed of the delegates of Members and the observers and representatives referred to in Nos. 149 to 153 of this Convention who have so requested or who have been designated by the Plenary Meeting.

6. Chairmen and Vice-Chairmen of Sub-Committees

- 274 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

- 275 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

276 Proposals presented before the opening of the conference shall be allocated by the Plenary Meeting to the appropriate committees appointed 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

277 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.

278 2. No written proposal or amendment may be presented unless signed by the Head of the delegation concerned or by his deputy.

279 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.

280 4. Every proposal or amendment shall give, in precise and exact terms, the text to be considered.

281 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. 277 above.

282 (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.

283 (3) In addition, the Chairman of the conference, on receiving proposals or amendments referred to in No. 277 above, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.

284 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

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

286 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

287 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

288 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*

289 (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.

290 (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*

291 (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.

292 (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*

293 The motions and points of order mentioned in No. 291 of this Convention shall be dealt with in the following order:

294 a) any point of order regarding the application of these Rules of Procedure, including voting procedures;

295 b) suspension of a meeting;

296 c) adjournment of a meeting;

297 d) postponement of debate on the matter under discussion;

298 e) closure of debate on the matter under discussion;

- 299 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*

- 300 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*

- 301 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*

- 302 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*

- 303 (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.
- 304 (2) However, as regards questions of procedure, the Chairman shall limit the time allowed for a speech to a maximum of five minutes.

- 305** (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

- 306** (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.

- 307** (2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

12.10 Questions of competence

- 308** 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

- 309** 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

- 310** 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.

- 311** 2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Article 15 of this Convention.

14. Voting

14.1 *Definition of a majority*

- 312** (1) A majority shall consist of more than half the delegations present and voting.
- 313** (2) In computing a majority, delegations abstaining shall not be taken into account.
- 314** (3) In case of a tie, a proposal or amendment shall be considered rejected.
- 315** (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*

- 316** 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. 288 of this Convention, nor as abstaining for the purpose of applying the provisions of No. 318 below.

14.3 *Special majority*

- 317** 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

318 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

319 (1) The voting procedures are as follows:

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

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

322 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

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

324 *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.

325 (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.

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

- 327 (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*

- 328 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*

- 329 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*

- 330 (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.
- 331 (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*

- 332 (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.

- 333 (2) After each vote, the meeting shall decide whether or not the following proposal shall be voted on.

14.10 Amendments

- 334 (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.

- 335 (2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.

- 336 (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

- 337 (1) When an amendment to a proposal is submitted, a vote shall first be taken on the amendment.

- 338 (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.

- 339 (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

- 340 (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.
- 341 (2) In the Plenary Meetings a proposal, a part of a proposal or an amendment shall not be put to the vote again unless:
- 342 a) the majority of the Members entitled to vote so request, and
- 343 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**

- 344 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.
- 345 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.
- 346 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

347 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.

348 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 non-participating Member which had given that delegation proxy powers to sign the Final Acts in accordance with the provisions of Article 15 of this Convention.

17. Minutes of Plenary Meetings

349 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.

350 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.

351 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.

352 (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.

- 353 4. The right accorded in No. 352 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

- 354 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.
- 355 (2) Nevertheless, any delegation shall be entitled to invoke No. 352 above.
- 356 (3) The right accorded in No. 355 above shall in all circumstances be used with discretion.
- 357 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

- 358 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.

359 (2) Any interim or final report must be approved by the committee or sub-committee concerned.

360 2. (1) The minutes of the last Plenary Meetings shall be examined and approved by the Chairman.

361 (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

362 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.

363 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

364 The texts of the Final Acts shall be considered final when they have been approved at the second reading in Plenary Meeting.

22. Signature

365 The final texts approved by the conference 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 15 of this Convention.

23. Press Notices

366 Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman of the conference.

24. Franking Privileges

367 During the conference, members of delegations, representatives of Members of the Administrative Council, senior officials of the permanent organs 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 private operating agencies concerned.

CHAPTER V

Other Provisions

ARTICLE 26

Finances

368 1. (1) The scale from which each Member shall choose its class of contribution, in conformity with the relevant provisions of Article 17 of the Constitution, shall be as follows:

| | |
|---------------|--------------------------------------|
| 40 unit class | 4 unit class |
| 35 unit class | 3 unit class |
| 30 unit class | 2 unit class |
| 28 unit class | 1 1/2 unit class |
| 25 unit class | 1 unit class |
| 23 unit class | 1/2 unit class |
| 20 unit class | 1/4 unit class |
| 18 unit class | 1/8 unit class* |
| 15 unit class | 1/16 unit class* |
| 13 unit class | (* For the least developed countries |
| 10 unit class | as listed by the United Nations and |
| 8 unit class | other Members as determined by the |
| 5 unit class | Administrative Council.) |

369 (2) In addition to the classes of contribution listed in No. 368 above, any Member may choose a number of contributory units over 40.

370 (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.

- 371 (4) Members may at any time choose a class of contribution higher than the one already adopted by them.
- 372 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.
- 373 (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.
- 374 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.
- 375 4. The following provisions shall apply to contributions by recognized private operating agencies, scientific or industrial organizations and international organizations:
- 376 a) recognized private operating agencies and scientific or industrial organizations shall share in defraying the expenses of the International Consultative Committees in the work of which they have agreed to participate. Recognized private operating agencies shall likewise share in defraying the expenses of the administrative conferences in which they have agreed to participate, or have participated, in accordance with No. 153 of this Convention;
- 377 b) international organizations shall also share in defraying the expenses of the conferences or meetings in which they have been allowed to participate, unless they are exempted by the Administrative Council, subject to reciprocity;
- 378 c) recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings in accordance with Nos. 376 and 377 above, shall freely choose from the scale in No. 368 above their class of contribution for defraying Union expenses, with the

exception of the 1/4, 1/8 and 1/16 unit classes reserved for Members of the Union, and shall inform the Secretary-General of the class chosen;

- 379 d) recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings may at any time choose a class of contribution higher than the one already adopted by them;
- 380 e) reduction in the number of contributory units shall only be possible in accordance with the principles stipulated in the relevant provisions of Article 17 of the Constitution;
- 381 f) in the case of denunciation of participation in the work of an International Consultative Committee, the contribution shall be paid up to the last day of the month in which such denunciation takes effect;
- 382 g) the amount of the contribution per unit payable by recognized private operating agencies and scientific or industrial organizations or international organizations towards the expenses of the International Consultative Committees in the work of which they have agreed to participate shall be fixed at 1/5 of the contributory unit of Members of the Union. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 374 above;
- 383 h) the amount of the contribution per unit payable towards the expenses of administrative conferences by recognized private operating agencies which participate in accordance with No. 153 of this Convention and by participating international organizations shall be fixed by dividing the total amount of the budget of the conference 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. 374 above.
- 384 5. The sale price of publications sold to administrations, recognized private operating agencies or individuals shall be determined by the Secretary-General, in collaboration with the Administrative Council, bearing

in mind that the cost of reproduction and distribution should, in general, be covered by the sale of the publications.

385 6. 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 Administrative Council on the basis of expected requirements. At the end of each financial year 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.

ARTICLE 27

Financial Responsibilities of Administrative Conferences and Plenary Assemblies of the International Consultative Committees

386 1. Before adopting proposals with financial implications, administrative conferences and the Plenary Assemblies of the International Consultative Committees shall take account of all the Union's budgetary provisions with a view to ensuring that these proposals will not result in expenses beyond the credits which the Administrative Council is empowered to authorize.

387 2. No decision of an administrative conference or of a Plenary Assembly of an International Consultative Committee shall be put into effect if it will result in a direct or indirect increase in the expenses beyond the credits that the Administrative Council is empowered to authorize.

ARTICLE 28

Languages

388 1. (1) At conferences of the Union and at meetings of the Administrative Council and the International Consultative Committees, languages other than those mentioned in the relevant provisions of Article 18 of the Constitution may be used:

389 a) if an application is made to the Secretary-General or to the Head of the permanent organ 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;

390 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 18 of the Constitution.

391 (2) In the case provided for in No. 389 above, the Secretary-General or the Head of the permanent organ 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.

392 (3) In the case provided for in No. 390 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 18 of the Constitution.

393 2. Any of the documents referred to in the relevant provisions of Article 18 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 VI

Various Provisions Related to the Operation of Telecommunication Services

ARTICLE 29

Charges and Free Services

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

ARTICLE 30

Rendering and Settlement of Accounts

- 395 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 31 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.
- 396 2. Administrations of Members and recognized private operating agencies which operate international telecommunication services shall come to an agreement with regard to the amount of their credits and debits.
- 397 3. The statement of accounts with respect to debits and credits referred to in No. 396 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 31

Monetary Unit

398 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 32

Intercommunication

399 1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio system adopted by them.

400 2. Nevertheless, in order not to impede scientific progress, the provisions of No. 399 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.

401 3. Notwithstanding the provisions of No. 399 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 33

Secret Language

- 402** 1. Government telegrams and service telegrams may be expressed in secret language in all relations.
- 403** 2. Private telegrams in secret language may be admitted between all Members with the exception of those which have previously notified, through the medium of the Secretary-General, that they do not admit this language for that category of correspondence.
- 404** 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 24 of the Constitution.

CHAPTER VII

Arbitration and Amendment

ARTICLE 34

Arbitration: Procedure

(see Article 45 of the Constitution)

- 405** 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.
- 406** 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.

407 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.

408 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.

409 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.

410 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. 408 and 409 above, by each of the two groups of parties having a common position in the dispute.

411 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. 407 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.

412 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.

- 413 9. The arbitrator or arbitrators shall be free to decide upon the venue and the rules of procedure to be applied to the arbitration.
- 414 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.
- 415 11. Each party shall bear the expense it shall have 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.
- 416 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 35

Provisions for Amending this Convention

- 417 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.
- 418 2. Any proposed modification to any amendment submitted in accordance with No. 417 above may, however, be submitted at any time by a Member of the Union or by its delegation at the Plenipotentiary Conference.

- 419** 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.
- 420** 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.
- 421** 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.
- 422** 6. Any amendments to this Convention adopted by any Plenipotentiary Conference shall, as a whole and in the form of one single amending instrument, enter into force on the thirtieth day after the deposit with the Secretary-General by two-thirds of the Members of instruments of ratification, acceptance or approval, or of instruments of accession by Members which have not signed the amending instrument. Thereafter, such amendments shall be binding on all the Members of the Union. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.
- 423** 7. Notwithstanding No. 422 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.
- 424** 8. The Secretary-General shall notify all Members of the deposit of each instrument of ratification, acceptance, approval or accession and of the date of entry into force of any such amending instrument.

- 425 9. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 41 and 42 of the Constitution shall apply to the Convention as amended.
- 426 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. 219 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 organization authorized by the Government or the Administration of the country concerned, 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 or a regional telecommunication organization to participate in a Plenipotentiary Conference, an administrative conference or a meeting of an International Consultative Committee in an advisory capacity,
- an international organization to participate in an administrative conference or a meeting of an International Consultative Committee in an advisory capacity, or
- the government of a Member of the Union to participate in a non-voting capacity in a regional administrative 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 *Service Telecommunication:* A telecommunication that relates to public international telecommunications and that is exchanged among the following:

- administrations,
- recognized private operating agencies, and
- the Chairman of the Administrative Council, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the Director of the Telecommunications Development Bureau, the members of the International Frequency Registration Board, 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 Plenipotentiary Conference of the International Telecommunication Union

(Nice, 1989) *

The undersigned plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Plenipotentiary Conference (Nice, 1989), that they have taken note of the following declarations and reservations made at the end of that Conference:

1

Original: French

For the Democratic Republic of Madagascar:

The Delegation of the Democratic Republic of Madagascar reserves for its Government the right to take any action it deems 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 (Nice, 1989) or should reservations by other countries jeopardize the operation of its telecommunication services.

It further reserves for its Government the right not to accept any financial consequences of reservations by other governments, whether taking part or not in this Conference.

* *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: English**For the Republic of Afghanistan:*

I

The Delegation of the Republic of Afghanistan to the ITU Plenipotentiary Conference (Nice, 1989) 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 Constitution and the Convention of the International Telecommunication Union (Nice, 1989) or the annexes or the protocols attached thereto, or should the consequences of reservations by other countries jeopardize the interests, more particularly proper functioning of its telecommunication services;
2. not to accept any financial measures which would lead to an increase of its contributory share in defraying the Union expenses.

II

The Delegation of the Republic of Afghanistan to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) declares that it reserves for its Government the right to make any reservations or counter-reservations as may be required up to and including the time of ratification of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) by the Government of the Republic of Afghanistan.

III

The Delegation of the Republic of Afghanistan to the ITU Plenipotentiary Conference (Nice, 1989) does not 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.

3

*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 (Nice, 1989);
- b) to reject the consequences of any reservations made to the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) 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 (Nice, 1989) which might directly or indirectly affect the sovereign right of Côte d'Ivoire to regulate its telecommunications.

4

Original: French

For the People's Republic of the Congo:

In signing the Final Protocol of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the People's Republic of the Congo reserves for its Government the right:

1. not to accept any financial measure which may lead to an increase in contributions to the expenditure of the Union;
2. to take such action as 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 (Nice, 1989);
3. to enter any reservations it sees fit to texts contained in the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) which might on the one hand jeopardize its telecommunication services and on the other, directly or indirectly affect its sovereignty.

5

Original: French

For the Republic of Guinea:

The Delegation of the Republic of Guinea 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 (Nice, 1989), or should reservations by other countries jeopardize its telecommunication services.

6

Original: Spanish

For Ecuador:

The Delegation of Ecuador reserves for its Government the right:

- a) to take any necessary action to safeguard its natural resources, telecommunication services and other interests, should they be jeopardized by any failure to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) and their Protocol(s) and Annex(es), or by reservations made by other countries Members of the Union; and
- b) to take any other decision consistent with its national laws and with international law to protect its sovereign rights.

7

Original: Spanish

For Peru:

The Delegation of Peru reserves for its Government the right:

1. to take such action as it may consider necessary to protect its interests, should other Members of the Union fail in any way to comply with the provisions of the Constitution, the Convention or the related Regulations, or should the reservations made by them jeopardize its telecommunication services;
2. to accept or not to accept the consequences of any reservations which might lead to an increase in its share in defraying the expenses of the Union;
3. to make any other declaration or reservation until such time as this Constitution and the Convention of the International Telecommunication Union (Nice, 1989) are ratified.

8

Original: French

For the Rwandese Republic:

The Delegation of the Rwandese Republic to the Plenipotentiary Conference, (Nice, 1989), reserves for its Government the right to take any action necessary to safeguard its interests:

- should any Member not share in defraying the expenses of the Union thereby causing an increase in the contributory shares of the other Member countries;
- should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or its Annexes or the Protocols attached thereto; or
- should reservations by other administrations jeopardize the proper operation of its telecommunication services.

9

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 and other Final Acts of the International Telecommunication Union (Nice, 1989);
3. to make whatever reservations it shall deem appropriate in respect of any text in the Constitution and the Convention and other Final Acts of the International Telecommunication Union (Nice, 1989) which may directly or indirectly affect its sovereignty.

10

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

The Sudanese Delegation reserves for its Government the right to take any action which it considers necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union or should they fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or its Annexes or Protocols attached thereto, or should reservations by other countries endanger in any way the telecommunication services of the Republic of Sudan.

11

*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 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 (Nice, 1989), 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.

12

*Original: English**For the Hungarian People's Republic:*

The Delegation of the Hungarian People's Republic 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 interest 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 approval of the Convention of the International Telecommunication Union (Nice, 1989).

13

Original: French

For the People's Democratic Republic of Algeria:

The Delegation of the People's Democratic Republic of Algeria to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves for its Government the right to take such action as it may consider necessary to protect its interests, should any Members fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or should the reservations made by other Members jeopardize its telecommunication services or lead to an increase in Algeria's share in defraying the expenses of the Union.

14

Original: French

For the Republic of Zaire:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), the Delegation of the Republic of Zaire reserves for its Executive Council (its Government) the right to take such action as it may consider necessary to safeguard its interests should any Members fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or the Annexes and Protocols attached thereto, or should reservations by other countries jeopardize its telecommunication services.

15

Original: English

For the Republic of Afghanistan, the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the State of Bahrain, the People's Republic of Bangladesh, the Republic of Djibouti, the United Arab Emirates, the Islamic Republic of Iran, the Republic of Iraq, the Hashemite Kingdom of Jordan, the State of Kuwait, Lebanon, the Socialist People's Libyan Arab Jamahiriya, the Kingdom of Morocco, the Sultanate of Oman, the Islamic Republic of Pakistan, the State of Qatar, the Syrian Arab Republic, the Somali Democratic Republic, the Republic of the Sudan, Tunisia, the Yemen Arab Republic, the People's Democratic Republic of Yemen

The above-mentioned Delegations to the Plenipotentiary Conference (Nice, 1989) declare that the signature and possible ratification by their respective Governments of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), 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.

16

*Original: English**For Malawi:*

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of Malawi 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 way 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.

17

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

The Delegation of the People's Republic of Bangladesh reserves the right of its Government to take any action it may deem necessary to safeguard its interests:

1. if reservations made by other governments, Members of the Union, result in an increase in its contributory share in defraying the expenses of the Union;

2. should any Member in any way fail to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), its Annexes or the Protocols attached thereto; or

3. should reservations made by other Members tend to jeopardize the operation of its own telecommunication services.

18

Original: English

For the Republic of Zambia:

The Delegation of the Republic of Zambia to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) 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 (Nice, 1989) or should reservations by such Members directly or indirectly affect the operations of its telecommunication services or its sovereignty.

19

Original: French

For the People's Republic of Benin:

The Delegation of the People's Republic of Benin to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) 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 (Nice, 1989), 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.

20

Original: English

For Ghana:

The Ghana Delegation reserves, for its Government, the right to take any measures it considers necessary to protect its interests should the non-compliance of and reservations to the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) or their Annexes or the Protocols thereto, by other Members of the Union jeopardize its telecommunication services.

21

*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 (Nice, 1989) or their Annexes or the Protocols attached thereto, or should reservations by any countries jeopardize its telecommunication services.

22

*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 (Nice, 1989) or the Annexes and Regulations annexed thereto or should reservations by other countries jeopardize its telecommunication services.

23

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

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the Federal Republic of Nigeria hereby declares that its Government reserves the right to:

1. take any action which it considers 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 (Nice, 1989) or the Annexes and Protocols attached thereto, or should reservations by other countries endanger in any way the telecommunication services of the Federal Republic of Nigeria;
2. make any statement or reservation until the time of ratification of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

24

Original: Spanish

For Chile:

In signing the Constitution and the Convention of the International Telecommunication Union, the Delegation of Chile to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) declares that it reserves for its Government the right to make any reservations it may consider or deem necessary or appropriate to protect and safeguard its national rights and interests, should any Member States of the Union fail in any way to observe or comply with the provisions of the present 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.

Moreover, it 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.

25

Original: English

For the Islamic Republic of Pakistan:

The Delegation of Pakistan reserves the right to accept or not to accept the implication of the reservations by other Members or of the failure on the part of any other Member of the Union to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), and Protocols annexed thereto.

The Delegation of Pakistan 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 Pakistan of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

26

Original: French

For the Republic of the Niger:

The Delegation of the Niger to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves for its Government the right:

1. to take such action as it may consider necessary should any Members of the Union fail in any way to comply with the provisions of the Constitution, the Convention, and Regulations of the International Telecommunication Union,

(Nice, 1989) or should reservations by such Members jeopardize the operation of its telecommunication services;

2. to accept or not to accept the consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

27

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

The Delegation of the Republic of Chad declares that its Government reserves the right to take any action 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 Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) or should reservations by other countries jeopardize its telecommunication services in any way.

28

*Original: French**For the Central African Republic:*

The Delegation of the Central African Republic to the Plenipotentiary Conference (Nice, 1989) declares that its Government reserves the right to take all necessary action to safeguard its interests should any Members of the Union:

- either fail to observe the provisions of the Constitution, the Convention, and/or the Administrative Regulations of the International Telecommunication Union (Nice, 1989);
- or make reservations or take decisions likely to result in an increase in its contributory share in defraying the expenditure of the Union or to jeopardize its telecommunication services.

29

*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 (Nice, 1989), 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.

30

Original: English

For the Republic of Indonesia:

The Delegation of the Republic of Indonesia to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989):

1. reserves the rights of its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any provisions of the Constitution, the Convention and the Resolutions as well as any decision of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Republic of Indonesia, as well as with the rights of the Republic of Indonesia which exist and may result from any principles of international law;

2. further reserves the rights of 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 (Nice, 1989), or should the consequences of reservations by any Member jeopardize its telecommunication services or result in an increase in its contributory share for defraying the expenses of the Union.

31

Original: English

For the Somali Democratic Republic:

The Delegation of the Somali Democratic Republic to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves for its Government the right:

1. to take such action as it may consider necessary to safeguard and protect its interests should certain Members of the Union fail in any way to comply with provisions of the Constitution, the Convention, and Regulations of the International Telecommunication Union (Nice, 1989), or should reservations by such Members jeopardize the operation of its telecommunication services;

2. not to accept the consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

32

Original: English

For the Republic of Singapore:

The Delegation of the Republic of Singapore reserves on behalf of its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members of the Union not share in defraying the expenses of the Union, or should any Member fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or the International Telecommunication Convention (Nairobi, 1982) whichever is applicable to such Member concerned, or should reservations by other countries cause or tend to cause an increase in its contributory share in defraying the Union expenses, or jeopardize its telecommunication services, or should any other action taken or intend to be taken by any person, natural or juridical encroach or tend to encroach upon its sovereignty or in any other way affect its sovereignty.

The Delegation of the Republic of Singapore further reserves on behalf of its Government the right to make such additional reservations as may be necessary up to and including the time of ratification by the Republic of Singapore of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

33

Original: English

For the Socialist People's Libyan Arab Jamahiriya:

The Delegation of the Socialist People's Libyan Arab Jamahiriya reserves for its Government the right to accept or refuse to accept the consequences of any reservations made by other countries which might lead to an increase in its contributory share in defraying Union expenses, and to take such action as it deems necessary to safeguard its interests and telecommunication services should any Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

34

Original: Russian

For the Mongolian People's Republic:

The Delegation of the Mongolian People's Republic 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 (Nice, 1989).

35

Original: English

For Nepal:

The Delegation of Nepal reserves the right of its Government to take any action it deems necessary to safeguard its interests should certain Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or its Annexes or the Protocols attached thereto, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

36

Original: English

For the Republic of Liberia:

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the Republic of Liberia hereby declares that its Government reserves the right to take any action which it considers necessary to safeguard its interests should certain Members fail in any way to comply with the requirements of this Constitution and this Convention or should reservations by other countries endanger in any way the telecommunications services and privileges of the Republic of Liberia.

37

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 the Convention of the International Telecommunications Union (Nice, 1989), 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.

38

Original: English

For Antigua and Barbuda, the Commonwealth of the Bahamas, Barbados, Jamaica and Trinidad and Tobago:

The Delegations of the above-mentioned countries reserve for their Governments the right to take such action as their Governments may consider necessary to safeguard their interests should any Member or Members of the Union not share in defraying the expenses of the Union, or should any Member or Members fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or should reservations by other Members jeopardize the telecommunication networks and services of the above-mentioned countries.

39

Original: English

For Saint Vincent and the Grenadines:

In signing these Final Acts, subject to formal ratification, the Delegation of Saint Vincent and the Grenadines reserves for its Government the right to take any action it deems 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 (Nice, 1989), their Annexes or Protocols attached thereto, or should reservations by other Members either lead to an increase in its contributory share in defraying Union expenditure or jeopardize the operation of its telecommunication services.

40

Original: English

For Mauritius:

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of Mauritius declares that it reserves the rights of its Government to take any measures to safeguard its interests, should any Member in any way not comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

This Delegation also declares that it reiterates the reservations it made on behalf of its Government when it signed the International Telecommunication Regulations (Melbourne, 1988).

41

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 (Nice, 1989) 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.

42

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 (Nice, 1989), or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize its telecommunication services.

43

*Original: French**For Burkina Faso:*

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 together with the Convention of the International Telecommunication Union (Nice, 1989) and/or their respective Annexes;
2. should any Members not pay their share of the Union's expenses;
3. should reservations by other Members be likely to jeopardize the technical and/or commercial operation of its telecommunication services.

FATHERLAND OR DEATH, WE SHALL CONQUER!

44

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

The Delegation of the Kingdom of Bhutan reserves the right of its Government to take any action it deems necessary to safeguard its interests should certain Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or its Annexes or the Protocols attached thereto, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

45

*Original: French**For the Togolese Republic:*

The Delegation of the Togolese Republic to the Plenipotentiary Conference (Nice, 1989) reserves for its Government the right to take any action necessary to safeguard its interests:

1. should any country not observe the terms of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989);

2. should reservations made by Members of the Union interfere in one way or another with its telecommunication services;

3. should any decisions lead to an increase considered too large in its contributory share in defraying the expenses of the Union.

46

Original: Spanish

For Costa Rica:

1. The Delegation of Costa Rica to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves for its Government the right to take any decisions it deems necessary, in accordance with the Constitution and with national and international law, to protect its country's rights with regard to telecommunication services.

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

47

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 fail to comply with the provisions of the Constitution or the Convention of the International Telecommunication Union (Nice, 1989), or should reservations by other countries jeopardize the telecommunication services of Sri Lanka.

48

Original: Spanish

For the Federative Republic of Brazil:

In signing these Final Acts, subject to approval by its National Congress, the Delegation of the Federative Republic of Brazil reserves for its Government the right to take all necessary measures to safeguard its interests should other Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) and the Regulations annexed thereto, or should reservations by other Members either lead to an increase in its

contributory share in defraying Union expenditure or jeopardize the development and operation of its telecommunication services.

49

Original: English

For the Czechoslovak Socialist Republic:

While signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) the Czechoslovak Socialist Republic reserves its right to make any further reservation or reservations to the basic documents of the International Telecommunication Union adopted by the said Conference until the moment when the final consent of the Czechoslovak Socialist Republic to be bound by the above-mentioned documents will be expressed.

The signature of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) does not mean the consent of the Czechoslovak Socialist Republic to be bound by the Administrative Regulations of the International Telecommunication Union.

50

Original: English

For Iceland:

The Delegation of Iceland to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) declares on behalf of its Government the following:

The Final Acts of the World Administrative Radio Conference for the Mobile Services (Geneva, 1987) would impose on all countries rigid obligations to require on-board passenger ships with more than 12 passengers and on-board cargo ships of 300 tons gross tonnage and upwards engaged on international voyages beyond the range of MF coast stations, the carriage of personnel certificated for the maintenance of shipborne equipment for distress and safety communications. These obligations would be inconsistent with the actions of the Maritime Safety Committee of the International Maritime Organization which, in May 1987, endorsed the principle of flexibility in the choice of means of maintaining shipborne equipment for distress and safety purposes.

The Administration of Iceland does not accept any of the new obligations which might be held to stem from Articles 55(Rev.) and 56(Rev.) of the current Radio Regulations relating to the mandatory carriage on-board ships of personnel certificated for the on-board maintenance of shipborne radio and electronic equipment.

The Administration will take action by all appropriate means to ensure the necessarily high standards of maintenance and operational availability of shipborne radio equipment essential for distress and safety communications.

51

Original: English

For the Socialist Federal Republic of Yugoslavia:

In signing these Final Acts, subject to formal ratification, the Delegation of the Socialist Federal Republic of Yugoslavia reserves for its Government the right to take any action it deems 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 (Nice, 1989), their Annexes or Protocols attached thereto, or should reservations by other Members either lead to an increase in its contributory share in defraying Union expenditure or jeopardize the operation of its telecommunication services.

52

Original: English

For the People's Democratic Republic of Ethiopia:

In signing the Final Acts of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the People's Democratic Republic of Ethiopia reserves for its Government the right:

1. 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 which might lead to an increase in its contributory share;
2. to take any action it may deem necessary to safeguard and protect its interests should any Member of the Union fail to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or should the reservations made by any Member jeopardize the telecommunication services of the People's Democratic Republic of Ethiopia;
3. to make whatever reservations it shall deem appropriate with respect to any texts included in the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) which may directly or indirectly affect its sovereignty and also to make any other declaration or reservation until such time that it ratifies this Constitution and the Convention.

53

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

In signing this Convention, and the subsequent ratification thereof, the Government of the Republic of Zimbabwe makes the following reservation:

1. that in no way does its signature condone the aggressive actions of Israel against its neighbours;
2. that in no way does it recognize the apartheid policies of South Africa, its aggressive actions in Namibia and its destabilization activities against the Southern African Region.

The Delegation of the Republic of Zimbabwe also reserves for its Government the right to take such action as it considers necessary to protect its interests should the actions of certain other Members of the Union fail to defray the expenses of the Union, or in any other way fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or its Annexes or the Protocols attached thereto, or should the reservations of other countries jeopardize its telecommunication services.

54

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

The above-mentioned Delegations to the Plenipotentiary Conference (Nice, 1989) declare that their Governments reserve the right to take such action as it may consider necessary to safeguard their interests should any Members 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 (Nice, 1989), or their Annexes or the Protocols or the Resolutions attached thereto, or should reservations made by any Members jeopardize their telecommunication services.

55

*Original: French**For Greece:*

In signing the Final Acts of the 13th Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), 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 rights and legitimate interests should any Member States of the International Telecommunication Union fail in any way to comply with the provisions of these Final Acts and the Annexes thereto;
 - b) to make, under the Vienna Convention on the Law of Treaties of 1969, reservations to the Final Acts at any time it sees fit between the date of signature and the date of ratification of the instruments in question and to any other Final Act of other relevant conferences of the Union that has not yet been ratified;
 - c) not to be bound by the provisions of Article 43, paragraphs 1 to 7, of the Constitution and Article 25, Section 16, paragraphs 1 and 2, of the Convention of the International Telecommunication Union (Nice, 1989), insofar as they limit the exercise of its sovereign right to make reservations solely to the time of signing the Final Acts of the conferences and other meetings of the Union;
 - d) 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.

For the German Democratic Republic:

The Delegation of the German Democratic Republic reserves for its Government the right to make any statements or reservations that may be necessary up to and including the moment of ratification of the basic instruments of the International Telecommunication Union (Nice, 1989).

57

*Original: French**For the Socialist Republic of Romania:*

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), the Delegation of the Socialist Republic of Romania reserves for its Government the right:

1. to take any measures it deems necessary regarding the financial consequences that might arise from the Final Acts of the Conference or from the reservations made by other Member States, including those involving an increase in its contributory share in defraying the expenses of the Union;
2. to make any reservation and/or statement until the time of ratification of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

58

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

In signing the Final Acts of the Plenipotentiary Conference (Nice, 1989), the Delegation of the Republic of Senegal declares, on behalf of its Government, that it accepts no consequence of any reservations by other governments which might lead to an increase in its contributory share in defraying the expenses of the Union.

Furthermore, the Republic of Senegal 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 of the International Telecommunication Union (Nice, 1989), or the Annexes and Protocols thereto, or should reservations by other countries tend to jeopardize the proper operation of its telecommunication services.

59

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

The Delegation of the Republic of Mali declares that its Government cannot accept any increase in its contributory share in the budget of the Union as a result of the failure of any country to settle its contributions and other related

expenditure or to comply with the present instruments (the Constitution and the Convention of the International Telecommunication Union (Nice, 1989)), or as a result of reservations made by other countries.

It also reserves for its Government the right to take any action which may be necessary to safeguard its interests in the field of telecommunications should any Member country fail to comply with the Nice 1989 instruments (the Constitution and the Convention).

60

Original: Russian

For the People's Republic of Bulgaria:

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the People's Republic of Bulgaria declares that it reserves the right of its Government to make any statements or reservations when ratifying the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

61

Original: Russian

For the People's Republic of Bulgaria, the German Democratic Republic and the Czechoslovak Socialist Republic:

The Delegations of the above-mentioned countries reserve the right of their Governments not to support any financial measures which may entail an unjustified increase in the share of their contributions to defraying the expenses of the Union, and also the right to take any action they may deem necessary to safeguard their interests.

62

Original: Spanish

For Mexico:

The Delegation of Mexico declares on behalf of its Government that:

1. it reserves for its Government the right to take any measures it considers necessary to safeguard its interests should any other Members fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the related Administrative Regulations and the Protocols thereto;

2. it reserves for the Government of Mexico the right to take any appropriate measures to safeguard its interests should any other Members fail to

comply with their financial obligations towards the Union, thus giving rise to an increase in Mexico's contribution; and

3. it reserves the right in the event, to enter any further appropriate reservation at such time as the Government of Mexico ratifies the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

63

Original: Spanish

For Cuba:

On signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), the Delegation of the Republic of Cuba, as representative of and on behalf of its Government,

denounces

The interventionist and aggressive escalation by the Government of the United States of America in establishing radio and television transmitters directed against the people of Cuba, using the radio frequency spectrum and the geostationary-satellite orbit in frank and malicious violation of the principles and provisions that govern international telecommunications.

As the Government of Cuba has been complaining since 1960, the Government of the United States of America is constantly and repeatedly violating No. 2666 of the Radio Regulations, hindering the development of Cuba's medium-wave broadcasting services and causing harmful interference to Cuban stations in that service.

Without abandoning these hostile actions, it has made public its plan to start television broadcasts from its territory against our country, for which purpose it is seeking to establish a transmitter in that service located in a captive balloon over 3000 metres above the Florida Keys, with antennas directed at Cuban territory, which will cause harmful interference with our country's radio services and place an additional limitation on their development.

Faced with this situation and the evident intention of the United States Administration to continue pursuing such practices in violation of the basic principle of the ITU of "facilitating ... relations [and] cooperation ... among peoples by means of efficient telecommunication services", the Cuban Administration declares that it reserves the right to adopt any measures it considers necessary, including broadcasts to United States of America territory on the frequencies it considers most appropriate in order to safeguard its rights and respond adequately to the radio and television broadcasts aimed at Cuba from the United States of America.

The consequences of the actions that the Cuban Administration considers itself obliged to adopt through the devious activities of the Government of the United States of America will be the full and sole responsibility of that Government,

declares

That it in no way recognizes the notification, registration or use of frequencies by the United States of America Government on that part of Cuban territory in the province of Guantánamo that is illegally occupied against the wishes of the Cuban people.

The use of radio frequencies by the United States of America Government on the territory it occupies in Guantánamo, Cuba, is an obstacle to Cuba's radio services and to our country's sovereignty over the radio frequency spectrum, which is a limited resource, so that Cuba reserves the right it has to take any action necessary to safeguard its legitimate interests.

That it does not accept arbitration as a means of settling disputes with other Members of the Union.

reserves

The right for its Government to take any 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 the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), and the Annexes, Protocols and Telephone, Telegraph and Radio Regulations attached thereto, or should reservations by other Members or Administrations jeopardize Cuba's telecommunication services technically, operationally or economically.

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 this Convention, or its 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, No. 28 of the Constitution of the International Telecommunication

Union (Nice, 1989) that it maintains the reservations made on behalf of the Federal Republic of Germany when signing the Regulations mentioned in Article 4, No. 28.

3. The Federal Republic of Germany declares that it will only apply amendments adopted in accordance with Article 44 of the Constitution of the International Telecommunication Union (Nice, 1989) and Article 35 of the Convention of the International Telecommunication Union (Nice, 1989) when the constitutional requirements for their application are met.

65

*Original: French**For the Republic of Cape Verde:*

The Delegation of the Republic of Cape Verde to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail to comply with the provisions of the instruments of the International Telecommunication Union referred to in Article 4 of the Constitution or with those of the Annexes or Protocols attached thereto, and to accept or not to accept any financial measure which might lead to an increase in its contributory share.

66

*Original: English**For the Syrian Arab Republic:*

The Delegation of the Syrian Arab 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 (Nice, 1989), or should the reservations made by such Member jeopardize its telecommunication services or lead to an increase in Syria's share in defraying the expenses of the Union.

67

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

The Delegation of the State of Israel, on behalf of its Government, declares that Resolution No. 64 is based on false allegations. Resolution No. 64

appears to be dictated by an attempt to politicize the ITU; it actually disregards the great advances in telecommunication services achieved in the territories during the last twenty years.

Resolution No. 64 is therefore rejected by the Government of the State of Israel.

68

Original: English

For the Socialist Republic of Viet Nam:

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the Socialist Republic of Viet Nam declares that:

1. It reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Members fail in any other way to comply with the provisions of the Constitution and the Convention, or its Annexes or the Protocols attached thereto or should reservations by other countries jeopardize the operation of its telecommunication services or lead to an increase in Viet Nam's share towards defraying the expenses of the Union.

2. It maintains the reservations made on behalf of the Socialist Republic of Viet Nam at the Plenipotentiary Conference (Nairobi, 1982) and the following world administrative conferences.

69

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 (Nice, 1989), 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.

Original: English

For the Republic of the Philippines:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), the Delegation of the Republic of the Philippines reserves for its Government the right to take any action it deems necessary and sufficient, in accordance with the country's constitutional laws, to safeguard its interests should reservations made by any Member jeopardize the operation of its telecommunications, entail an increase of its contributory share in defraying the expenses of the Union, or prejudice its rights as a sovereign country, including the non-compliance of the Constitution and the Convention, as well as the Annexes and Protocols attached thereto, by other Member countries.

The Philippine Delegation further reserves the right to submit additional declarations or reservations prior to the deposit of the instrument of ratification of the Constitution and Convention by the Government of the Republic of the Philippines.

Original: English

For Denmark, Finland, Iceland, Norway and Sweden:

At the time of signing the Final Acts of the Nice Plenipotentiary Conference:

1. The Delegations of the above-mentioned countries formally declare with regard to Article 43 of the Constitution of the International Telecommunication Union (Nice, 1989), that they maintain reservations made on behalf of their Administrations when signing the Regulations mentioned in Article 43.
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 (Nice, 1989) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

72

Original: English

For the Republic of 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 (Nice, 1989), or its Annexes or Protocol attached thereto, or should reservations by other countries jeopardize its telecommunication services.

73

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 43 of the Constitution of the International Telecommunication Union (Nice, 1989), 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.

74

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 (Nice, 1989), or the Optional Protocol, or should reservations by other Members jeopardize the proper operation of its telecommunication services.

Original: Spanish

For the Argentine Republic:

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

1. that any reference made in the Final Acts of the Plenipotentiary Conference (Nice, 1989) or in any other document of the Conference, to the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands under the erroneous denomination of "Falkland Islands and Dependencies" in no way prejudices the sovereign rights of the Argentine Republic over these islands;

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 (Nice, 1989), or the Annexes thereto, or should reservations by other Members jeopardize the operation of its telecommunication services.

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 (Nice, 1989), or its Annexes or the Protocols or Regulations attached thereto, or should reservations by other countries jeopardize its telecommunication services.

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 (Nice, 1989), or the Annexes or Protocols thereto, or in the event that reservations made by other countries should jeopardize the operation of its telecommunication services.

78

Original: French

For the Gabonese Republic:

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

1. to take the necessary measures 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 (Nice, 1989), or should reservations by other Members jeopardize the operation of its telecommunication services;
2. to accept or not to accept the possible financial consequences of such reservations.

79

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 (Nice, 1989), consent to be bound by the Administrative Regulations adopted prior to the date of signature of this Constitution and the Convention. 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, adopted subsequent to the date of signature of this Constitution and the Convention without its specific consent to be bound expressed by ratification, acceptance, approval, or accession.

The United States of America, reserves the right to express its consent to be bound by any amendment to the Constitution and the Convention irrespective of the fact that it may be contained in a single amending protocol.

The United States of America, concerned by the inability of the Plenipotentiary Conference to complete its substantive work by the time required for

submission of reservations, reserves the right to make additional specific reservations at the time of deposit of its instrument of ratification to the Constitution and the Convention of the International Telecommunication Union.

80

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

The Delegation of the Republic of Paraguay to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989), reserves for its Government the right to take any action it may deem necessary to safeguard its interests, should they be adversely affected by the failure of other Members of the Union to comply with any provision of the Constitution and the Convention of the International Telecommunication Union, or the Administrative Regulations, or by reservations made by other Members. Furthermore, it will not accept the consequences of any reservations entered by other Members which might entail an increase of its contribution to defraying the expenses of the Union.

81

*Original: English**For Turkey:*

The Delegation of the Republic of Turkey to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves the right of its Government to take any action it may deem necessary to protect its interests if reservations made by other Members of the Union lead to an increase in its contributory share in defraying the expenses of the Union.

Furthermore, the Delegation reserves the right of its Government to effect a percentage reduction of Turkey's share under any head or subhead of the budget, should any of the reservations made by other parties result in non-payment by those parties in respect of such head or subhead.

82

*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 (Nice, 1989), 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 (Nice, 1989), 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 (Nice, 1989), *inter alia* the provisions of Nos. 199 and 206 of the Constitution and No. 422 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 (Nice, 1989), are ratified.

For the Republic of Colombia:

The Delegation of Colombia declares that:

1. It reserves for its Government the right to take any action it may deem necessary, consistent with its national laws and with international law, to safeguard its national interests, should other Members fail to comply with the Constitution or the Convention of the International Telecommunication Union (Nice, 1989), or should reservations by representatives of other States jeopardize its telecommunication services or its full sovereign rights.

2. It reaffirms, in their essence and in the light of the new provisions introduced into the Constitution and the Convention (Nice, 1989), reservations Nos. 40, 42 and 79 adopted at the World Administrative Radio Conference (Geneva, 1979).

3. It does not accept the application of those provisions which, in respect of amendments to the Constitution or the Convention (Nice, 1989), provide that they shall be binding on all Members of the Union, including those which may not have subscribed to, approved or ratified the treaties or Protocols containing those

amendments; consequently, it will regard as binding only those amendments to which Colombia has expressly and formally signified its consent.

By the same token, Colombia reserves the right to accept or not to accept, partly or wholly, the amendments made to the Constitution, the Convention (Nice, 1989), or the other international instruments of the Union.

4. It reserves the right to recognize the obligatory character of IIU international instruments, including the Constitution, the Convention, the Protocols, the Administrative Regulations, etc., only insofar as each one of them has been expressly accepted and ratified by its Government; it therefore does not accept the application either of such clauses as stipulate provisional validity in certain cases, or of those whereby a Member shall be bound by certain rules, by presumed or tacit consent.

5. It reserves for its Government the right to make other statements or reservations until such time as Colombia has ratified the Constitution and the Convention (Nice, 1989).

84

*Original: English**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 (Nice, 1989), that they maintain the reservations made on behalf of their Administrations when signing the Regulations mentioned in Article 4.

85

*Original: English**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 (Nice, 1989), 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.

86

Original: English

For Austria:

The Delegation of Austria reserves for its Government the right to apply amendments adopted in accordance with Article 44 of the Constitution of the International Telecommunication Union (Nice, 1989), and Article 35 of the Convention of the International Telecommunication Union (Nice, 1989), only after the constitutional requirements for their application are met.

87

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 (Nice, 1989) and the Administrative Regulations which supplement them, or should the reservations made by other countries jeopardize the operation of its telecommunication services or entail an increase in its contributory share to the expenditure of the Union.

88

Original: French

For the Republic of Cameroon:

The Delegation of the Republic of Cameroon to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) declares that its Government reserves the right to take all necessary measures to safeguard its interests should the reservations by other delegations or any failure to comply with the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) tend, in its opinion, to jeopardize the proper operation of its telecommunication services.

Furthermore, the Government of the Republic of Cameroon refuses in advance to accept the consequences of any reservations made by other delegations to this Conference which might lead to an unsolicited increase in its contribution to the expenditure of the Union.

89

*Original: English**For the United Republic of Tanzania:*

The Delegation of the United Republic of Tanzania to the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) reserves the right of its Government to take any action it may deem necessary to safeguard its interests in the event of any Members failing in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or should reservations by other Members jeopardize its telecommunication services or lead to an increase in its contributory share in defraying the expenses of the Union.

90

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

At the time of signing the Final Acts of the ITU Plenipotentiary Conference (Nice, 1989) the Delegations of Italy and Cyprus making this statement declare that their Administrations do not accept any of the new obligations stemming from Articles 55(Rev.) and 56(Rev.) of the Radio Regulations relating to the mandatory carriage on board ships personnel certificated for the on-board maintenance of shipborne radio and electronic equipment.

Our Administrations will take action by all appropriate means to ensure the necessarily high standards of maintenance and operational availability of shipborne radio equipment essential for distress and safety communications.

91

*Original: Russian**For the Byelorussian Soviet Socialist Republic, the People's Republic of Poland, the Union of Soviet Socialist Republics and the Ukrainian Soviet Socialist Republic:*

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 (Nice, 1989).

92

Original: Russian

For the Byelorussian Soviet Socialist Republic, the Mongolian People's Republic, the People's Republic of Poland, the Union of Soviet Socialist Republics and the Ukrainian Soviet Socialist Republic

In signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegations of the above-mentioned countries declare, on behalf of their respective Governments, that they will not recognise any financial decision which might lead to an increase in Members' annual contributory share after the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) and that they reserve their position with regard to any proposal entailing expenditure in excess of the total amount of the Union's budget for 1990.

93

Original: English

For the People's Republic of China:

At the time of signing this Constitution and the Convention, the Delegation of the People's Republic of China hereby declares that it reserves for its Government the right to take any action it may consider 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 (Nice, 1989), or should reservations made by any Members jeopardize the operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

94

Original: Spanish

For the Republic of Venezuela:

With regard to Article 45 of the Constitution of the International Telecommunication Union and Article 34 of the Convention of the International Telecommunication Union (Nice, 1989), Venezuela reiterates that it does not accept arbitration as a means of settling international disputes.

95

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

I

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 (Nice, 1989), or the Annexes attached thereto, or should reservations by other countries jeopardize their interests.

II

The Delegation of the United Kingdom of Great Britain and Northern Ireland expresses its serious concern about the process by which the Plenipotentiary Conference (Nice, 1989), arrived at the financial ceilings in Decision No. 1.

In particular, the Delegation of the United Kingdom of Great Britain and Northern Ireland refers to the failure to attempt systematically to set priorities between the proposed expenditures of the Union and the failure until the penultimate day of the Conference to engage in serious debate about the financial resources likely to be available to the Union over the coming years. The rate of growth in expenditure implicit in the ceilings ultimately set for 1990-1994 does not have the endorsement of the Delegation of the United Kingdom of Great Britain and Northern Ireland, which reserves its position in this respect.

96

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

The Delegation of the United Kingdom of Great Britain and Northern Ireland reserves for the Government of Kiribati 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 (Nice, 1989), or the Annexes attached thereto, or should reservations by other countries jeopardize their interests.

97

Original: Spanish

For Spain:

The Delegation of Spain declares on behalf of its Government that, so far as it is concerned, the word "country" used in the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), with reference to Members and their rights and obligations, is synonymous with "sovereign State" and has the same value, scope and legal and political content.

98

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.

99

Original: English

For the Republic of Uganda:

The Delegation of the Republic of Uganda reserves the right of its Government to take any action it deems 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 (Nice, 1989), its Annexes or Protocols attached thereto, or should the reservations by other countries in any way jeopardize the telecommunication services of the Republic of Uganda.

100

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 (Nice, 1989), 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 (Nice, 1989).

101

Original: English

For the Federal Republic of Germany:

The Delegation of the Federal Republic of Germany declares that paragraph 3 of its reservation, which is included in the declarations and reservations under No. 64, shall equally apply to amendments adopted in accordance with Article 48, No. 223, of the Constitution of the International Telecommunication Union (Nice, 1989).

102

Original: English

For Australia:

The Delegation of Australia is extremely concerned that the financial ceilings established by the Plenipotentiary Conference represent a significant departure from the principle of zero real growth. Moreover, they reflect a failure to set priorities among current and proposed expenditure items.

The Delegation of Australia, noting the magnitude of increases in Decision No. 1 for the period 1990 to 1994, reserves the position of the Australian Government with respect to its financial obligations pursuant to that decision on expenses of the Union for the period 1990 to 1994.

103

Original: English

For Canada:

The Delegation of Canada, noting the magnitude of the increases in the financial ceilings contained in Decision No. 1 of the Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989) for the expenses of the Union for the years 1990 onwards, reserves the position of its Government with respect to the acceptance of the financial obligations therein.

Original: English

For Japan:

The Delegation of Japan on behalf of its Government makes the following declaration:

1. Ratification, acceptance or approval of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) by the Government of Japan, will also constitute consent to be bound by the Administrative Regulations adopted by competent World Administrative Conferences prior to the date of signature (30 June 1989) of the Constitution and Convention in accordance with paragraph 2 of Article 43 of the Constitution, except Articles 55(Rev.) and 56(Rev.) of the Radio Regulations, done at Geneva in 1987, relating to the mandatory carriage on board ships of personnel certificated for the on-board maintenance of shipborne radio and electronic equipment.

2. With regard to the Articles referred to above, the Government of Japan will take action by all appropriate means to ensure the necessarily high standards of maintenance and operational availability of shipborne radio equipment essential for distress and safety.

Original: English

For the Republic of India:

1. In signing the Final Acts of the Plenipotentiary Conference (Nice, 1989), 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 interests 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 (Nice, 1989), or the Administrative Regulations.

106

*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 (Nice, 1989), 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 Delegation of the Netherlands being obliged to adhere to the principle of zero real growth for budgetary matters concerning all specialized organizations, is deeply concerned by the financial ceilings established by the Plenipotentiary Conference (Nice, 1989) for the period 1990 to 1994 inclusive.

Noting the magnitude of the increases involved, the Delegation of the Netherlands reserves the position of its Government with respect to the budgetary ceilings as mentioned in Decision No. 1 and its financial obligations pursuant to this Decision.

III

The Netherlands Delegation formally declares, with regard to Article 43 of the Constitution of the International Telecommunication Union (Nice, 1989), that it maintains the reservations made on behalf of its Government when signing the Administrative Regulations mentioned in Article 4.

107

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

1. The declaration made by certain Delegations in No. 15 of Declarations and Reservations, 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.

The Government of the State of Israel will, insofar 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 Israel further notes that Declaration No. 15 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.

108

Original: French

For the People's Democratic Republic of Algeria:

Further to its statement No. 13 and having taken note of the reservations in Nos. 63 and 94 of Document 523 of this Conference, the People's Democratic Republic of Algeria also declares that signature of the Final Acts of the ITU Plenipotentiary Conference (Nice, 1989) does not mean that the People's Democratic Republic of Algeria consents to be bound by the Optional Protocol to the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) on the compulsory settlement of disputes.

109

Original: English

For the United Kingdom of Great Britain and Northern Ireland:

With reference to Declaration No. 75 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.

Original: English

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

The above-mentioned Delegations referring to the Declarations made by the People's Republic of Congo (No. 4), Ecuador (No. 6), the Republic of Indonesia (No. 30), the Republic of Kenya (No. 69) and the Republic of Colombia (No. 83) consider that, 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, the claims in question cannot be recognized by this Conference. Further, the above-mentioned Delegations wish to reaffirm the Declarations made on behalf of their 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) and in the Final Protocol of the International Telecommunication Convention (Nairobi, 1982).

The above-mentioned Delegations also wish to state that reference in Article 33 of the Constitution to the "geographical situation of particular countries" does not imply a recognition of claim to any preferential rights to the geostationary orbit.

Original: English

For the United Kingdom of Great Britain and Northern Ireland:

The Delegation of the United Kingdom of Great Britain and Northern Ireland, having regard to the declarations made by many Delegations about the potential financial implications of the outcome of this Conference further specifies its concerns as follows:

- a) the build-up of unrealistic expectations of new activities and expenditures in advance of, and throughout, the Conference, with scant regard for the budgetary implications;
- b) the polarization and politicization of debate, contrary to the principle of consensus so essential to the Union;

- c) an absence, in some areas of the work of the Conference, of the high standard of impartiality that is to be expected of those responsible for supporting and conducting it.

The Delegation of the United Kingdom of Great Britain and Northern Ireland urges the incoming Secretary-General to seek, by all available means, to regenerate confidence in the integrity and efficient operation of all the organs of the Union.

112

Original: English

For the People's Republic of China:

Further to Statement No. 93 and in signing the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), the Delegation of the People's Republic of China declares that:

1. It reiterates that it maintains the reservations made on behalf of the Government of the People's Republic of China at the Plenipotentiary Conference (Nairobi, 1982) and the following world administrative conferences.

2. It reserves the right to make additional specific reservations at the time of deposit of its instrument of ratification to the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

113

Original: English

For the United States of America:

The United States of America, noting the statement (No. 63) entered by the Delegation of Cuba, recalls its rights to broadcast to Cuba on appropriate frequencies free of jamming or other wrongful interference and reserves its rights with respect to existing interference and any future interference by Cuba with United States broadcasting.

114

Original: English

For the Republic of Malta:

The Delegation of the Republic of Malta, having noted the contents of Document 523 dated 30 June, 1989 reserves for its Government the right to make any

Declarations or Reservations until such time as the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) are ratified.

115

Original: English

For the Republic of Iraq, the Hashemite Kingdom of Jordan:

Having taken note of numerous Declarations and Reservations of a rather general character, contained in Document 523 of the Plenipotentiary Conference (Nice, 1989), the Delegations of the above mentioned countries declare that their Governments reserve the right to take such action as it may consider necessary to safeguard their interests, should any Member fail in anyway to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Nice, 1989), or their Annexes or the Protocols or the Resolutions attached thereto, or should the Reservations made by any Member jeopardize their telecommunication services and interests, or lead to an increase in their share in defraying the expenses of the Union.

116

Original: English

For Ireland:

Taking account of Reservations deposited by certain Members, contained in Document 523 of the Plenipotentiary Conference (Nice, 1989), the Irish 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 (Nice, 1989), and the Administrative Regulations which supplement them, or should the Reservations made by other countries jeopardize the operation of its telecommunication services or entail an increase in its contributory share to the expenditure of the Union.

117

Original: Spanish

For the Argentine Republic:

Further to its statement No. 75, the Argentine Delegation, on behalf of its Government, also states that it reserves the right to make other reservations at the time of depositing the instrument of ratification of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989).

Original: English

For Papua New Guinea:

Having taken note of numerous declarations and reservations of a rather general character contained in Document 523 of this Plenipotentiary Conference, the Delegation of Papua New Guinea is obliged to reserve 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 the Constitution and the Convention of the International Telecommunication Union (Nice, 1989), or should reservations by other countries jeopardize the telecommunication services of Papua New Guinea.

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

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OPTIONAL PROTOCOL

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OPTIONAL PROTOCOL

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 (Nice, 1989), 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:

ARTICLE 1

Unless one of the methods of settlement listed in Article 45 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 34 of the Convention, paragraph 5 (No. 409) 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. 407 and 408 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 Nice, 30 June 1989

Note by the General Secretariat:

This Optional Protocol has been signed by the following delegations:

Republic of Afghanistan, People's Republic of Angola, Antigua and Barbuda, Kingdom of Saudi Arabia, Australia, Austria, Commonwealth of the Bahamas, State of Bahrain, People's Republic of Bangladesh, Barbados, Belgium, People's Republic of Benin, Kingdom of Bhutan, Republic of Botswana, Federative Republic of Brazil, Brunei Darussalam, 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, People's Republic of the Congo, Republic of Korea, Costa Rica, Republic of Côte d'Ivoire, Denmark, Republic of Djibouti, Arab Republic of Egypt, United Arab Emirates, Ecuador, Finland, Gabonese Republic, Republic of the Gambia, Ghana, Greece, Republic of Guatemala, Republic of Guinea, Hungarian People's Republic, Republic of Iraq, Iceland, State of Israel, Italy, Jamaica, Japan, Hashemite Kingdom of Jordan, Republic of Kenya, Republic of Kiribati, State of Kuwait, Kingdom of Lesotho, Lebanon, Republic of Liberia, Principality of Liechtenstein, Luxembourg, Democratic Republic of Madagascar, Malawi, Republic of Maldives, Republic of Mali, Republic of Malta, Mauritius, Mexico, Mongolian People's Republic, Nepal, Republic of the Niger, Federal Republic of Nigeria, Norway, New Zealand, Sultanate of Oman, Republic of Uganda, Papua New Guinea, Republic of Paraguay, Kingdom of the Netherlands, Peru, Republic of the Philippines, People's Republic of Poland, Portugal, State of Qatar, Syrian Arab Republic, Democratic People's Republic of Korea, United Kingdom of Great Britain and Northern Ireland, Rwandese Republic, Republic of San Marino, Saint Vincent and the Grenadines, Solomon Islands, Republic of Senegal, 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, Thailand, Togolese Republic, Kingdom of

Tonga, Trinidad and Tobago, Tunisia, Turkey, Eastern Republic of Uruguay, Yemen Arab Republic, People's Democratic Republic of Yemen, Socialist Federal Republic of Yugoslavia, Republic of Zaire, Republic of Zambia, Republic of Zimbabwe.

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DECISIONS

RESOLUTIONS

RECOMMENDATIONS

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DECISION No. 1

Expenses of the Union for the Period 1990 to 1994*

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

resolves

1.1 that the Administrative Council is authorized to draw up the annual budget of the Union in such a way that the annual expenses of

- the Administrative Council,
- the General Secretariat,
- the International Frequency Registration Board,
- the secretariats of the International Consultative Committees,

do not exceed the following amounts for the years 1990 onwards until the next Plenipotentiary Conference:

| | |
|------------|------------------------|
| 88,100,000 | Swiss francs for 1990 |
| 85,700,000 | Swiss francs for 1991 |
| 84,600,000 | Swiss francs for 1992 |
| 83,100,000 | Swiss francs for 1993 |
| 81,800,000 | Swiss francs for 1994; |

1.2 that for the years after 1994, the annual budgets shall not exceed the sum specified for the preceding year;

* All amounts indicated in this Decision are expressed in Swiss francs with the value at 1 April 1989.

1.3 that the amounts specified above do not include the amounts for the conferences, meetings and seminars included in section 4, neither do they take into account expenditure relating to technical cooperation and assistance for developing countries or to additional languages;

2. that the Administrative Council may authorize expenditure in respect of the Telecommunications Development Bureau within the following limits:

| | |
|------------|------------------------|
| 15,000,000 | Swiss francs for 1990 |
| 16,800,000 | Swiss francs for 1991 |
| 18,700,000 | Swiss francs for 1992 |
| 20,600,000 | Swiss francs for 1993 |
| 22,500,000 | Swiss francs for 1994; |

2.1 that for the years after 1994, the annual budget shall not exceed the sum specified for the preceding year;

3. that the Administrative Council may also authorize expenditure in respect of additional working languages (Arabic, Chinese and Russian), to an amount of 3,000,000 Swiss francs per year for the years 1990 to 1994;

3.1 that for the year after 1994, the annual budget shall not exceed the sum specified for the preceding year;

4. that expenditure on conferences referred to in No. 109 of the International Telecommunication Convention (Nairobi, 1982)* on meetings of the International Consultative Committees and seminars may be authorized by the Administrative Council. The sum allocated to such action should include

* This reference will read: "... referred to in No. 136 of the Constitution of the International Telecommunication Union (Nice, 1989) ..." as soon as that Constitution comes into force.

the expenses of pre-conference activities, intersessional work, the actual conference and immediate post-conference expenses including, where known, those immediate expenses expected to result from decisions of the conferences or meetings;

4.1 that during the years 1990 to 1994, the budget adopted by the Administrative Council for conferences, meetings and seminars shall not exceed the following amounts:

a) World Conferences

- 4,200,000 Swiss francs for the Plenipotentiary Conference;
- 5,100,000 Swiss francs for the World Administrative Radio Conference on "Frequency Allocation" (1992);
- 7,840,000 Swiss francs for the World Administrative Radio Conference for the Planning of the HF Bands Allocated to the Broadcasting Service (1993);
- 260,000 Swiss francs for the World Administrative Radio Conference for the Mobile Services (1987), post-Conference work;

b) Regional Conferences

- 2,400,000 Swiss francs for the Regional Administrative Radio Conference to Establish Criteria for the Shared Use of the VHF and UHF Bands Allocated to the Mobile, Broadcasting and Fixed Services (Region 3 and countries concerned in Region 1);

c) *CCIR meetings*

1,600,000 Swiss francs for 1990

4,000,000 Swiss francs for 1991

4,000,000 Swiss francs for 1992

6,200,000 Swiss francs for 1993

1,600,000 Swiss francs for 1994

d) *CCITT meetings*

5,800,000 Swiss francs for 1990

7,300,000 Swiss francs for 1991

9,300,000 Swiss francs for 1992

4,300,000 Swiss francs for 1993

6,300,000 Swiss francs for 1994

e) *IFRB seminars*

100,000 Swiss francs for 1990

100,000 Swiss francs for 1992

100,000 Swiss francs for 1994;

4.2 that if no Plenipotentiary Conference is held in 1994, the Administrative Council shall establish the cost of each of the conferences referred to in No. 109 of the Convention* and establish an annual budget for the International Consultative Committee meetings beyond 1994 with approval for their budgeted costs being sought in advance from the Members of the Union in accordance with the provisions of paragraph 8 of this Decision. Such budgeted costs shall not be transferable;

* This reference will read: "... referred to in No. 136 of the Constitution of the International Telecommunication Union (Nice, 1989) ..." as soon as that Constitution comes into force.

4.3 that the Administrative Council may authorize expenditure in excess of the limits for the meetings and seminars specified in each subparagraph 4.1c), 4.1d) and 4.1e) above if excess can be compensated by sums within the expenditure limits:

- accrued from previous years; or
- charged to the following year;

5. that the Council shall each year assess retrospectively what changes have taken place in the last two years, what changes seem likely to take place in the current year, and what changes, on the best based estimates, seem likely to take place in the coming years (the next budget year and the one after), under the following items:

5.1 salary scales, pension contributions and allowances, including post adjustments established by the United Nations Common System for application to the staff employed in Geneva;

5.2 the exchange rate between the Swiss franc and the US dollar insofar as this affects the staff costs of those on UN scales;

5.3 the purchasing power of the Swiss franc in relation to non-staff items of expenditure;

6. that, in the light of this information, the Council may authorize expenditure for the budget year (and provisionally authorize expenditure for the following year) up to but not beyond the amounts indicated in paragraphs 1, 2, 3 and 4 above adjusted to take account of paragraph 5, giving weight to the desirability of achieving significant absorption of such increases through savings within the Union, while also recognizing that certain expenditures cannot be adjusted quickly in response to changes outside the Union's control. However, the actual expenditure may not exceed the amount resulting from the actual changes under paragraph 5 above;

7. that, the Administrative Council shall be entrusted with the task of effecting every possible economy. To this end, it shall be the duty of the Administrative Council annually to establish the lowest possible authorized level of expenditure commensurate with the needs of the Union, within the limits established by paragraphs 1, 2, 3 and 4 above, if necessary taking account of the provisions of paragraph 5;

8. that, if the credits which may be authorized by the Council by virtue of paragraphs 1 to 5 above cannot meet the expenditures on activities which are not foreseen but are urgent, the Council may exceed the credits of the ceiling laid down by the Plenipotentiary Conference by less than 1%. If the proposed credits exceed the ceiling by 1% or more, the Council may authorize those credits only with the approval of a majority of the Members of the Union after they have been duly consulted. Whenever Members of the Union are consulted, they shall be presented with a full statement of the facts justifying the step;

9. that, noting Resolution No. 43 concerning adjustment of pensions, the costs of which (if any) cannot be determined at this time, the Administrative Council will do its utmost to ensure that the implementation of the Resolution will not exceed the credit of the ceiling specified; if that proves impossible, the provisions of section 8 above will apply;

10. that, in determining the value of the contributory unit in any particular year, the Administrative Council will take into account the future programme of conferences and meetings and the estimated related costs in order to avoid fluctuations from year to year.

DECISION No. 2

**Procedure Concerning the Choice by Members
of Their Contributory Class**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

decides

1. that each Member shall inform the Secretary-General before 1 January 1990 of the class of contribution it has chosen from the scale of classes of contribution in Article 26 of the Convention of the International Telecommunication Union (Nice, 1989);

2. that Members which have failed to make known their decision before 1 January 1990 in accordance with the requirements of section 1 above shall be required to continue to contribute the same number of units as they contributed under the International Telecommunication Convention (Nairobi, 1982) (see Article 15 thereof);

3. that the relevant provisions of Article 17 of the Constitution, and of Article 26 of the Convention, of the International Telecommunication Union (Nice, 1989) shall be applied provisionally as from 1 January 1991;

4. that, at the first meeting of the Administrative Council held after 1 January 1991, a Member may, with the approval of the Administrative Council, reduce the level of its contributory class determined in accordance with sections 1 and 2 above, if its relative contributory position under the new Convention is substantially worse than its position under the International Telecommunication Convention (Nairobi, 1982).

RESOLUTION No. 1

Future Conferences of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having considered

- a) section 3.4 of the Report of the Administrative Council to the Plenipotentiary Conference relating to planned conferences;
- b) the proposals submitted by several Members of the Union;
- c) the necessary preparatory work to be carried out both by the permanent organs of the Union and by the administrations before each session of a conference,

resolves

1. that the schedule of future conferences shall be as follows:
 - 1.1 Second Session of the Regional Administrative Conference for the Planning of VHF/UHF Television Broadcasting in the African Broadcasting Area and Neighbouring Countries (Geneva, 13 November-8 December 1989);
 - 1.2 Regional Administrative Conference of the Members of the Union in the African Broadcasting Area to Abrogate the Regional Agreement for the African Broadcasting Area (Geneva, 1963) (Geneva, 4-5 December 1989);

- 1.3 An additional Plenipotentiary Conference if so decided by the Administrative Council at its 1991 session (Geneva, two weeks);
- 1.4 World Administrative Radio Conference for Dealing with Frequency Allocations in Certain Parts of the Spectrum, taking into account the Resolutions and Recommendations of World Administrative Radio Conference for the planning of HF Band Allocated to the Broadcasting service (WARC HFBC-87), of the World Administrative Radio Conference for the Mobile Services (WARC MOB-87) and World Administrative Radio Conference on the Use of the Geostationary-Satellite Orbit and the Planning of Space Services Utilizing it (WARC ORB-88), relating to frequency allocation (Spain, first quarter of 1992, four weeks and two days);
- 1.5 World Administrative Radio Conference for Dealing with Matters Connected with the Broadcasting Service in the HF Band (Geneva, first quarter of 1993, four weeks);
- 1.6 Regional Administrative Radio Conference to Establish Criteria for the Shared Use of the VHF and UHF Bands Allocated to Mobile, Broadcasting and Fixed Services and, if necessary, planning for the broadcasting service in all or part of Region 3 and countries concerned in Region 1, to be determined by the Administrative Council after consultation with Members concerned;
- 1.7 Plenipotentiary Conference (Japan, 1994, five weeks), to be confirmed by the Administrative Council at its 1991 session;

2. that:

- 2.1 the agendas for the conferences mentioned in sections 1.1 and 1.2 already established by the Administrative Council shall remain unchanged;
- 2.2 the agenda for the Conference mentioned in section 1.4 shall be established by the Administrative Council, taking into account the Resolutions and Recommendations of WARC HFBC-87, WARC MOB-87 and WARC ORB-88 relating to frequency allocations; in addition this Conference may consider defining certain new space services and consider allocations to these services in frequency bands above 20 GHz;
- 2.3 the agenda for the conference mentioned in section 1.5 shall be established by the Administrative Council taking into account the Resolutions and Recommendations of WARC HFBC-87 relating to the HFBC Planning System and procedures;

3. that the conferences shall be held within the period indicated in section 1 above, the precise dates being set by the Administrative Council after consulting the Members of the Union, and leaving sufficient time between the various conferences. However, in cases where precise dates are indicated, they shall not be changed. The durations indicated in section 1 above for conferences for which the agendas have already been established shall not be changed; the precise duration of the other conferences shall be decided by the Administrative Council after their agendas have been established, within the duration limits indicated in paragraph 1.

RESOLUTION No. 2

**Convening of a Plenipotentiary Conference to
Consider the Results of a Study on Structural Reform**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

taking account

of Conference Document 388(Rev.1) dated 22 June 1989 and entitled "Contributions to the work of the Conference",

taking account

of Article 48 of the Constitution of the International Telecommunication Union (Nice, 1989) and Resolution No. 55 dated 30 June 1989, on the review of the structure and functioning of the Union,

considering

the elections of Union officials held during the Nice Conference,

instructs the Administrative Council

to decide at its 1991 session whether the recommendations of the study referred to above should be submitted to an additional Plenipotentiary Conference or to the Plenipotentiary Conference scheduled normally for 1994,

resolves

that, if the Council should decide to convene an additional Conference, the latter should confine its agenda to the consideration of proposals for amendments arising from the results of the final report on the study called for in Article 48 of the Constitution and in Resolution No. 55, to

the implementation of the Recommendations within its competence, in particular by adopting such amendments to the Constitution and the Convention as it considers necessary, and to the election of the Director of the Telecommunications Development Bureau (BDT) and the other elections which may be required by changes in structure decided by that Conference, those results of the Nice elections which are not affected by the structural reforms decided by the additional Conference not being called into question.

RESOLUTION No. 3

Forty-fifth Session of the Administrative Council

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

conscious of

the need to have provisional arrangements for the sessions of the new Administrative Council, until the entry into force of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989),

noting

that the Administrative Council shall be composed of forty-three Members, as provided for in the Constitution, and as now elected,

noting further

that this Conference decided to discontinue the use of additional protocols,

resolves

1. that the new Administrative Council as elected by the present Conference shall meet on 30 June 1989 and perform the duties assigned to it under the Nairobi Convention currently in force;

2. that the Chairman and Vice-Chairman shall be elected by the Administrative Council during the opening meeting of its forty-fifth session and shall remain in office until the election of their successors at the opening of the annual session of the Administrative Council in 1991.

RESOLUTION No. 4

Invitations to Hold Conferences or Meetings Away From Geneva

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

that expenditure on conferences and meetings of the Union is distinctly lower when they are held in Geneva,

considering, however

that there are advantages in holding certain conferences and meetings in countries other than the Headquarters country,

bearing in mind

that the General Assembly of the United Nations, in Resolution 1202 (XII), decided that meetings of organs of the United Nations should, as a general rule, be held at the headquarters of the organ concerned, but that a

meeting could be held away from headquarters if an inviting government agreed to defray the additional expenditure involved,

recommends

that world conferences of the Union and Plenary Assemblies of the International Consultative Committees should normally be held at the seat of the Union,

resolves

1. that invitations to hold conferences of the Union away from Geneva should not be accepted unless the host government agrees to defray the additional expenditure involved;

2. that invitations to hold meetings of the Study Groups of the International Consultative Committees away from Geneva should not be accepted unless the host government provides at least adequate premises and the necessary furniture and equipment free of charge, except that in the case of developing countries equipment need not necessarily be provided free of charge by the host government, if the government so requests.

RESOLUTION No. 5

Procedure for Defining a Region for the Purpose of Convening a Regional Administrative Conference

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) that certain provisions of the International Telecommunication Convention (Nairobi, 1982) (in particular, Nos. 50, 216 to 221 and 371) and certain provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) (in particular No. 63 of the Constitution and Nos. 16 to 21, and No. 166 of the Convention) relate to the convening of a regional administrative conference;

b) that some regions and areas are defined in the Radio Regulations;

c) that a Plenipotentiary Conference and a World Administrative Conference have the competence to define a region for a regional administrative conference;

d) that, whereas a regional administrative conference may be convened on a proposal by the Administrative Council, the Administrative Council has not been explicitly authorized to take a decision on the definition of a region,

considering

a) that it may be necessary to define a region for the purpose of convening a regional administrative conference;

b) that the Administrative Council provides the most appropriate means of defining a region, when such action is necessary in the interval between competent World Administrative Conferences or Plenipotentiary Conferences,

resolves

1. that, if and when it becomes necessary to define a region for the purpose of convening a regional administrative conference, the Administrative Council shall propose a definition of the region;
2. that all Members of the proposed region shall be consulted on that proposal and all Members of the Union shall be informed of the proposal;
3. that the region shall be deemed to have been defined when two thirds of the Members of the proposed region have responded in the affirmative within a time period determined by the Administrative Council;
4. that the composition of the region shall be communicated to all Members,

invites the Administrative Council

1. to take note of this Resolution and to take any appropriate action;
2. to consider combining, where appropriate, the consultation of Members on the definition of the region with the consultation on convening the regional administrative conference.

RESOLUTION No. 6

**Attendance of Liberation Organizations Recognized by
the United Nations at Conferences and Meetings of the
International Telecommunication Union as Observers**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) Article 6 of the International Telecommunication Convention (Nairobi, 1982)*, vesting full powers in the Plenipotentiary Conferences;

b) Article 39 of the Convention* defining the relations of the Union with the United Nations;

c) Article 40 of that Convention* defining the relations of the Union with the other international organizations,

having regard to

Relevant Resolutions of the General Assembly of the United Nations dealing with the question of liberation movements,

resolves

that the liberation organizations recognized by the United Nations may attend at any time, conferences and meetings of the International Telecommunication Union as observers,

instructs the Administrative Council

to take the necessary action to implement this Resolution.

* These references will read respectively: "Article 8 of the Constitution of the International Telecommunication Union (Nice, 1989) ...", "Article 38 of that Constitution ..." and "Article 39 of that Constitution ..." as soon as the new Constitution comes into force.

RESOLUTION No. 7

Examination of Certain Provisions of the Radio Regulations

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that in Document 73 the Secretary-General informed the Conference that reservations and statements were submitted by Members of the Union after the closure of the World Administrative Radio Conference for the Mobile Services (Geneva, 1987) (WARC MOB-87);

b) that those reservations and statements relate to new obligations arising under Articles 55(Rev.) and 56(Rev.) of the Radio Regulations relating to the mandatory carriage on board ships of personnel certificated for the on-board maintenance of shipborne radio and electronic equipment;

c) that the Final Protocol signed on 17 October 1987 and contained in the Final Acts of WARC MOB-87 includes, *inter alia*, statement No. 51 made by 22 Members of the Union concerning the provisions of Articles 55(Rev.) and 56(Rev.) of the Radio Regulations revised by that Conference;

d) that the statements referred to in Document 73 have the same tenor as the above-mentioned statement,

recognizing

the desirability of finding an appropriate solution to this problem,

instructs the Administrative Council

to include in the agenda of the next world administrative radio conference, to be held in 1992, the consideration of the provisions of Articles 55(Rev.) and 56(Rev.) of the Radio Regulations, as amended by WARC MOB-87.

RESOLUTION No. 8

Establishment of a Voluntary Group of Experts to Study Allocation and Improved Use of the Radio-Frequency Spectrum and Simplification of the Radio Regulations

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the need to review the service definitions (Radio Regulations, Article 1) to cater for converging technologies and to develop the basis for a future review of the Table of Frequency Allocations (Radio Regulations, Article 8) including an examination of alternatives to the way in which the radio frequency spectrum is allocated; the objective of this review would be to maximize the efficient use of the frequency spectrum, to cover multifunctional radio systems and improve the administrative provisions to allow more service and system sharing;

b) the relevant parts of the final report of the Panel of Experts implemented in accordance with Resolution No. 68 of the Plenipotentiary Conference, Nairobi 1982, which concluded that there was a need to simplify the regulatory procedures in the Radio Regulations and the related terminology, phraseology and mechanisms themselves,

resolves

that a Group of Experts should study the problems mentioned above and prepare recommendations to solve these problems,

resolves further

a) to invite the Administrative Council:

1. to establish a Voluntary Group of Experts from administrations with the following terms of reference:

1.1 to review, in the light of technical developments, the definitions in Article 1 of the Radio Regulations and the structure and definitions of the relative status of allocations in Article 8 of the Radio Regulations with a view to improving the utilization and economic use of the radio frequency spectrum, to increasing the flexibility in order to give more sharing possibilities, and to considering alternatives in the manner in which spectrum is allocated;

1.2 to review the regulatory provisions and procedures of the Radio Regulations with a view to developing recommendations to simplify the Radio Regulations in general;

2. to request the Voluntary Group of Experts to conduct the review and to submit a report with recommendations to the 1992 session of the Administrative Council with respect to section 1.1 of its terms of reference and another report with recommendations to the 1993 session of the Administrative Council with respect to section 1.2;

3. to consider the reports and Recommendations of the Voluntary Group of Experts and to forward each report together with its own conclusions thereon to administrations by 1 January 1993 and 1 January 1994, respectively;

4. to consider the inclusion of these subjects on the agenda of a competent World Administrative Radio Conference for decision;

5. to recommend to administrations to analyse, requesting the assistance of the IFRB to the extent possible, the various repercussions resulting from the adoption of modifications to frequency allocations in certain bands, with respect to services currently in operation;

6. to ensure, in establishing this Voluntary Group of Experts, that no costs are charged to the ordinary budget of the Union other than secretariat costs for the elaboration, publication and distribution to the Members of the Union of the draft texts referred to above;

b) to invite Administrations:

to respond to the initiative to be taken by the Administrative Council by nominating appropriate specialists to join the Voluntary Group of Experts;

c) to instruct:

the Secretary-General, the Chairman and members of the IFRB, and the Directors of the CCIs to afford the Voluntary Group of Experts all necessary assistance required for the successful completion of the review.

RESOLUTION No. 9

**Improvement of Use by the Aeronautical Mobile (OR)
Service of the Frequency Bands Governed by
Appendix 26 to the Radio Regulations**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that the Frequency Allotment Plan for the Aeronautical Mobile Service Prepared by the International Administrative Aeronautical Radio Conference (Geneva, 1949) and adopted by the Extraordinary Administrative Radio Conference (Geneva, 1951) was substantially adopted by the Administrative Radio Conference (Geneva, 1959) and included in the Radio Regulations as Appendix 26;

b) that the Extraordinary Administrative Radio Conference (Geneva, 1966) adopted a separate Plan for the aeronautical mobile (R) service and decided to include this Plan in the Radio Regulations as Appendix 27;

c) that the World Administrative Radio Conference on the Aeronautical Mobile (R) Service (Geneva, 1978), adopted technical principles for establishing the Frequency Allotment Plan for the aeronautical mobile (R) service, in particular the use of the 3 kHz separation between carrier frequencies for certain classes of emission and powers which can be directly applied in establishing the Allotment Plan for the Aeronautical Mobile (R) Service;

d) that the Allotment Plan for the Aeronautical Mobile (OR) Service (Appendix 26) has not therefore been revised since the Administrative Radio Conference, (Geneva, 1959);

e) that, since 1959 many additional countries have become Members of the Union and therefore have no allotments in the Plan of Appendix 26;

f) that the World Administrative Radio Conference (Geneva, 1979) adopted Resolution No. 403 relating to the use of the frequencies 3 023 and 5 680 kHz common to the aeronautical mobile (R) and (OR) services necessitating common characteristics between these mobile services for safety purposes,

recognizing

1. that the Plan for the Aeronautical Mobile (OR) Service contained in Appendix 26 of the Radio Regulations requires appropriate adjustments with a view to using modern technology and making more efficient use of the spectrum;

2. that the programme of conferences and meetings to be held in the period preceding the next Plenipotentiary Conference does not permit the convening of a planning conference;

3. that, pending the convening of such a conference, there is a need for early action to improve use by the aeronautical mobile (OR) service of the frequency bands governed by Appendix 26;

4. that the action required by this Resolution is similar to that contained in Resolution 325 of the World Administrative Radio Conference MOB-87*, and that the IFRB should undertake the necessary action by a re-arrangement of its internal work priorities without the need for additional resources,

* Resolution No. 325 - "Use of Additional Channels Reserved for Duplex Radiotelephony in the HF Bands Allocated to the Maritime Mobile Services".

instructs the IFRB

1. to prepare a draft channelling arrangement for the frequency bands allocated to the aeronautical mobile (OR) service contained in Appendix 26 using the criteria adopted in this respect for the aeronautical mobile (R) service in Appendix 27;
2. to obtain the views of all administrations on the proposed channelling arrangement and to modify it in accordance with their comments to the extent practicable;
3. to propose to each administration concerned single sideband carrier frequencies intended to replace its allotment(s) in Appendix 26, with the minimum necessary frequency shift resulting from the new channelling arrangement, and to obtain its agreement to the proposed frequencies;
4. to inform administrations at an appropriate date of the need for them to transfer their operating stations to the new allotted channels on the date indicated under "*resolves*";
5. to apply the procedures outlined in the annex to Resolution No. 325 (MOB-87) and in Article 16 of the Radio Regulations commencing with the requirements of those administrations which do not appear in Appendix 26;
6. to prepare for consideration by the WARC-1992 the minimum modification of Article 12 of the Radio Regulations to take account of the above actions,

resolves

that, at 0001 hours UTC on 15 December 1992 (subject to confirmation by WARC-1992), administrations shall change the transmitting

frequencies of their operating stations in the aeronautical mobile (OR) service to the replacement frequencies resulting from the action taken in accordance with this Resolution,

recommends

that, when considering Recommendation 406* of the WARC-79, the next Plenipotentiary Conference, should take account of the results of the action taken in accordance with this Resolution,

instructs the Administrative Council

to include in the agenda of the WARC to be held in 1992 the consideration of modifications to Article 12 of the Radio Regulations in order to take account of the actions taken as a result of this Resolution.

RESOLUTION No. 10

Use by the Broadcasting Service of the Bands Additionally Allocated to This Service by the World Administrative Radio Conference (Geneva, 1979)

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that the bands 9 775 - 9 900 kHz, 11 650 - 11 700 kHz, 11 975 - 12 050 kHz, 13 600 - 13 800 kHz, 15 450 - 15 600 kHz, 17 550 - 17 700 kHz and 21 750 - 21 850 kHz are allocated to the fixed service on a

* Recommendation No. 406 - "Relating to the Revision of the Frequency Allotment Plan for the Aeronautical Mobile (OR) Service".

primary basis subject to the procedure described in Resolution No. 8 of the World Administrative Radio Conference, Geneva, 1979;

b) that the use of these bands by the broadcasting service shall be subject to provisions to be established by the World Administrative Radio Conference for the planning of HF bands allocated to this service;

c) that within these bands broadcasting stations shall not be brought into service before the date of completion of satisfactory transfer, according to the procedures described in Resolution No. 8 of the World Administrative Radio Conference (1979), of all assignments to the stations in the fixed service operating in accordance with the Table of Frequency Allocations and other provisions of the Radio Regulations, which are recorded in the Master Register and which may be affected by broadcasting operations,

resolves

1. that administrations shall comply strictly with the provisions of No. 531 of the Radio Regulations;

2. that broadcasting stations in the bands referred to above shall not be operated until planning is completed and the conditions stipulated in No. 531 of the Radio Regulations are fulfilled;

RESOLUTION No. 11

Updating of Definitions

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that Annex 2 to the International Telecommunication Convention (Nairobi, 1982) contains definitions of certain terms used in the Convention and in the Administrative Regulations;

b) that some of the definitions of Annex 2 have been reproduced in the Annex to the Constitution of the International Telecommunication Union (Nice, 1989) and others in the Annex to the Convention of the International Telecommunication Union (Nice, 1989);

c) that as a result of technical progress and the development of operating methods, it might be desirable to revise some of these definitions,

instructs the Administrative Council

in preparing the agenda for an administrative conference, to provide that any changes to definitions within the competence of the conference which are also in Annex 2 to the Nairobi Convention, or in the respective annexes of the Constitution and the Convention (Nice, 1989) when these instruments have come into force, shall be submitted to the Administrative Council for onward transmission to the Plenipotentiary Conference for any action the latter may deem appropriate.

RESOLUTION No. 12

Exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and From all Other Conferences, Meetings and Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

- a) the Charter of the United Nations and the Universal Declaration of Human Rights;
- b) Resolution No. 45 of the Plenipotentiary Conference of the International Telecommunication Union (Montreux, 1965) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference;
- c) Resolution 2145 (XXI), 27 October 1966, of the United Nations General Assembly on the question of Namibia;
- d) Resolution 2396 (XXIII), 2 December 1968, of the United Nations General Assembly on the apartheid policy of the Government of the Republic of South Africa;
- e) Resolution 2426 (XXIII), 18 December 1968, of the United Nations General Assembly calling on all specialized agencies and all international institutions associated with the United Nations to take the necessary steps to cease all financial, economic, technical or other assistance to the Government of the Republic of South Africa until it renounces its policy of racial discrimination;
- f) Resolution No. 6 of the World Administrative Telegraph and Telephone Conference (Geneva, 1973) concerning the participation of the Government of South Africa in conferences and meetings of the Union;
- g) Resolution 36/121, 10 December 1981; Resolution 37/69, 9 December 1982; Resolution 38/39, 5 December 1983, Resolution 39/72, 13 December 1984; Resolution 40/64, 10 December 1985; Resolution 41/35, 10 November 1986; Resolution 42/23, 20 November 1987; and

Resolution 43/50, 5 December 1988 of the United Nations General Assembly relating to the policies of apartheid of the Government of South Africa;

h) the provisions of Resolution No. 619 of the Administrative Council of the International Telecommunication Union declaring that the Government of the Republic of South Africa no longer has the right to represent Namibia within the Union;

i) Resolution No. 31 of the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

recalling further

Resolution No. 14 of the Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982) relating to the exclusion of the Government of the Republic of South Africa from the Plenipotentiary Conference and from all other conferences and meetings of the Union,

resolves

that the Government of the Republic of South Africa shall continue to be excluded from the Plenipotentiary Conference and from all other conferences, meetings and activities of the International Telecommunication Union, until such time that it completely eliminates its apartheid policies.

RESOLUTION No. 13

**Approval of the Agreement between the Government
of France and the Secretary-General Relating
to the Plenipotentiary Conference (Nice, 1989)**

The Plenipotentiary Conference of the International Telecommu-
nication Union (Nice, 1989),

considering

a) that an Agreement concerning the arrangements to be made for
organizing and financing the Nice Plenipotentiary Conference was concluded
between the Government of France and the Secretary-General, pursuant to
Administrative Council Resolution No. 83 (amended);

b) that this Agreement has been considered by the Budget Control
Committee of the Conference,

resolves

to approve the Agreement concluded between the Government of
France and the Secretary-General.

RESOLUTION No. 14

Changing Telecommunication Environment

The Plenipotentiary Conference of the International Telecommu-
nication Union (Nice, 1989),

having considered

a) the Report of the Independent Commission for World-Wide Telecommunications Development ("The Missing Link", December 1984);

b) the Arusha Declaration on World Telecommunications Development (May, 1985);

c) Resolution No. 4 of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) on the Changing Telecommunication Environment; and

d) the Report of the Secretary-General's Advisory Group on Telecommunication Policy ("The Changing Telecommunication Environment", February 1989),

recalling

the purposes of the Union,

taking into account

a) the recent and continuing changes in the world telecommunication environment as a consequence, *inter alia*, of the advances in and increased convergence of technologies;

b) the pressures on traditional telecommunication systems and structures that have resulted from:

i) the globalization and increasing information-intensity of economic activity;

ii) the greater ease of entry into both the telecommunication equipment and services markets;

- iii) the changing cost structure of other industries which are dependent on telecommunications;
 - iv) the development of new services and new methods of delivering traditional services;
- c) that telecommunications are becoming more closely linked with international commerce and are involving a growing diversity of participants;
- d) that effective policies for domestic, regional and international telecommunications cannot be determined in isolation by those involved in such activities;
- e) that access to reliable modern telecommunications has become an economic necessity in all countries of the world,
- conscious of*
- a) the current imbalance in the distribution of telecommunications around the world;
 - b) the need for developing countries to cope with the challenges of the new telecommunication environment at the same time as they are building their basic national networks;
 - c) the inadequate investment in developing countries in telecommunications, which have often not been given a sufficiently high priority in their economic plans;
 - d) the insufficiency of services and networks existing in many developing countries, which may lead, in some cases, large users to construct their own networks, which in turn may lead to a reduction of resources for the suppliers of basic telecommunication services;

e) the increasing internationalization of new information, computer and communication services, and increasing competition in international telecommunications, which adds to the complex situation faced by developing countries and brings pressure for access to the international network and services under competitive tariff conditions,

convinced

a) that effective telecommunication systems are essential to the process of development, no matter what level of development a particular country has achieved;

b) that the new technologies and the transfer from the developed to the developing countries of those technologies and the associated knowledge can help to close the gap between developed and developing countries,

recognizing

a) that each country has the right to choose, and the responsibility to define, the telecommunication policy that best meets the needs of its people, while keeping in mind the impact on other countries;

b) the need for the Union to adapt itself to the new circumstances in the telecommunication environment;

c) that the ITU is the only telecommunication organization in which virtually all countries of the world are Members, which makes it an appropriate forum for assisting in the harmonization of national, regional and international telecommunication policies,

declares

following examination of the report of the Secretary-General's Advisory Group on Telecommunication Policy, that the changing telecommunication environment has fundamental consequences for national, regional and international policies and structures, and commends the report to the attention of Members, national, regional and international development agencies, financial institutions and to all other parties with an interest in the development of telecommunications structures, systems and services,

resolves

that the International Telecommunication Union should, within the scope of the available resources and insofar as there is consistency with the decisions of this Conference, particularly with respect to the new Telecommunications Development Bureau:

1. analyse the impact and challenges of the changing telecommunication environment on the Union's role and continue to adapt itself to meet these challenges;
2. ensure, where appropriate, that the impact of the changing telecommunication environment on international, regional and national policies continues to be considered in policy forums, seminars and exhibitions;
3. stimulate the application of a broad multi-disciplinary approach to telecommunication policy issues by encouraging the examination of the impact of telecommunications on other areas of activity and as an important element underlying the information economy and society;
4. encourage these newly emerging policy issues to be appropriately reflected in telecommunications training programmes and in human resources development activities;

5. assist Members to analyse the impact and challenges of the changing telecommunication environment on national telecommunication structures and policies, and encourage Members to exchange information, or sources of information, on the range of options available to enable them to adapt their telecommunication policies and structures;

6. make its role in coordinating international telecommunications even more effective by:

6.1 – strengthening its cooperation, on subjects of mutual interest concerning telecommunications, with other United Nations organizations such as UNESCO and UNCTAD, with other international organizations having a specific relationship with the United Nations such as the GATT, with other multilateral organizations such as the OECD, with regional and subregional telecommunications organizations and the United Nations regional economic commissions, with regional and subregional broadcasting organizations, and with the principal non-governmental international organizations and institutes and academic institutions concerned with telecommunications;

– continuing and expanding upon initiatives to have the user communities participate, where appropriate, in the formulation of international telecommunications policies and regulations;

6.2 – giving even greater attention to the requirements of developing countries by continuing international initiatives to close the "telecommunications gap" between developing and developed countries;

– promoting cooperation with the principal international, regional and national development and

investment agencies to assess the availability of financial resources for telecommunications and to examine how telecommunications can be given a higher priority in the broader development strategies of these agencies,

invites

a) the Members to take necessary action to implement this Resolution and, in particular, to set up appropriate national mechanisms to formulate and review telecommunication policies;

b) all concerned national, regional and international organizations to take appropriate action to achieve the purposes of this Resolution,

instructs the Secretary-General, in performing his duties, including those related to the establishment of the new Telecommunications Development Bureau

to follow up the implementation of this Resolution as required, and make periodic reports, containing recommendations as appropriate, to the Administrative Council for the fulfilment of the objectives of this Resolution,

instructs the Administrative Council

a) to consider and approve, as is deemed appropriate, these reports and recommendations;

b) to review progress; and

c) to report to the next Plenipotentiary Conference.

RESOLUTION No. 15

**Role of the International Telecommunication Union
in the Development of World Telecommunications**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the provisions of the International Telecommunication Convention (Nairobi, 1982), the provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989) together with those of the International Telecommunication Regulations (Melbourne, 1988) and the Radio Regulations;

b) the recommendations of the CCIR and of the CCITT,

considering also

c) that together these instruments are essential to provide the technical foundations for the planning and provision of telecommunication services throughout the world;

d) that the pace of development of technology and services necessitates the continuing cooperation of all administrations and private operating agencies to ensure the world-wide compatibility of telecommunications;

e) that the availability of modern telecommunications is vital to the economic, social and cultural progress of all countries,

recognizing

the interests of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the General Agreement on Tariffs and Trade (GATT) and other international organizations, in certain aspects of telecommunications,

resolves

that the International Telecommunication Union should:

1. continue to work for the harmonization, development and enhancement of telecommunications throughout the world;
2. ensure that all its work reflects the position of the ITU as the authority responsible within the United Nations system for establishing in a timely manner technical and operational standards for all forms of telecommunication and for effecting the rational use of the radio frequency spectrum and of the geostationary-satellite orbit;
3. encourage and promote technical cooperation in the field of telecommunications among Members to the maximum possible extent.

RESOLUTION No. 16

Regional and World Telecommunication Development Conferences

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

that one of the purposes of the Union is to coordinate efforts to harmonize the development of telecommunication facilities with a view to full advantage being taken of their possibilities,

considering

a) the need for balanced growth and global compatibility in the development of telecommunication facilities and services;

b) the need for periodic review of the progress in development of telecommunications at national and regional levels for the purpose of exchanging views and experience and for comparing the strategies for their future growth;

c) the need for evolution of new ideas for enhancing the integration and effectiveness of telecommunication networks;

d) the need for the involvement of, and coordination with, various interested regional and international agencies in achieving satisfactory development of this sector,

considering also

that all Members recognize the need to cooperate for the purpose of harmonizing the growth of regional and world-wide telecommunication networks so as to serve the best interests of mankind,

recognizing

the central role of improved telecommunications as an engine for socio-economic development,

having taken note of

the recommendations in the report "The Missing Link" for review by the developing countries of national development plans with a view to assigning a sufficiently high priority to investments in telecommunications, and the emphasis which the report places on regional cooperation and concerted endeavours for collective actions designed to achieve a progressively self-reliant development of telecommunications,

resolves

that the International Telecommunication Union shall convene regional and world telecommunication development conferences at appropriate intervals to foster international cooperation in harmonizing and furthering the development of telecommunication facilities and services,

instructs the Secretary-General

to prepare detailed proposals, in consultation with the Members and interested agencies, for convening one development conference in each region and one on a world-wide basis, in the interval between two Plenipotentiary Conferences and to make preparations for convening them,

instructs the Administrative Council

1. to establish the agenda for these conferences and to make funds available under the ordinary budget for their implementation;

2. to review the results achieved and to take all necessary steps to ensure the implementation of the recommendations emerging from these conferences,

requests Members

to afford every cooperation and assistance to the Secretary-General in the holding and conducting of these conferences.

RESOLUTION No. 17

ITU Regional Presence

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) the important role the ITU plays in the promotion and development of telecommunications networks and services in all Member countries;

b) the contribution which the activities of the Union in the area of technical cooperation and assistance make towards the achievement of this objective in developing countries;

c) the need for close and continuing contacts between the Union and all countries in the various geographical regions and the interactive benefits thereof;

d) the importance of responding adequately to the growing requirements of individual countries, sub-regions and regions with regard to information, advice and assistance in the realm of telecommunications;

e) that in carrying out these activities, all the permanent organs of the Union would have to play the appropriate role;

f) that the Union's role as executing agency of the United Nations Development Programme is an essential component in the achievement of these objectives;

g) that these objectives are already being furthered by Area and Senior Regional Representatives;

h) that the pace of development of telecommunication services of the developing countries in various regions needs to be accelerated in future years,

considering

a) that the Report of the Administrative Council on the "Changing Nature of ITU Technical Cooperation and Related Field Activities" (Document 33) has highlighted the need, in view of the encouraging results obtained, to strengthen the Union's regional presence and to increase its effectiveness in order to enhance the assistance to developing countries for the expansion and improvement of their networks and services through better use of the Union's standards and regulations and other related actions;

b) the need for the Union to comply with United Nations guidelines concerning the regional presence of specialized agencies of the United Nations,

resolves

that a stronger presence of the Union is required in the regions to increase its efficiency and enhance the assistance to Members and especially the developing ones,

instructs the Secretary-General

1. to carry out the necessary studies with the aim of strengthening the ITU regional presence in the light of various other relevant decisions of this Conference for implementing this Resolution;

2. to submit a report including recommendations to the Administrative Council as early as possible,

instructs the Administrative Council

1. to consider the report of the Secretary-General;

2. to consult as necessary Member administrations;

3. to decide on further appropriate steps to give effect to the recommendations accepted or modified by it, with due regard to the Union's budgetary situation and taking into account the United Nations guidelines concerning the regional presence of specialized agencies;

4. to evaluate the efficiency of the regional presence as part of its annual review of the Union's activities;

5. to submit a report to the next Plenipotentiary Conference on the results achieved and difficulties encountered.

RESOLUTION No. 18

**Budgetary and Organizational Aspects of Technical
Cooperation and Assistance of the Union**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

taking account

of the provisions of the Convention (Nairobi, 1982) and those of the Constitution and Convention of the International Telecommunication Union (Nice, 1989) concerning the technical cooperation and assistance to be provided by the Union for the benefit of the developing countries by virtue of its dual function as United Nations specialized agency for telecommunications and as executing agency for technical cooperation projects (UNDP and trust funds),

considering

- a) the importance of telecommunications for the economic and social development of mankind;
- b) that the Members, whether developing or developed countries, recognize the need to cooperate for the purpose of establishing a world-wide telecommunication network serving the general interest;
- c) that the imbalance between the level of development of networks and services of the developing and developed countries is constantly increasing;
- d) that the Union is the appropriate international forum for the study of problems connected with telecommunications, and in particular for coordinating the use of the resources assigned to technical cooperation and assistance in the field of telecommunications;
- e) that one of the main purposes of the Union is to promote international cooperation among Members in the field of telecommunications and emphasize the particular importance of assistance to developing countries;
- f) that some of the objectives for the Union in technical cooperation and assistance should be:

- i) to seek greater appreciation of the role of telecommunications in a programme of economic development;
- ii) to promote a strategy with a view to drawing up a plan of action for regional and global development of telecommunications including the identification of needs for technical assistance and cooperation and the coordinated use of the resources provided for these activities;
- iii) to promote the development of human resources in all activities connected with the development of telecommunications;
- iv) to take such action as necessary within the ambit of the Union to help countries become self-reliant;
- v) to encourage cooperation among developing countries in order that they could set up a lasting programme of mutual assistance;
- vi) to promote the transfer of resources and technology for the benefit of all Members, in particular to the developing countries;
- vii) to provide assistance for the development of telecommunications in rural areas,

resolves

1. to continue Union participation in the programmes of the United Nations system and other programmes;
2. to reinforce the operational capacity of the Union to promote and provide technical cooperation and assistance for the benefit of the developing countries;
3. to agree on the list of technical cooperation and assistance activities to be financed from the ITU's own resources, in the framework of the Telecommunications Development Bureau, as follows:

- Identification, in this information age, of the role of computerized communication in socio-economic development
- Organization of world and regional development conferences
- Technical advisory and support services of the Group of Engineers
- Training services (standards for training and management /development of human resources)
- Short-term missions - specialists and Group of Engineers
- Logistic support for seminars
- Fellowship programme to permit participation in seminars organized or sponsored by the ITU
- Regional presence
- Logistic support for the special voluntary programme of technical cooperation
- Special assistance for the Least Developed Countries
- Provision of common services for technical cooperation activities
- Follow-up action on the recommendations and decisions taken by conferences and meetings of the Union for the benefit of developing countries
- Resources to promote technical cooperation among developing countries (TCDC)
- Any other activities that the Administrative Council considers appropriate,

instructs the Secretary-General

1. to submit each year to the Administrative Council the draft technical cooperation and assistance programme for the following year together with a detailed report on the implementation of the previous year's programme, accompanied by qualitative and quantitative assessments of the difficulties encountered, taking due account of the Union's dual function as the specialized agency for telecommunications of the United Nations system and as executing agency for technical cooperation projects (UNDP and trust funds);

2. to submit to the 1991 Administrative Council a detailed draft medium-term programme for the technical cooperation and assistance activities decided upon by the Plenipotentiary Conference; in particular, each activity listed under *resolves* above shall be described in such a way as to enable the Council to assess the effectiveness, degree of priority and costs of its implementations,

instructs the Administrative Council

1. to consider how the priorities of the Union for technical cooperation and assistance can be achieved within available resources;

2. to provide financing within the ordinary budget for technical assistance activities relating to the ITU's role as United Nations specialized agency for telecommunications, consistent with the purposes of the Union;

3. to prepare for the information of all administrations an annual report on the progress of the Union's technical cooperation and assistance activities.

RESOLUTION No. 19

**Interim Arrangements to Enable Commencement of the
Work of the Telecommunications Development Bureau**

The Plenipotentiary Conference of the International Telecommunications Union (Nice, 1989),

considering

a) the decision of this Conference to set up a new permanent organ - the Telecommunications Development Bureau (BDT) with the same status as the other permanent organs of the Union and headed by a Director;

b) that the Constitution and Convention (Nice, 1989) incorporate necessary provisions in respect of the BDT;

c) that, however, in accordance with the decision of this Conference, the Director of the BDT is to be elected at the next Plenipotentiary Conference,

recognizing

that it was essential to ensure that the BDT begins to function with immediate effect, to enable the Union to fulfil its responsibilities in respect of technical cooperation and telecommunications development in a more satisfactory manner,

recognizing also

the understanding of the Members that the implementation of the BDT should begin immediately after the Nice Plenipotentiary Conference under the responsibility of the Secretary-General,

resolves

a) that the BDT should become operational, in practical terms, immediately;

b) that the Secretary-General be authorized to institute all the measures necessary to make this possible, within the resources earmarked for the BDT;

c) that during the period up to the election, and assumption to office, of the Director of the BDT, the Secretary-General should discharge the duties of the Director in addition to his other responsibilities,

instructs the Secretary-General

a) to take all necessary measures towards the operationalization of the BDT using the staff and resources of the Technical Cooperation Department as a nucleus;

b) to submit a progress report along with his recommendations to the extraordinary and the subsequent sessions of the Administrative Council;

c) to circulate his report together with the considerations of the Administrative Council to all Members,

instructs the Administrative Council

to consider the report of the Secretary-General and to make necessary decisions to give effect to the intent of this Resolution.

RESOLUTION No. 20

Improvement of Union Facilities for Rendering Technical Assistance and Advice to Developing Countries

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having taken note

of the sections of the Reports of the Administrative Council which dealt with the action taken on the implementation of resolutions, etc., relating to "Technical Cooperation Activities of the Union" (Document 47) and "The Changing Nature of ITU Technical Cooperation and Related Field Activities" (Document 33),

recognizing

the technical assistance rendered to developing countries in pursuance of Resolution No. 22 of the Plenipotentiary Conference (Nairobi, 1982),

considering

a) that the volume of the Union's technical assistance needs to be increased and the quality further improved;

b) that in many cases the developing countries, and in particular the newly independent countries, need advice of a highly specialized nature and that such advice must often be obtained at short notice;

c) that technical knowledge and experience of great value to the developing countries is also obtainable from or through the International Consultative Committees and the International Frequency Registration Board (IFRB),

resolves

1. that the duties of the Group of Engineers of the Telecommunications Development Bureau shall be:

- 1.1 to work with the specialized secretariats of the International Consultative Committees and the IFRB in providing information and advice on subjects of importance to developing countries for the planning, organization, development and operation of their telecommunication systems;
- 1.2 at administrations' request, to prepare standard technical specifications for the most commonly used equipment;
- 1.3 to give prompt and constructive advice, either by correspondence or by mission, in response to practical questions addressed to it by developing countries, Members of the Union;
- 1.4 to provide an opportunity for expert and high-level consultation for senior personnel from developing countries visiting the seat of the Union;
- 1.5 to participate in seminars and courses organized at the seat of the Union or elsewhere on specialized aspects of telecommunication subjects;

2. that highly qualified experts shall be recruited, as needed, for periods normally not exceeding one month at a time in order to complement the expertise provided by the Group of Engineers,

instructs the Secretary-General

to include in the annual reports to the Administrative Council:

1. the specialities and the type of assistance required from the Group of Engineers by the developing countries, taking into account the rapid changes in technology;

2. his appraisal of the volume and quality of the technical assistance provided and mentioning any difficulties encountered in meeting these requests,

instructs the Administrative Council

1. to consider the Secretary-General's annual reports and to take all necessary measures in order to meet the requests for the services of the Group of Engineers;

2. to include in the annual budget of the Union the credits necessary for the proper functioning of the Group of Engineers and a global amount to cover the estimated costs of the services of the short-term experts mentioned in *resolves 2*;

3. to follow closely the development of the volume and quality as well as the type of technical assistance provided by the Union in application of this Resolution.

RESOLUTION No. 21

Participation of the Union in the United Nations Development Programme (UNDP) in Other Programmes of the United Nations System, and in Other Funding Arrangements

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having noted

a) No. 45 of the Constitution of the International Telecommunication Union (Nice, 1989) establishing the Telecommunications Development Bureau (BDT);

b) the sections of the Report of the Administrative Council which deal with the technical cooperation activities of the Union (Document 47) and the Report on "The Changing Nature of ITU Technical Cooperation and Related Field Activities" (Document 33),

having endorsed

the action taken by the Administrative Council in application of Resolution No. 16 of the Plenipotentiary Conference (Nairobi, 1982) as regards participation of the Union in the United Nations Development Programme (UNDP),

having expressed

its appreciation of the consideration given by the UNDP and other funding arrangements to the development of telecommunications,

resolves

1. that the Union, as part of its dual function as the United Nations specialized agency for telecommunications and the UNDP executing agency, shall continue its full participation in the UNDP within the framework of the Constitution and under the conditions established by the UNDP Governing Council or by other competent bodies of the United Nations system;

2. that the costs of the administrative and executing services resulting from the Union's participation in the UNDP and other funding arrangements shall be included in a separate part of the budget of the Union,

on the understanding that the support cost payments from the UNDP and other funding arrangements shall be included as income in that part of the budget;

3. that the support cost payments received shall not be taken into consideration in fixing the limits of the Union's ordinary budget;

4. that the Union's auditors shall check all the expenditures and income relative to participation of the Union in the UNDP and other funding arrangements;

5. that the Administrative Council shall also examine these expenditures and take whatever steps it deems appropriate to ensure that the funds thus received are used exclusively for administrative and executing service costs,

instructs the Secretary-General

1. to present each year to the Administrative Council a detailed report on the participation of the Union in the UNDP and other funding arrangements;

2. to submit to the Administrative Council such recommendations as he may deem necessary to improve the efficiency of this participation,

instructs the Administrative Council

to take all necessary measures to ensure the maximum efficiency of the Union's participation as a partner in the UNDP and other funding arrangements taking into account the decisions of the Governing Council of the UNDP and the need to maintain a balance between income and expenditures.

RESOLUTION No. 22

**Inter-Country Projects Financed by the United Nations
Development Programme (UNDP) in the Field of
Telecommunications**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having noted

the sections of the Report of the Administrative Council which deal with the technical cooperation activities of the Union (Document 47) and the report on "The changing nature of ITU technical cooperation and related field activities" (Document 33),

emphasizing

that, telecommunication services are a basic service for any country and to a large extent are also of an inter-country nature needing the same degree of sophistication in regard to technical facilities and to staff training in all countries to achieve successful operation of international telecommunication services and for the management of the radio frequency spectrum,

recognizing

that, in many of the developing countries, the national resources in respect of equipment, operational arrangements and national staff continue to be inadequate to ensure telecommunication services of an acceptable quality and at reasonable rates,

recognizing also

a) the importance of regional telecommunication cooperation, and the necessity to maximize it in order to foster in particular telecommunication development so as to facilitate and speed up development in other sectors as emphasized by "The Missing Link";

b) that the UNDP and particularly its inter-country programme is one of the valuable means of assisting the developing countries to improve their telecommunication services,

expressing its appreciation

of the consideration given to this matter in certain regions by the UNDP in making available to the ITU allocations for inter-country projects of technical cooperation to developing countries, noting however that these allocations do not adequately meet some regions' aspirations,

resolves to invite the UNDP

with a view to strengthening technical cooperation in the telecommunication sector and thereby contributing significantly to an accelerated pace of integration and development, to consider favourably a sufficient increase of the allocations to inter-country projects of assistance and to sectoral support activities in this sector,

invites Member Governments

to pursue this matter appropriately with a view to achieving the objective of this Resolution,

invites those Members of the Union which are also Members of the Governing Council of the UNDP

to make favourable consideration of this Resolution possible in that Council.

RESOLUTION No. 23

Apportionment of Revenues in Providing International Telecommunication Services

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the importance of telecommunications for the social and economic development of all countries;

b) that the International Telecommunication Union has an important role to play in promoting the universal development of telecommunications;

c) that the Independent Commission for World-Wide Telecommunications Development, in its report "The Missing Link", recommended, *inter alia*, that Members of the Union should consider setting aside a small portion of revenues from calls between developing and industrialized countries to be devoted to telecommunications in developing countries;

d) that CCITT Recommendation D.150, which provides for the apportionment of accounting revenues from international traffic between terminal countries, in principle on a 50/50 basis, was amended at the VIIIth

CCITT Plenary Assembly, as confirmed at the IXth Plenary Assembly, to for sharing in a different proportion in some cases where there are differences in the costs of providing and operating telecommunication services;

e) that the ITU, to assist administrations and as a follow-up to the Recommendation in "The Missing Link", carried out a study of the costs of providing and operating telecommunications services between developing and industrialized countries;

f) that, in accordance with instructions contained in Resolution No. 3 of the World Administrative Telephone and Telegraph Conference (Melbourne, 1988), the Secretary-General has taken action to continue the said study;

g) that, as indicated in the Secretary-General's report (Document 106), the study is progressing in accordance with the conclusions reached at a meeting of administrations specially convened by him to facilitate an exchange of views on the matter;

h) that the study is programmed for completion before the middle of 1990,

resolves

that, should this study lead to the application in particular cases of accounting rates other than on a 50/50 basis, the developing countries concerned should be able to use the resulting additional revenues for the improvement of their telecommunications, including, if necessary, and so far as possible, assistance to the Centre for Telecommunications Development,

invites administrations

1. to extend full cooperation to the Secretary-General in carrying out and completing this study;

2. to consider, in the light of the findings of the study, taking such action as may be deemed appropriate and, if necessary, to request the Secretary-General for any assistance in this regard,

instructs the Secretary-General

1. to circulate the report on the study, on completion, to all Member administrations;

2. to extend any further assistance to administrations, if so requested.

RESOLUTION No. 24

Special Voluntary Programme for Technical Cooperation

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) the fundamental role of telecommunications in the achievement of balanced economic and social development;

b) the interest of all Members in the expansion of world-wide networks based on well-developed national telecommunication networks,

and in particular

c) the need to bring a telephone within easy reach of all mankind by the early part of the next century and hence;

d) the requirement for specific technical assistance in many countries in order to improve the capacity and efficiency of their telecommunication equipment and networks, and thereby narrow the large gap between the developing and developed countries,

considering

that the needs of the developing countries for technical cooperation and assistance to improve their national networks cannot be fully satisfied by the funds allocated in the ordinary budget of the Union to this purpose nor by the allocation of funds from the United Nations Development Programme to telecommunications projects executed by the ITU,

considering also

that the Union can play a very useful catalytic role in identifying development projects and bringing them to the attention of bilateral and multilateral programme managers with a view to a better matching of resources to needs,

resolves

to maintain and strengthen the Special Voluntary Programme for Technical Cooperation based on financial contributions, expert services, or in any other form to meet as many of the telecommunication requests of developing countries as possible,

urges Members, their recognized private operating agencies, scientific or industrial organizations and other entities and organizations

to support the Special Voluntary Programme by making available the required resources in whatever form may be convenient to meet the telecommunications needs of the developing countries more effectively,

instructs the Secretary-General

1. to ascertain the specific types of technical cooperation and assistance required by developing countries and suited to this Special Voluntary Programme;
2. actively to seek wide support for the Programme and regularly to publish the results for the information of all the Members of the Union;
3. within existing resources, to provide the necessary administrative and operational structure for the functioning of the Programme;
4. to ensure proper integration of the Programme with other technical cooperation and assistance activities;
5. to submit to the Administrative Council an annual report on the development and management of the Programme,

instructs the Administrative Council

to review the results achieved by the Programme and take all steps necessary to promote its continued success.

RESOLUTION No. 25

International Programme for the Development of Communication

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

a) the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948;

b) Resolutions 31/139 and 33/115 adopted by the United Nations General Assembly on 16 December 1976 and on 18 December 1978, respectively;

c) the recommendations of the Intergovernmental Conference for Cooperation Activities, Needs and Programmes for Communication Development (Paris, April 1980), and in particular Recommendation viii) of part III of the report of this Conference;

d) Resolution No. 4.21 of the 21st Session of the United Nations Educational, Scientific and Cultural Organization (UNESCO) General Conference (Belgrade, 1980), establishing the International Programme for the Development of Communication (IPDC),

recognizing

a) the importance of the cooperation between the Union and UNESCO for the effective development of the IPDC activities;

b) the good results being achieved through the ITU/IPDC joint efforts concerning the development of broadcasting in Africa;

c) the importance of providing adequate telecommunication infrastructure to meet the objectives of the IPDC;

d) the necessity of maintaining continuous liaison between the Union and the various UNESCO units involved in the work of the IPDC,

reaffirming

the primordial role played in the field of telecommunications within the United Nations system by the Union, which is the main international forum for the consideration and promotion of international cooperation for the improvement and rational use of telecommunications of all kinds,

approves

the measures taken by the Secretary General for the enhancement of the participation of the Union in the work of the IPDC through the Special Voluntary Programme,

resolves

that the Administrative Council and the Secretary-General shall maintain and support the Union's participation in the IPDC, including its Intergovernmental Council, this participation also being directly related to the Union's activities in rendering technical assistance to developing countries,

requests countries Members of UNESCO

to make available greater resources for the telecommunication components of IPDC projects contributing to the development of all communications facilities, set up to improve the quality of life in the developing countries,

instructs the Secretary-General

1. to report to the Administrative Council on the development of these activities;

2. to bring this Resolution to the attention of the United Nations General Assembly, the Intergovernmental Council of the IPDC and the Director General of UNESCO,

instructs the Administrative Council

to study the reports submitted by the Secretary-General and to take appropriate action to assure technical support by ITU for the work of the IPDC by including in the annual budget of the Union appropriate credits for maintaining liaison with the Intergovernmental Council, the Secretariat of IPDC and the UNESCO units involved in the work of IPDC.

RESOLUTION No. 26

Special Measures for the Least Developed Countries

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

the United Nations General Assembly Resolution 36/194 of 17 December 1981, which adopted the "Substantial New Programme of Action for the 1980s for the Least Developed Countries" established by the United Nations Conference on the Least Developed Countries (Paris, September 1981) and the section of the Report of the Administrative Council (Document 47) which deals with the action taken in application of Resolution No. 27 of the Plenipotentiary Conference (Nairobi, 1982),

recognizing

the importance of telecommunications for the development of the countries concerned,

instructs the Secretary-General

1. to continue to review the state of telecommunication services in the least developed countries identified by the United Nations and needing special measures for telecommunication development;
2. to report his findings to the Administrative Council;
3. to propose concrete measures intended to bring about genuine improvements and provide effective assistance to these Least Developed Countries from the Special Voluntary Programme for Technical Cooperation, the Union's own resources and other sources;
4. to report annually on the matter to the Administrative Council,

instructs the Administrative Council

1. to consider the above-mentioned reports and take appropriate action so that the Union may continue to display its active interest and cooperation in the development of telecommunication services in these countries;
2. to make appropriations for the purpose from the Special Voluntary Programme for Technical Cooperation, the Union's own resources and other sources;
3. to keep the situation under constant review and to report on the matter to the next Plenipotentiary Conference.

RESOLUTION No. 27

**Application of Science and Telecommunication Technology
in the Interest of Developing Countries**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

the provisions of various resolutions adopted by the Economic and Social Council and by the General Assembly of the United Nations for the purpose of expediting the application of science and technology in the interest of developing countries,

considering

that the International Telecommunication Union should, in its own field, associate itself in every way possible with efforts being thus undertaken by the organizations of the United Nations system,

having noted

the section of the Report of the Administrative Council (Document 47) which deals with the action taken in application of Resolution No. 25 of the Plenipotentiary Conference (Nairobi, 1982),

instructs the Administrative Council

to take the necessary measures, within the limit of the available resources, to ensure that the Union:

1. cooperates to the greatest extent possible with the appropriate organs of the United Nations;

2. contributes to the greatest extent possible to expediting the transfer to, and assimilation in, the developing countries of the scientific knowledge and technological expertise in telecommunication, which are available in technically more advanced countries, by the publication of appropriate handbooks and other documents;

3. bears this Resolution in mind in its technical cooperation activities in general.

RESOLUTION No. 28

Telecommunication Infrastructure and Socio-Economic and Cultural Development

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

that the social and economic underdevelopment of a large part of the world is one of the most serious problems affecting not only the countries concerned but also the international community as a whole,

considering

a) that telecommunication facilities and services are not only the consequence of economic growth, but a prerequisite for overall development;

b) that telecommunications are an integral part of the national and international development process;

c) that the recent spectacular progress, and particularly the convergence of telecommunications and computer technologies and services, has transformed telecommunications into an agent of change for the information age,

stressing

the important participatory, and not merely infrastructural, role played by telecommunications in the development of agriculture, health, education, transport, industry, human settlement, trade, transfer of information for social welfare and in the general economic and social progress of developing countries,

recalling

a) that the Independent Commission for World-Wide Telecommunications Development in its report "The Missing Link" has highlighted the unacceptable imbalance in the distribution of telecommunications and the imperative and urgent need to remedy the same;

b) that in this context the Independent Commission has *inter alia* called on Governments, international agencies and all others concerned to accord, particularly in the developing countries, an appropriate higher priority to investment and other related actions for the development of telecommunications,

recognizing

a) that given the constraints of the world economic situation, there is a continuing decline in resources available in most developing countries for investments in various development sectors;

b) that, in this situation, doubts continue to arise as to the interrelated priorities for resource allocation among the various sectors to guide national decision;

c) that it was therefore necessary to provide decision-makers with relevant and timely information on the role and overall contribution of telecommunications to the totality of planned development;

d) that past studies undertaken at the initiative of the Union for assessing the benefits of telecommunications have had a salutary effect,

appreciating

the various studies that have been carried out in compliance of Resolution No. 24 (Nairobi, 1982) as part of the programme of technical cooperation and assistance activities of the Union,

resolves

1. that the Union should continue to organize, conduct or sponsor necessary studies to bring out, in a different and changing context, the contribution of telecommunications to overall development;

2. that the Union should also act as a clearing house for information on the results of similar studies carried out by other national, regional and international bodies,

invites

the administrations and governments of Member States, agencies and organizations of the United Nations system, non-governmental and inter-governmental organizations, financial institutions and providers of telecommunication equipment and services to extend their support for the satisfactory implementation of this Resolution,

urges

all agencies responsible for development aid and assistance, including the International Bank for Reconstruction and Development (IBRD), the United Nations Development Programme (UNDP), as well as donor and recipient Member States of the Union, to attach greater importance to telecommunications in the development process and to accord an appropriate higher priority for resource allocation to this sector,

instructs the Secretary-General

1. to bring this Resolution to the attention of all interested parties, including, in particular, the UNDP, IBRD, regional development banks and national development funds for cooperation;
2. to organize studies, as found necessary, from time to time, within the available credits;
3. to report annually to the Administrative Council on the progress made in the implementation of this Resolution;
4. to arrange for the wide dissemination of the findings of the studies carried out in accordance with this Resolution,

instructs the Administrative Council

1. to review the Secretary-General's reports and take appropriate measures to ensure the implementation of this Resolution;
2. to report on the matter to the next Plenipotentiary Conference.

RESOLUTION No. 29

Recruitment of Experts for Technical Cooperation Projects

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the importance of recruiting highly qualified and experienced experts for the successful conduct of the Union's technical cooperation activities;

b) the increasing difficulties encountered in such recruitment, both quantitatively and qualitatively;

c) the growing demand for highly specialized expertise over short periods both in traditional and new services,

having noted

a) that the Union's needs for well qualified experts and the conditions of their recruitment are not adequately disseminated within the countries which are in a position to make available such experts;

b) the section of the Report by the Administrative Council (Document 47) which deals with the action taken in application of Resolution No. 23 of the Plenipotentiary Conference (Nairobi, 1982),

considering further

the great importance of strengthening technical cooperation among developing countries,

wishes to express

its gratitude to the Members which have provided experts from their countries for technical cooperation projects,

invites the Members of the Union

1. to increase their efforts to explore all sources of candidates for expert posts among the staffs, both active and retired, of administrations, recognized operating agencies, industry, universities, and training institutions and scientific and research bodies, etc. by giving the widest possible publicity to the information concerning vacancies and through direct contacts with these potential sources of expertise;

2. to facilitate to the maximum the secondment of the candidates chosen and their reintegration at the end of their mission so that their period of absence does not prove a handicap in their careers;

3. to continue to offer, free of charge, lecturers and the necessary services for seminars organized by the Union,

invites the developing countries Members of the Union

to take particular account of candidates presented by other developing countries provided they meet the requirements,

instructs the Secretary-General

1. to pay the greatest possible attention to the qualifications, experience and aptitudes of candidates for vacant expert posts when drawing up lists of experts for submission to beneficiary countries;

2. not to impose age limits on candidacies for expert posts but to make sure that candidates who have passed the retirement age fixed in the United Nations Common System are fit enough to perform the tasks listed in the vacancy notice;

3. to establish, and disseminate, on a monthly basis, a list of vacant expert posts which are to be filled during the forthcoming months and to provide information on conditions of service;

4. to continue to keep up to date the register of potential candidates for expert posts with due emphasis on specialists for short-term missions;

5. to submit each year to the Administrative Council a report on the measures adopted in pursuance of this Resolution and on the evolution of the expert recruitment problem in general,

invites the Administrative Council

to follow with the greatest attention the question of expert recruitment and to adopt the measures it deems necessary to obtain the largest possible number of candidates for expert posts advertised by the Union for technical cooperation projects on behalf of the developing countries.

RESOLUTION No. 30

ITU Training Fellowship Programme

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

that a similar level of technical competence throughout the world is important for successful global communications,

considering

a) the importance, for technical cooperation activities, of providing highly applicable programmes to recipients of ITU Fellowships;

b) the difficulties encountered in ensuring such applicability,

having noted that

a) fellowship requirements delineated in nomination forms may vary from country to country for similar fields of training;

b) the cost of specialized programmes is frequently high and, consequently, prohibitive to recipient countries having limited United Nations Development Programme (UNDP) funds;

c) candidates sometimes have insufficient knowledge of an appropriate language to derive maximum benefit from a training programme,

wishes to express

its gratitude to the administrations which have provided fellowship programmes for technical cooperation projects,

urges donor/host countries

1. to make every effort to identify sources of training for ITU Fellows in their administrations, industry and training institutions, by giving the widest possible publicity to information concerning the needs of recipient countries;
2. to make every effort to provide programmes that address the needs of recipient countries and to keep the Secretary-General apprised of programmes that are available to meet these needs;
3. to continue to offer, at no cost or as little cost as possible to the Union, the most applicable training to fellowship holders,

urges the recipient countries

1. to ensure that candidates have a working knowledge of the language in which the programme will be conducted, it being understood that in some cases special arrangements could be made with the donor/host country;
2. to endeavour to provide fellowship nominations well in advance of the time when the training is due to begin;
3. to ensure that candidates are briefed on the duration and content of their fellowship programmes as conveyed by the host country to the ITU;
4. to ensure that candidates have familiarized themselves with the "Administrative Guide for ITU Fellows";
5. to employ the fellow upon return in the most appropriate manner so as to derive the maximum benefit from the training received,

instructs the Secretary-General

1. to pay the greatest possible attention to consolidating similar needs when submitting requests for fellowship programmes to host countries;
2. to continue to develop and publish information describing a set of standardized training requirements at appropriate skill levels that will meet the typical needs of developing countries;
3. to establish and keep up to date a data base of fellowship opportunities that are available in host countries in the year to come; this information will be available to Members on request;
4. to submit requests for fellowship programmes to host countries as far as possible well in advance of the time frame required for the programme,

invites the Administrative Council

to follow with great attention the question of providing the most applicable training to ITU Fellows in the most cost-effective manner.

RESOLUTION No. 31

Training of Refugees

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having noted

a) United Nations General Assembly Resolution 36/68 on the implementation of the declaration on the granting of independence to colonial countries and peoples and other resolutions relevant to assistance to refugees;

b) the section of the Report of the Administrative Council (Document 47) which deals with the action taken in application of Resolution No. 31 of the Plenipotentiary Conference (Nairobi, 1982),

requests the Secretary-General

1. to continue his efforts with a view to the application of the United Nations Resolution;

2. to collaborate fully with the organizations concerned with the training of refugees, both within and outside the United Nations system,

invites the Members of the Union

to do even more to receive certain selected refugees and to arrange for their training in telecommunications in professional centres or schools.

RESOLUTION No. 32

Standards for Human Resources Management/Development (HRM/HRD)

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having examined

the question of the development of human resources for telecommunications and the training of telecommunication staff on the basis of the information provided in the relevant sections of the Report of the Administrative Council (Document 47) and the report on "The Changing Nature of ITU Technical Cooperation and Related Field Activities" (Document 33),

expressing its satisfaction

with the results so far achieved in the realization of the objectives set out in Resolution No. 29 of the Plenipotentiary Conference (Nairobi, 1982),

noting with appreciation

the support extended to the Union in the implementation of the above Resolution by its Members and by the United Nations Development Programme,

considering

that the rapid and effective introduction of new technologies into telecommunication systems requires:

- a) compatible equipment at both ends and at transit offices;
- b) equivalent technical/management training and appropriate linguistic fluency of technical and operational personnel,

considering also the importance of

a) further improving the quality of training of telecommunication personnel;

b) further improving the quality of human resources management in telecommunication organizations;

c) establishing and disseminating HRM/HRD standards for the different categories of personnel involved in the construction, operation and maintenance of telecommunication equipment and systems;

d) the efficient coordination of training activities and course development on management and development of telecommunication personnel at the national, regional and interregional levels,

convinced

of the importance of the development of human resources for telecommunications and of the need for technical and management training to enable developing countries to accelerate the introduction and application of appropriate technology,

instructs the Secretary-General

for the purpose of attaining the objectives listed under the considerations:

1. to continue to develop training standards, and to develop standards in other domains of human resources management, in particular:

- 1.1 by participating in research relating to HRM/HRD (including training) conducted by United Nations specialized agencies and by other organizations;
 - 1.2 by investigating the possibilities of utilizing modern training methodologies and new telecommunication technologies, especially in solving the HRM/HRD problems of developing countries;
 - 1.3 by holding meetings of working groups on HRM/HRD standards;
 - 1.4 by updating and improving all the guides and manuals prepared up to the present to improve training activities, and by developing new manuals and guides for the remainder of the activities involved in HRM/HRD, taking into account the experience gained through the application of the existing documents;
2. to promote task-oriented training, to advise administrations, on request, on the most suitable methods for human resources management (including training) and to assist them in applying the methods recommended;
 3. to contribute further to the training of staff responsible for management of human resources in telecommunications (managers of different human resources activities, instructors, course developers, etc.) and to instruct ITU human resources experts in the use of current ITU human resources standards;
 4. to assist in the interregional coordination of HRM/HRD activities, in particular:
 - 4.1 by cooperating with regional telecommunication organizations and with associated organizations for human resources management and training;

- 4.2 by promoting the creation of regional or subregional resource or training centres and the use in these centres of the methods and standards for HRM/HRD recommended by the ITU;
- 4.3 by facilitating the interchange of information and experience on HRM/HRD (including management of training);
5. to continue developing and maintaining an international system for sharing of resources pertaining to HRM/HRD (including training materials and equipment) and other relevant information, in order to facilitate cooperation between countries;
6. to continue to facilitate, within the framework of technical cooperation activities, the exchange of human resources managers, instructors, trainees and training material between administrations;
7. to maintain up-to-date information on the results achieved by the sharing system;
8. to propose to the Administrative Council the organizational and staffing arrangements needed to attain the objectives specified in this Resolution,

instructs the Administrative Council

1. to consider the recommendations submitted to it by the Secretary-General with a view to providing adequate means and credits to attain the objectives specified in this Resolution;
2. to review at its annual sessions the arrangements and their development and progress, and to take the necessary steps to ensure the attainment of the objectives of this Resolution,

invites Members of the Union

to participate and assist to the greatest possible extent in the implementation of this Resolution.

RESOLUTION No. 33

Seminars

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) that for the staff of Member administrations, particularly in the developing countries, seminars are a valuable means of acquiring knowledge of the latest developments in telecommunication techniques and of comparing experience;

b) that this ITU activity should be continued and expanded,

having noted

the section of the Report of the Administrative Council (Document 47) which deals with the action taken in application of Resolution No. 28 of the Plenipotentiary Conference (Nairobi, 1982),

thanks

administrations which have already organized or which intend to organize seminars and which provide at their own expense qualified lecturers or discussion leaders for this purpose,

urges administrations

to continue and intensify their efforts in this direction in coordination with the Secretary-General,

instructs the Secretary-General

1. to coordinate the efforts of the Members of the Union which plan to organize seminars with a view to avoiding duplication and overlapping, paying particular attention to the languages used;
2. to ascertain and provide information on the subjects which should be dealt with by seminars;
3. to promote or to organize seminars within the limits of available funds;
4. constantly to improve the effectiveness of these seminars in the light of experience;
5. to make *inter alia* the following arrangements:
 - 5.1 publish the preliminary and final documents of seminars and forward them in good time to the administrations and participants concerned by the most appropriate means;
 - 5.2 take appropriate action following these seminars;
6. to submit an annual report to the Administrative Council and to make proposals to it with a view to ensuring the effective attainment of the objectives referred to above, bearing in mind the opinions expressed by the Conference and the available credits,

requests the Administrative Council

to take account of the proposals of the Secretary-General and to ensure that appropriate credits are included in the annual budgets of the Union to permit the accomplishment of the tasks envisaged in this Resolution.

RESOLUTION No. 34

**Approval of the Accounts of the Union for the
Years 1982 to 1988**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the provisions of No. 40 of the International Telecommunication Convention (Nairobi, 1982);

b) the Report by the Administrative Council to the Plenipotentiary Conference (Document 47), Document 186 relating to the financial management of the Union during the years 1982 to 1988 and the first report of the Finance Committee of the present Conference (Document 207),

resolves

to give its final approval of the accounts of the Union for the years 1982 to 1988.

RESOLUTION No. 35

Auditing of Union Accounts

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

that the external auditor appointed by the Government of the Swiss Confederation audited the Union accounts for the years 1982 to 1988 most carefully, competently and accurately,

expresses

1. its warmest thanks to the Government of the Swiss Confederation;

2. the hope that the existing arrangements for the auditing of the Union accounts may be renewed,

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss Confederation.

RESOLUTION No. 36

**Assistance Given by the Government of the Swiss Confederation
in Connection with the Finances of the Union**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

that in the years 1984 to 1986 the Government of the Swiss Confederation placed funds at the disposal of the Union to improve its liquidity,

expresses

1. its appreciation to the Government of the Swiss Confederation for its generous assistance in financial matters;
2. the hope that the arrangements in this field may be renewed,

instructs the Secretary-General

to bring this Resolution to the notice of the Government of the Swiss Confederation.

RESOLUTION No. 37

Contributory Shares in Union Expenditure

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that No. 368 of the Convention of the International Telecommunication Union (Nice, 1989) allows the least developed countries as listed by the United Nations to contribute to Union expenditure in the 1/8 or 1/16 unit class;

b) that, under this provision, the 1/8 or 1/16 unit class may also be chosen by other countries determined by the Administrative Council;

c) that some countries with a small population and a low per capita gross national product* may encounter financial difficulties in contributing to Union expenditure in the 1/4 unit class;

d) that it is in the interest of the Union that participation should be universal;

e) that the small countries should be encouraged to become Members of the Union,

instructs the Administrative Council

at each session to review, on their request, the situation of small countries not included in the United Nations list of the least developed countries which may encounter financial difficulties in contributing in the 1/4 unit class in order to decide which of them may be considered as being entitled to contribute to Union expenditure in the 1/8 or 1/16 unit class.

RESOLUTION No. 38

Settlement of Accounts in Arrears

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

* For example, the following countries: Saint Kitts and Nevis, St. Lucia, Seychelles, Tuvalu.

in view of

a) the Report of the Secretary-General to the Plenipotentiary Conference on the situation with regard to amounts owing to the Union;

b) Resolution No. 10 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973);

c) Resolution No. 53 of the Plenipotentiary Conference (Nairobi, 1982),

noting with satisfaction

a) that Chile, Costa Rica, the Republic of Haiti, Peru, the Eastern Republic of Uruguay and the Yemen Arab Republic with regard to Resolution No. 10 of the Malaga-Torremolinos Conference and the Central African Republic with regard to Resolution No. 53 of the Nairobi Conference have settled their debts in full;

b) that the Republic of El Salvador has been regularly reducing its debt and that only one further payment remains to be received by the Union,

regretting

that the Republic of Bolivia and the Dominican Republic with regard to Resolution No. 10 of the Malaga-Torremolinos Conference and the Republic of Guatemala, the Islamic Republic of Mauritania and the Republic of Chad with regard to Resolution No. 53 of the Nairobi Conference have not put forward any schedule for the settlement of their debts,

considering

that it is in the interests of all Members of the Union to maintain the finances of the Union on a sound footing,

resolves

1. for the Republic of Sudan
 - 1.1 that the contributions for the years 1980 to 1983, amounting to 567,047.95 Swiss francs, shall be transferred to the special arrears account bearing no interest;
 - 1.2 that the interest on arrears, namely, 306,507.55 Swiss francs, shall be transferred to the special interest account;

2. for the Republic of Liberia
 - 2.1 that the contributions for the years 1979 to 1989, amounting to 1,030,810 Swiss francs, shall be transferred to the special arrears account bearing no interest;
 - 2.2 that the interest on arrears, namely, 514,766.50 Swiss francs, shall be transferred to the special interest account;

3. for the Islamic Federal Republic of the Comoros
 - 3.1 that the contributions and the amounts owing for publications for the years 1978 to 1989, amounting to 612,205.20 Swiss francs, shall be transferred to the special arrears account bearing no interest;
 - 3.2 that the interest on arrears, namely, 285,725.45 Swiss francs, shall be transferred to the special interest account;

4. for the Republic of Guatemala
 - 4.1 that the contributions and the amounts owing for publications for the years 1982 to 1987, amounting to 198,405.70 Swiss francs, shall be transferred to the special arrears account bearing no interest;

- 4.2 that the interest on arrears, namely, 70,705.05 Swiss francs, shall be transferred to the special interest account;
5. that the transfer to the special arrears account shall not release the Members concerned from the obligation to settle their arrears;
6. that the amounts due in the special arrears account shall not be taken into account when applying No. 117 of the Nairobi Convention*;
7. that this Resolution shall not in any circumstances be invoked as a precedent,

instructs the Secretary-General

1. to negotiate with the competent authorities of all the Members in arrears in the payment of their contributions, the terms for the staggered payment of their debts;
2. to report annually to the Administrative Council on the progress made by these Members towards repaying their debts,

invites the Administrative Council

1. to study ways of settling the special interest account;
2. to adopt appropriate measures for the application of this Resolution;

* From the date of entry into force of the Constitution of the International Telecommunication Union (Nice, 1989), this number will be replaced by No. 148 thereof.

3. to report to the next Plenipotentiary Conference on the results obtained in pursuance of this Resolution.

RESOLUTION No. 39

**Absorption of Shortfall in Technical Cooperation
Special Accounts 1980-1989**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

the provisions of Resolution No. 16 of the Plenipotentiary Conference (Nairobi, 1982), particularly those concerning:

- the decisions of the Governing Council of the United Nations Development Programme (UNDP) relating to the existing arrangements for reimbursing the support costs of the United Nations specialized agencies;
- the ITU's responsibility within the framework of its partnership with UNDP,

having noted

that the shortfall in income to cover expenditure in Technical Cooperation Special Accounts for the years 1980 to 1989 inclusive is estimated at 17,226,870 Swiss francs, of which 13,026,870 Swiss francs have already been amortized between 1986 and 1989,

instructs the Administrative Council

to continue its endeavours to find ways and means of absorbing, within a reasonable space of time, the remaining shortfall in income, estimated at 4,200,000 Swiss francs.

RESOLUTION No. 40

**Contributions of Recognized Private Operating Agencies,
Scientific or Industrial Organizations and
International Organizations**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

noting

a) the contribution towards the activities of the Union made by recognized private operating agencies, scientific or industrial organizations and international organizations;

b) that the principle of voluntary contributions which applies to Members also applies to recognized private operating agencies, scientific or industrial organizations and international organizations within the limits set in the International Telecommunication Convention (Nairobi, 1982)* ;

c) that, under the International Telecommunication Convention (Nairobi, 1982), recognized private operating agencies, scientific or industrial organizations and international organizations have never chosen a class of contribution higher than 5 units;

* This reference will read: "... within the limits set in the Convention of the International Telecommunication Union (Nice, 1989)", as soon as that Convention comes into force.

d) that No. 622 of the Nairobi Convention (1982)* fixes the amount of the contribution per unit payable by recognized private operating agencies and scientific or industrial organizations towards the expenses of the International Consultative Committees in the work of which they have agreed to participate at 1/5 of the contributory unit of Members of the Union;

e) that recognized private operating agencies and international organizations share likewise in defraying the expenses of the administrative conferences in which they have agreed to participate,

recognizing

a) that recognized private operating agencies, scientific or industrial organizations and international organizations make a significant technical contribution to the deliberations of the International Consultative Committees;

b) that recognized private operating agencies, scientific or industrial organizations and international organizations also derive substantial benefits from the deliberations of the International Consultative Committees and the standardization work of the Union,

resolves

to encourage recognized private operating agencies, scientific or industrial organizations and international organizations to choose the highest possible contributory class in the light of the benefits they derive,

* This reference will read: "that No. 382 of the Convention of the International Telecommunication Union (Nice, 1989) ...", as soon as that Convention comes into force.

resolves further

to encourage the larger recognized private operating agencies and scientific or industrial organizations to consider the 1 unit class as a minimum contribution, provided that their means are sufficient, and subject to their agreement,

instructs the Secretary-General

to inform all recognized private operating agencies, scientific or industrial organizations and international organizations of this Resolution.

RESOLUTION No. 41

Recruitment of Union Staff

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

noting

a) No. 104 of the International Telecommunication Convention (Nairobi, 1982);

b) the report of the Administrative Council concerning the implementation of Resolution No. 58 of the Plenipotentiary Conference (Nairobi, 1982);

c) the increase in the number of countries from which the staff of the Union is recruited and the improvement in the geographical distribution of appointed staff;

d) the successful implementation of the measures designed to encourage the recruitment of young specialists at the P.1/P.2 level,

further noting

the recommendations of the International Civil Service Commission (ICSC) on recruitment policy and procedures as reported by the Secretary-General in Conference Document 29 entitled "General Staff Policy and Management",

considering

a) the relevant provisions of the Constitution and the Convention of the International Telecommunication Union (Nice, 1989);

b) the need to follow a recruitment policy appropriate to the requirements of the Union, including the redeployment of posts and the recruitment of young specialists, while observing the relevant recommendations as established by the ICSC;

c) the need to continue to improve the geographical distribution of the appointed staff of the Union;

d) the need to encourage the recruitment of women in the Professional and higher categories;

e) the constant advances made in the technology and operation of telecommunications and the corresponding need to recruit the most competent specialists to work in the secretariats of the permanent organs of the ITU,

resolves

1. that appointed staff in the Professional and higher categories shall continue to be recruited on an international basis and, in general, vacancies for these posts shall be advertised to the administrations of all Members of the Union; however, reasonable promotion possibilities must continue to be offered to existing staff;

2. that, when filling vacant posts by international recruitment, in choosing between candidates who meet the qualification requirements for a post, preference shall be given to the candidates from regions of the world which are insufficiently represented in the staffing of the Union;

3. that, in general, staff in the General Service category (grades G.1 to G.7) shall be recruited from among persons resident in Switzerland, or in French territory within 25 km of Geneva. Exceptionally, when vacancies occur at the G.5, G.6 and G.7 level for posts of a technical nature, recruitment may be on an international basis,

instructs the Secretary-General

1. to continue to pursue a recruitment policy designed to improve the geographical representation of the appointed staff in those posts of the Union subject to geographical distribution;

2. to favour, other qualifications being equal, the appointment of women to posts in the Professional and higher categories with a view to arriving at an equitable representation of women in the staff of the Union subject to *resolves 2* of this Resolution;

3. to continue to recruit young specialists at the P.1/P.2 level where appropriate with a view to improving professionalism within the Union;

4. to continue to observe those recommendations of the ICSC which are applicable to the situation of the Union in matters of recruitment.

RESOLUTION No. 42

Remuneration and Representation Allowances of Elected Officials

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having regard to

Resolution No. 55 of the Plenipotentiary Conference (Nairobi, 1982),

recognizing

that the salaries of elected officials should be set at an adequate level above those paid to appointed staff in the United Nations common system,

resolves

1. that, subject to the measures which could be proposed by the Administrative Council to the Members of the Union in accordance with the instructions hereunder, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the Director of the Telecommunications Development Bureau and the members of the International Frequency Registration Board shall be paid with effect from 1 November 1989* salaries fixed in relation to the maximum salary paid to appointed staff on the basis of the following percentages:

* For the Director of the Telecommunications Development Bureau, on taking up his duties.

| | |
|--|------|
| Secretary-General..... | 134% |
| Deputy Secretary-General, Directors of the International Consultative Committees, Director of the Telecommunications Development Bureau..... | 123% |
| IFRB members | 113% |

2. that the above percentages shall apply to the net base salary at the dependency rate; all other elements of the remuneration shall be derived therefrom by applying the methodology in force in the United Nations common system, provided that an appropriate percentage is applied to each individual element of the remuneration,

instructs the Administrative Council

1. if a relevant adjustment is made in common system salary scales, to approve any modification of the salaries of elected officials which might result from the application of the above-mentioned percentages;

2. in the event of overriding factors appearing to the Administrative Council to justify a change in the above-mentioned percentages, to propose to the Members of the Union for approval by a majority, revised percentages with appropriate justifications,

further resolves

that costs incurred for representation will be reimbursed against vouchers within the following limits:

Swiss francs per year

| | |
|--|--------|
| Secretary-General | 24,000 |
| Deputy Secretary-General, Directors of the International Consultative Committees, Director of the Telecommunications Development Bureau..... | 12,000 |
| IFRB (for the Board as a whole at the discretion of the Chairman)..... | 12,000 |

RESOLUTION No. 43

Adjustment of Pensions

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

Resolution No. 61 of the Plenipotentiary Conference (Nairobi, 1982), relating to the adjustment of the level of pensions,

having considered

the reports of the Administrative Council, the Secretary-General and the ITU Staff Pension Committee,

acknowledging

the concern of the ITU staff about the level of pensions in the present system and possible subsequent changes to it, as well as the potential effects of future monetary fluctuations and inflation,

concerned

by the fact that no long-term solution has yet been found which satisfies the concerns expressed by the staff on this issue,

further concerned

by the fact that the pension benefits of ITU staff retiring in any country of the world are not guaranteed at a level equivalent to that prevailing at the base of the system (New York) and by the resulting uncertainties which weigh heavily on the future level of pensions and their consequences for the staff in the professional and higher categories retiring to countries with strong currencies,

noting that

the United Nations General Assembly has commissioned reviews of staff remuneration, conditions of service and pensions and is to take decisions on these matters by the end of 1990,

noting further that

interim measures have been taken within the framework of the United Nations common system to reduce the impact of currency fluctuations and that these measures will come to an end on 31 December 1990 and will not constitute an acquired right,

reaffirming

the strong attachment of ITU Members to the United Nations common system,

strongly urges

the representative of the ITU Staff Pension Committee on the United Nations Joint Staff Pension Board to take all the necessary steps to ensure that the proposal for a Pension Purchasing Power Protection Insurance Plan is fully examined as one possible response to the concerns of ITU staff and to insist that an appropriate solution is found to the problem,

urges

all ITU Members to take all necessary steps to ensure that the concerns of ITU staff are properly understood by Members' representatives dealing with the general policy of remuneration and conditions of service of international civil servants in order that these concerns are taken into account in the decision-making process,

instructs the Administrative Council

1. to follow the development of this situation carefully in order to ensure that ITU views are fully and appropriately represented in the common system bodies responsible for pension matters;
2. to take, at its session in 1991, appropriate action to secure for ITU staff retiring in any country in the world pension benefits comparable to those prevailing at the base of the system (New York);
3. to envisage the implementation of any scheme protecting the purchasing power of pensions which is found to be compatible with the common system,

instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations and to the United Nations bodies responsible for staff conditions of service and remuneration, including pensions.

RESOLUTION No. 44

**Rehabilitation of the Provident Fund of the ITU Staff
Superannuation and Benevolent Funds**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

the situation of the Provident Fund shown in the balance sheet at 31 December 1988,

taking into account

that the support measures hitherto applied have been effective,

aware

that the Provident Fund continues to require support in the form of an annual contribution,

instructs the Administrative Council

to monitor carefully in coming years the situation of the ITU Staff Superannuation and Benevolent Funds, and in particular the Provident Fund, with a view to taking any measures it considers appropriate,

resolves

to reduce the annual contribution from the ordinary budget to the Provident Fund from 350,000 to 250,000 Swiss francs and to maintain that contribution until the Fund is able to meet its obligations.

RESOLUTION No. 45

In-Service Training

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

Resolution No. 60 of the Plenipotentiary Conference (Nairobi, 1982) on in-service training,

recognizing

the positive role of in-service training in optimizing staff productivity and effectiveness and the importance which should be attached to maintaining and to upgrading the professional skill of the staff,

instructs the Secretary-General

to continue to apply the "Rules for in-service training of the ITU staff" adopted by the Nairobi Plenipotentiary Conference and to prepare medium and long-term plans to respond to the needs of the Union and its staff,

instructs the Administrative Council

to allocate the appropriate credits for in-service training in accordance with an established programme which shall represent at least 0.25% and at most 0.50% of the portion of the budget allocated to staff costs.

RESOLUTION No. 46

Human Resources Development

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

the value of the human resources of the Union to the fulfilment of its goals,

further recognizing

the mutual value to the Union and to the staff of developing those resources to the fullest extent possible,

considering

the impact on the Union and its staff of the continuing evolution of activities in the domain of telecommunications and the need for the Union and its human resources to adapt to this evolution,

noting

that the International Civil Service Commission (ICSC) recognizes human resources management as "a systematic approach, contributing to the efficient and effective utilization of human resources",

recalling

its decisions on recruitment (Resolution No. 41), on in-service training (Resolution No. 45), and on post classification,

resolves

1. that the systematic development of human resources in the Union should take account of the nature and extent of its work;
2. that principles of human resources development should be applied with regard to recruitment, training, job evaluation, post-performance evaluation, appraisal of further career potential and separation,

instructs the Secretary-General

to study how human resources development principles, taking into account the recommendations of the ICSC, might best be applied within the Union, and report to the Administrative Council,

requests the Administrative Council

1. to ensure that the necessary resources are made available for conducting this study;

2. to examine the Secretary-General's report on this matter and to decide on the action to be taken in the light of the potential financial implications.

RESOLUTION No. 47

**Measures to Enable the United Nations to Fully
Carry Out any Mandate under Article 75 of the
Charter of the United Nations**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

conscious

of the decision taken by the Plenipotentiary Conference (Malaga-Torremolinos, 1973) Conference to abolish Associate Membership in the Union and of the Additional Protocol III to the International Telecommunication Convention (Nairobi, 1982),

mindful

of the request submitted to it by the Secretary-General of the United Nations to continue the application of the provisions contained in the Protocol referred to above,

taking into account

that it decided not to continue the use of additional protocols in future,

resolves

1. that the possibility up to now enjoyed, under the International Telecommunication Convention (Montreux, 1965), by the United Nations when carrying out any mandate in accordance with Article 75 of the Charter of the United Nations shall be continued under the Constitution and the

Convention of the International Telecommunication Union (Nice, 1989), when they enter into force; and

2. that each case related to paragraph 1 above shall be considered by the Administrative Council of the Union.

RESOLUTION No. 48

Participation of Organizations of an International Nature in the Activities of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having noted

the relevant section of the Report of the Administrative Council to the Plenipotentiary Conference (Nice, 1989),

considering

Resolution No. 37 of the Plenipotentiary Conference (Nairobi, 1982),

instructs the Secretary-General

to review the status of the international organizations which participate in the activities of the Union, as well as to examine the "international organization" character of those who request such participation in the future,

instructs the Administrative Council

1. to review, as appropriate, the participation in the activities of the Union of international organizations, which currently participate therein, as well as to examine the participation of other organizations of an international nature which so request;
2. to decide in each case which organizations of an international nature may be exempted in accordance with the provisions of Article 79 of the International Telecommunication Convention (Nairobi, 1982)* ;
3. to provide the Secretary-General with guidelines to be followed in dealing with a request for recognition as an "international organization" with a view to arranging for the consultation provided for under Article 68 of the said Convention** ,

further instructs the Administrative Council

1. with the assistance of the Secretary-General, to study international legal practice, particularly as applied in the United Nations and organizations in the United Nations system with a view to applying similar criteria in the Union;
2. to submit to the next Plenipotentiary Conference a report on the participation of organizations of an international nature in the activities of the Union, giving its conclusions on the matter.

* This reference will read: "... in conformity with the provisions of Article 26 of the Convention of the International Telecommunication Union (Nice, 1989);", as soon as that Convention comes into force.

** This reference will read: "... provided for under Article 16 of the said Convention;", as soon as that Convention comes into force.

RESOLUTION No. 49

**Collaboration with International Organizations
Interested in Space Radiocommunications**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

mindful

of the numerous possibilities for the use of outer space for peaceful purposes in the international field,

considering

the increasing importance of the role that telecommunications, and in consequence the Union, are necessarily playing in this sphere,

recalling

the relevant Articles of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies as well as the resolutions adopted by the United Nations General Assembly on international collaboration in the peaceful uses of outer space,

noting with satisfaction

a) the measures taken by the various organs of the Union with a view to ensuring the most effective possible use of all space radiocommunication services;

b) the progress made in the technology and use of space radiocommunication,

calls upon the Administrative Council and the Secretary-General

to take the necessary steps to:

1. continue to keep the United Nations and the specialized agencies concerned informed of progress in space radiocommunication;
2. promote the continuance and development of collaboration between the Union and the specialized agencies of the United Nations and the international organizations interested in the use of space radiocommunication.

RESOLUTION No. 50

Use of the United Nations Telecommunication Network for the Telecommunication Traffic of the Specialized Agencies

The Plenipotentiary Conference of the International Telecommunications Union (Nice, 1989),

considering

a) the Agreement between the United Nations and the International Telecommunication Union (Atlantic City, 1947), in particular Article 16 thereof;

b) Resolution No. 39 of the Plenipotentiary Conference (Nairobi, 1982), based on the Secretary-General of the United Nations having, as of 1 January 1954, withdrawn the offer he had formerly made to the specialized agencies to carry their traffic over the United Nations network,

and Resolution No. 35 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973);

c) the Report by the Administrative Council to the Plenipotentiary Conference on the updating of Resolution No. 39 of the Plenipotentiary Conference (Nairobi, 1982) (section 2.2.3 of the annex to Document 47),

noting

a) that in 1985 the Joint Inspection Unit prepared a report on "The changing use of computers in organizations of the United Nations system in Geneva: Management Issues";

b) that, as from 12 May 1989, the Secretary-General of the United Nations has requested that the International Telecommunication Union take such action as would allow the use of the United Nations telecommunication network by the specialized agencies,

resolves

that the United Nations telecommunication network may carry the traffic of the specialized agencies which participate voluntarily on condition that:

1. the specialized agencies pay for the telecommunications service on the basis of the cost of operation of the service by the United Nations and tariffs established by administrations within the framework of the current basic instrument, Administrative Regulations and practices of the Union;

2. the use of the network is restricted to the principal organs of the United Nations, the United Nations offices and programmes, and the specialized agencies of the United Nations;

3. the transmissions are limited to information exchanges concerned with the conduct of the business of the United Nations system;

4. the network is operated in conformity with the current basic instrument, Administrative Regulations and practices of the Union,

instructs the Secretary-General

to follow carefully the evolution of the United Nations telecommunication network, to continue cooperation with the United Nations Telecommunication Service and to provide guidance as appropriate,

further instructs the Secretary-General

to transmit the text of this Resolution to the Secretary-General of the United Nations.

RESOLUTION No. 51

Telegrams and Telephone Calls of the United Nations Specialized Agencies*

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

* As soon as the Constitution of the International Telecommunication Union (Nice, 1989) comes into force, the title of this Resolution will read: "Telecommunications of the United Nations Specialized Agencies".

considering

a) that the Heads of the specialized agencies are not mentioned in the definition of Government Telegrams and Government Telephone Calls, which appears in Annex 2 to the International Telecommunication Convention (Nairobi, 1982)*;

b) that there may be circumstances in which the urgency or importance of the telecommunications of the specialized agencies warrants special treatment for these telecommunications,

resolves

that if a specialized agency wishing to obtain special privileges for its telecommunications informs the Administrative Council, justifying the particular cases in which special treatment is necessary, the Administrative Council:

1. shall inform Members of the Union of any request which, in its opinion, should be accepted;
2. shall take a final decision on these requests, bearing in mind the opinion of the majority of Members,

instructs the Secretary-General

to notify Members of any decisions taken by the Council.

* This paragraph will read: "that the Heads of the specialized agencies are not mentioned in the definition of Government telecommunications, which appears in the Annex to the Constitution of the International Telecommunication Union (Nice, 1989)", as soon as that Constitution comes into force.

RESOLUTION No. 52

Joint Inspection Unit

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

Resolution No. 38 of the Plenipotentiary Conference (Nairobi, 1982),

having noted

the relevant sections of the Report of the Administrative Council to the Plenipotentiary Conference (Nice, 1989),

considering

that it is appropriate that the International Telecommunication Union continue to benefit from the useful role played by the Joint Inspection Unit as an independent inspection and evaluation unit of the United Nations system,

instructs the Secretary-General

to continue to cooperate with the JIU and to submit to the Administrative Council JIU reports having a bearing on the Union together with comments he considers appropriate,

instructs the Administrative Council

to consider the JIU reports submitted by the Secretary-General, and to take action thereon as it deems fit.

RESOLUTION No. 53

**Possible Revision of Article IV, Section 11, of the Convention
on the Privileges and Immunities of the Specialized Agencies**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

Resolution No. 28 of the Plenipotentiary Conference (Buenos Aires, 1952), Resolution No. 31 of the Plenipotentiary Conference (Geneva, 1959), Resolution No. 23 of the Plenipotentiary Conference (Montreux, 1965), Resolution No. 34 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973) and Resolution No. 40 of the Plenipotentiary Conference (Nairobi, 1982),

bearing in mind

its Resolution No. 51,

considering

a) the apparent conflict between the definition of Government Telegrams and Government Telephone Calls contained in Annex 2 of the International Telecommunication Convention (Nairobi, 1982) and the provisions of Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies* ;

b) that the Convention on the Privileges and Immunities of the Specialized Agencies has not been amended in the manner requested by the

* This paragraph will read: " the apparent conflict between the definition of Government telecommunications contained in the Annex to the Constitution of the International Telecommunication Union (Nice, 1989) ...", as soon as that Constitution comes into force.

Plenipotentiary Conferences of Buenos Aires (1952), Geneva (1959), Montreux (1965), Malaga-Torremolinos (1973) and Nairobi (1982),

resolves

to confirm the decisions of the Plenipotentiary Conferences of Buenos Aires (1952), Geneva (1959), Montreux (1965), Malaga-Torremolinos (1973), Nairobi (1982), not to include the Heads of the specialized agencies among the authorities listed in Annex 2 to the Convention (Nairobi, 1982) as entitled to send Government Telegrams or to request Government Telephone Calls*;

expresses the hope

that the United Nations will agree to reconsider the matter and, bearing in mind the above decision, will make the necessary amendment to Article IV, Section 11, of the Convention on the Privileges and Immunities of the Specialized Agencies,

instructs the Administrative Council

to take the necessary steps with the appropriate organs of the United Nations with a view to reaching a satisfactory solution.

RESOLUTION No. 54

Request to the International Court of Justice for Advisory Opinions

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

* This paragraph will read: "... among the authorities listed in the Annex to the Constitution of the International Telecommunication Union (Nice, 1989) as entitled to use Government telecommunications", as soon as that Constitution comes into force.

in view of

a) Article VII of the Agreement between the United Nations and the International Telecommunication Union which provides that requests for advisory opinions may be addressed to the International Court of Justice by the Plenipotentiary Conference, or by the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference;

b) the decision of the Administrative Council "to affiliate the Union to the Administrative Tribunal of the International Labour Organisation", and the declaration recognizing the jurisdiction of the Tribunal which was made by the Secretary-General pursuant to that decision;

c) the provisions in the Annex to the Statute of the Administrative Tribunal of the International Labour Organisation under which that Statute applies in its entirety to any international governmental organization which has recognized the jurisdiction of the Tribunal in accordance with paragraph 5 of Article II of the Statute of the Tribunal;

d) Article XII of the Statute of the Administrative Tribunal of the International Labour Organisation under which, in consequence of the above-mentioned declaration, the Administrative Council of the International Telecommunication Union may submit to the International Court of Justice the question of the validity of a decision given by the Tribunal,

notes

that the Administrative Council is authorized to request advisory opinions from the International Court of Justice as provided under Article XII of the Statute of the Administrative Tribunal of the International Labour Organisation.

RESOLUTION No. 55

**Review of the Structure and Functioning
of the International Telecommunication Union**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) the Report of the Administrative Council to the Plenipotentiary Conference on the activities of the Union since 1982;

b) Resolutions Nos. 21, 38, 47, 48, 66, 67 and 68 of the Plenipotentiary Conference (Nairobi, 1982);

c) Resolution No. 4 of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988);

d) Resolutions Nos. 1, 2, 17 and 18 of the Plenary Assembly of the CCITT (Melbourne, 1988);

e) Resolutions Nos. 24, 33, 61, 82, 83 and Opinion 84 of the Plenary Assembly of the CCIR (Dubrovnik, 1986);

f) Articles 7 and 14 of the Constitution of the ITU (Nice, 1989) which provides for the establishment of the Telecommunications Development Bureau as a permanent organ for telecommunication cooperation and technical assistance;

g) Resolutions Nos. 57, 61 and 62 of the Plenipotentiary Conference (Nice 1989);

h) Document 388 and other documents relevant to the structure and functioning of the Union such as Documents 6, 11, 19(Rev.1), 51, 55, 61,

68, 69, 71, 72, 81, 82, 86, 97, 98, 110, 114, 144, 145, 162, 184, 194, 199, 259 and 443 as well as the relevant minutes of the Plenary Meetings, and the relevant summary records of Committee 7, of the Plenipotentiary Conference (Nice, 1989),

considering

a) the continuing growth in the volume and complexity of the tasks to be performed by the Union;

b) the changing nature of the telecommunications environment;

c) the need for economy and efficiency owing to the economic constraints upon the Union;

d) the need for the structure, management practices and working methods of the Union to respond to the changes resulting from the above factors and to the increase in the demands placed upon it to keep pace with the ever-accelerating progress in telecommunications,

considering also

the great services rendered to the Members of the Union by its permanent organs, elected officials and appointed staff,

resolves

1. that a high-level Committee shall be established;

2. that this Committee shall be composed, with due regard to equitable geographical representation, of fifteen to twenty-one Members which shall designate representatives enjoying the highest reputation in international telecommunications and having broad ITU experience;

3. that this Committee should call on the services of outside consultants selected by the Administrative Council within the limits of the budget agreed for this purpose;

4. that the members of the Committee shall work on a voluntary basis on the understanding that, where necessary, they shall be given financial assistance to enable them to attend Committee meetings;

5. that all expenditure shall be kept as low as possible and shall be financed from the regular budget of the ITU, under the supervision of the Administrative Council,

resolves further

that the mandate of the Committee shall be to carry out an in-depth review of the structure and functioning of the Union, in order to study and recommend, as necessary, measures to ensure greater cost-effectiveness within and between all ITU organs and activities by improving the situation as regards structure, organization, finance, staff, procedures and coordination with a view to ensuring that the Union responds effectively to the demands placed on it by the changing nature of the telecommunications environment; this review shall especially:

1. identify and analyse options for the structure of the Union and its permanent organs;
2. include study of the internal management of the permanent organs including organizational, financial and staffing aspects and arrive at conclusions relating to:
 - the most effective organization of the growing volume of work in the various organs;
 - cost-effective and harmonized working procedures in and between the individual organs;
 - staff requirements in the medium term (three to five years) taking account of the projects and activities of the Union;

- the establishment of improved financial management and control processes suitable to the needs of the Union and intended to improve financial transparency and accountability;
- 3. include a study of the interaction between the permanent organs including the role of the Coordination Committee with a view to ensuring greater harmonization of the activities of these organs;
- 4. examine the functioning of the organs of the Union other than the permanent organs in order to improve efficiency and management; study the question of the rotation of Members of the Administrative Council;
- 5. provide for interim reports and a final report showing clearly the advantages and disadvantages of any alternative proposals,

instructs the Administrative Council

1. at an extraordinary session to be held in November 1989 to establish the Committee on the basis of a proposal of the Secretary-General and to define precise procedures for the tasks required including general guidelines to the Committee on its activities;

2. to instruct the Committee to develop, on the basis of its terms of reference, a detailed statement of activities and tasks, taking account of the views of administrations;

3. to approve the detailed tasks of the outside consultants and to select them on the basis of a proposal of the Committee;

4. to examine periodically the Committee's reports;

5. to ensure that all Members of the Union are regularly informed in a comprehensive manner, *inter alia*, by means of a global and exhaustive interim report, so that they can submit their comments;

6. to ensure that the final report is circulated to Members of the Union together with its comments at least one year before a Plenipotentiary Conference is to decide on the recommendations and to consider the possibility of convening regional seminars to present and explain the results;

7. after due consideration, to implement the recommendations of the Committee which fall within the Council's sphere of competence and to transmit to the Heads of the permanent organs for action any recommendations for which they are competent;

8. to decide at its session in 1991, if considered necessary, to provide for an additional Plenipotentiary Conference, as early as possible, to implement all or part of the recommendations of the study,

instructs the Secretary-General

1. after consultation of, and in cooperation with, Members of the Union, to submit proposals for the composition of the Committee to the Administrative Council, seeking as wide a representation of all interests of the Union as possible;

2. to invite all administrations to provide written comments not later than 1 November 1989 with respect to the activities and tasks to be covered by the review;

3. to support fully the Committee in its work;

4. to report to the Administrative Council on the progress of the Committee's work and the interim and final results obtained by the Committee;

5. to distribute the interim and final reports of the Committee to all Members of the Union along with the relevant decisions and comments of

the Administrative Council and a summary of any action taken by the permanent organs in response to the recommendations of the Committee;

6. to make the preparations required for convening and organizing the relevant Plenipotentiary Conference,

instructs the Heads of the permanent organs

1. to afford the Committee all necessary assistance and cooperation required for the successful completion of the review;

2. to take action, as appropriate, on the recommendations of the Committee transmitted by the Administrative Council.

RESOLUTION No. 56

Juridical Status

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

the agreement concluded on 22 July 1971 between the Swiss Federal Council and the International Telecommunication Union to define the legal status of this organization in Switzerland and the associated implementing arrangements,

having noted with satisfaction

the Administrative Council's remarks in section 2.2.8 of its Report to the Plenipotentiary Conference (Document No. 47) concerning Resolution No. 64 of the Plenipotentiary Conference (Nairobi, 1982),

instructs the Secretary-General

to keep the agreement and the manner of its application under review in order to ensure that the privileges and immunities accorded to the ITU are equivalent to those obtained by other organizations of the United Nations family with their headquarters in Switzerland and report to the Administrative Council as necessary,

requests the Administrative Council

to report as necessary on this subject to the next Plenipotentiary Conference.

RESOLUTION No. 57

Premises at the Seat of the Union

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

that adequate premises are required at the seat of the Union to accommodate the staff, facilities and equipment necessary for the smooth operation of all services,

having studied

the report of the Administrative Council on providing the Union with the necessary premises,

aware

that there is an exceptional opportunity to build on a plot of land adjacent to the building belonging to the Union in the rue de Varembe,

resolves

that the necessary steps should be taken with a view to the construction of a new building on the plot of land adjacent to the Varembe building to provide premises meeting the Union's requirements,

instructs the Secretary-General

1. to confirm to the Swiss authorities the Union's decision to take up the option on the plot of land in question;
2. to prepare a study on the construction of this new building and to submit it to the Administrative Council,

authorizes the Administrative Council

1. to consider the study submitted to it by the Secretary-General as soon as possible and to decide on the construction programme;
2. to take the administrative and financial action necessary for the implementation of its decision. The proposals of the Administrative Council and the resulting financial implications shall be submitted to Members for approval in accordance with section 8 of Decision No. 1.

RESOLUTION No. 58

Rationalization of Work

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) that the workload of the Headquarters of the Union has been increasing and that this contributes to the growth of the Union's budget;

b) that accordingly optimum use needs to be made of human and financial resources and that the fullest possible application of modern technology would help to achieve this taking account of the human and financial constraints facing the Union,

recognizing

that the range of commercially available products incorporating advanced technology relevant to office applications is widening and that such products could have an increasing role in the activities of other organs of the Union, especially in the secretarial and information handling areas,

instructs the Secretary-General

to review the extent to which modern office technology is currently being applied within the headquarters of the Union and the future possibilities, taking account of the need to make the most effective use of manpower and financial resources, and to recommend a course of action to the Administrative Council,

instructs the Administrative Council

to consider the recommendation submitted by the Secretary-General and to take such action as the Council judges appropriate within the budgetary resources of the Union with a view to promoting the rationalization of work.

RESOLUTION No. 59

Limitations in the Use of Working Languages

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

notwithstanding

the provisions of Articles 16 and 78 of the International Telecommunication Convention (Nairobi, 1982) currently in force,

having regard

to Article 18 of the Constitution and Article 28 of the Convention of the International Telecommunication Union (Nice, 1989),

recalling

Resolution No. 65 of the Plenipotentiary Conference (Nairobi, 1982),

conscious

a) of the desirability of making greater use of the official languages of the Union as working languages so as to enable a larger number of Members to participate more actively in the work of the Union;

b) of the technological, administrative, financial and staffing advantages of such greater use;

c) of the need for such use of the official languages in order to permit greater understanding among Members and to arrive at full realization of the Union's purposes,

considering

that the full-scale use of all official languages as working languages of the Union in the present structure of the Union could involve significant resources which can now hardly be provided,

pursuant to

the provisions of No. 151 of the Constitution,

resolves

1. that the following documents of the Union shall be drawn up in English, French and Spanish only:

- all documents of the Plenipotentiary and Administrative Conferences except* their Final Acts, Protocols, Resolutions, Recommendations and Opinions;
- the preparatory documents of the Study Groups of the International Consultative Committees, the documents and minutes of their Plenary Assemblies, except* the texts of the Books of these Committees;
- the proposals and contributions to conferences, Plenary Assemblies and meetings of the International Consultative Committees communicated to Members, the originals of

* In these cases, Article 18 of the Constitution shall apply; namely, all six working languages shall be used.

which have been submitted to these conferences, assemblies and meetings in any of the working languages of the Union;

- all other documents for general distribution prepared by the Secretary-General in the course of his duties, except* the Weekly Circulars of the IFRB and the Circular-letters of the Secretary-General, the Chairman of the IRFB and the Directors of the International Consultative Committees, following the agreement of the Secretary-General with the Members or group of Members concerned;

2. that at meetings of the International Consultative Committees, other than those of the Plenary Assembly and Study Groups included in the programme of work approved by a Plenary Assembly, which are governed by Article 18 of the Constitution, and at which all six working languages shall be used, reciprocal interpretation between English, French and Spanish is provided if those Members which require interpretation for one of these languages give at least 90 days notice of their participation in these meetings;

3. that the total expenditure incurred shall remain within the financial limits fixed in Decision No. 1,

instructs the Secretary-General

1. to organize, after consulting the Members or groups of Members concerned, the preparation of the documents of the Union in Arabic, Chinese and Russian as efficiently and economically as possible;

* In these cases, Article 18 of the Constitution shall apply; namely, all six working languages shall be used.

2. to submit a report to the Administrative Council on the progress made in this field;

3. pending the entry into force of the Constitution of the International Telecommunication Union, to apply this Resolution on a provisional basis from 1 January 1990,

instructs the Administrative Council

1. to consider the report of the Secretary-General;

2. to take any necessary action to ensure the general circulation in the official languages of the Union of the documents chosen by the Members or groups of Members concerned within the credit limits fixed by this Conference.

RESOLUTION No. 60

Improvement of the Union's Document and Publications Processing

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

a) the broad range of Union activities and the diverse requirements of the permanent organs of the Union;

b) that the results of these various activities are disseminated and communicated through the written word to meet in an effective manner the needs of Members, especially the developing countries;

c) that relevant provisions of the International Telecommunication Convention (Nairobi, 1982)* require the publication of various documents and deliberations of the Union;

d) that the preparation of documentation and processing of information leading to a finished product make significant demands on the Union's resources,

taking account of

a) the sustained efforts made by the General Secretary to meet these publication needs and to automate the process;

b) the heavy workload being placed on the Union;

c) the nature of the Union's document processing and text composition software;

d) the need to explore opportunities for meeting the document processing and publications workload in the most cost-effective manner possible,

recognizing

a) the diverse needs of the Union's various organs regarding document processing and publication as well as the autonomy inherent in the Union's federal structure;

b) that, because of these diverse needs, increased efficiency may be achieved through the development and introduction of standardized document preparation methods and formats;

* This reference will read: "that relevant provisions of the Constitution and Convention of the International Telecommunication Union (Nice, 1989) ...", as soon as those instruments come into force.

c) the differences between administrations in their automation capacity and needs given the inadequacy in certain developing countries of facilities for accessing information published by the most modern techniques; while these techniques might well offer the most economical method of publication and are suitable for those countries which have adopted them, their implementation may exceed the capacity of such developing countries over the next five years;

d) that a considerable proportion of the documents and information handled by the Union currently processed by manual methods;

e) that the document processing and text composition equipment commercially available and the associated software are continually being improved;

f) that the continuing extension of automation into the document processing and text composition process might improve productivity, processing capacity and the ability to embrace increasingly complex subjects,

instructs the Administrative Council

to continue the study of text composition and document processing requirements, to review current relevant operations, equipment and software, and, ensuring that this does not reduce the flow of information to any administration, promptly to implement, wholly or in part, the findings of such a study if this would minimize the cost of distributing publications and documents to all administrations.

RESOLUTION No. 61

**The Frequency Management System of the
International Frequency Registration Board**

The Plenipotentiary Conference of the International Telecommunication Union, (Nice, 1989),

considering

- a) the success of the action taken under Resolution No. 69 of the Plenipotentiary Conference (Nairobi, 1982);
- b) the virtual completion of the project on the "Extended Use of the Computer by the IFRB";
- c) the dependence of the IFRB upon the resulting "Frequency Management System" (FMS) for the discharge of its duties; and
- d) the consequent need to terminate the project and provide the necessary resources for the ongoing maintenance and development of the software of the FMS,

noting and accepting

the report in Document 431 of this Plenipotentiary Conference,

resolves

1. to invite the Administrative Council to take the necessary decisions:
 - a) to dissolve the FMS Project Management Team;
 - b) to provide the Specialized Secretariat of the IFRB and the Computer Department of the General Secretariat with the

- minimum necessary staff to ensure the ongoing maintenance and development of the FMS software; and
- c) in so doing, to take due account of the importance of the FMS, the severe pressures on the budget of the Union and the report in Document 431;
2. to instruct the IFRB to ensure that the software of the FMS is kept operational and that its further development is directed towards better meeting the changing requirements of the Members of the Union;
3. to instruct the Secretary-General and the IFRB to submit to the Administrative Council, through the Coordination Committee, revised proposals to achieve the purposes of this Resolution.

RESOLUTION No. 62

Development of Direct Remote Access to ITU Information Systems

The Plenipotentiary Conference of the International Telecommunication Union, (Nice, 1989),

considering

- a) the instructions given in Resolution No. 69 of the Plenipotentiary Conference (Nairobi, 1982);
- b) the reports and contributions by administrations to the Conference on this subject;
- c) the need for the Union to continue its efforts to improve the services provided for administrations; and

d) the increasing opportunities provided by the convergence of telecommunications, computers and other electronic facilities,

recognizing

a) the need to provide policy guidance for the Administrative Council to enable it to take the necessary decisions for execution by the Heads of the permanent organs of the Union;

b) the severe pressures on the budget of the Union,

noting and accepting

the report in Document 431 of this Plenipotentiary Conference,

recommends

that the question of remote access be included in a broader study on information exchange and publication policy with a view to giving a better and more efficient response to the needs of all Members of the Union,

instructs the Administrative Council

1. to authorize, within appropriate budgetary constraints, the progressive installation at the Union's headquarters of facilities giving all administrations the opportunity to obtain direct remote access to appropriate information systems;

2. to consider whether it would be helpful to establish a Panel of Experts from administrations to assist the Council and the permanent organs in developing these facilities,

instructs the Secretary-General

1. in consultation with the other permanent organs, to submit detailed recommendations with proposed cost estimates for the first phase of the installation of direct remote access facilities to the annual session of the Council in 1990;

2. to base the price of the remote access services on policies related to the cost of providing them, giving due consideration to the principle of equal access by administrations;

3. to ensure that these recommendations pay particular attention to the problems that may face developing countries and take full account of the report in Document 431;

4. to use technical assistance programmes to support the related training and technology requirements of the developing countries.

RESOLUTION No. 63

World Telecommunication Day

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

having seen

section 2.2.8 of the Report of the Administrative Council to the Plenipotentiary Conference (Document 47),

considering

the interest shown by Members in celebrating World Telecommunication Day,

bearing in mind

Resolution No. 46 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973), instituting a World Telecommunication Day celebrated annually on 17 May,

invites Administrations of Members

1. to celebrate the day annually;

2. to take advantage of the occasion to make the public aware of the importance of telecommunications for economic, social and cultural development; to foster interest in telecommunications in universities and other educational establishments with a view to attracting new and young talents into the profession; and to disseminate information on a large scale concerning Union activities related to international cooperation,

instructs the Secretary-General

to provide telecommunication administrations with the information and assistance they need to coordinate preparations for holding World Telecommunication Day by Members of the Union,

invites the Administrative Council

to propose to Members a specific topic for each World Telecommunication Day.

RESOLUTION No. 64

**Condemnation of the Practices of Israel in the
Occupied Arab Territories**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recalling

the Charter of the United Nations and the Universal Declaration of Human Rights,

considering

that the fundamental principles of the International Telecommunication Convention (Nairobi, 1982)* are designed to strengthen peace and security in the world for the development of international cooperation and better understanding among peoples,

bearing in mind

a) Resolution No. 48 of the Plenipotentiary Conference (Malaga-Torremolinos, 1973) concerning the destruction of means of telecommunication of Members of the ITU;

b) Resolution No. 74 of the Plenipotentiary Conference (Nairobi, 1982) regarding Israel and assistance to Lebanon;

c) Resolution No. 607 of the United Nations Security Council concerning the policy of deportation of Palestinians from their territory;

* This reference will read: "... of the Constitution and Convention of the International Telecommunication Union (Nice, 1989) ...", as soon as those instruments come into force.

d) its Recommendation No. 3 relating to the unrestricted transmission of news,

noting

that Israel has refused to accept and to implement the numerous relevant resolutions of the United Nations Security Council and General Assembly,

alarmed

by Israel's repressive practices against the uprising ("Intifada") of the Palestinian people and against Arab civilians in the Palestinian and other occupied Arab territories,

convinced

that these practices constitute manifest violations of the principles of international law and human rights as well as of the principles of the Fourth Geneva Convention (1949) relating to the protection of civilians during armed conflicts,

concerned

by the fact that the Israeli occupation authorities deliberately and repeatedly interrupt the means of telecommunication within the Palestinian and other occupied Arab territories, in breach of the principles of Articles 18 and 25 of the International Telecommunication Convention (Nairobi, 1982)*,

* This reference will read: "... the principles of Articles 22 and 29 of the Constitution of the International Telecommunication Union (Nice, 1989)", as soon as that Constitution comes into force.

vigorously condemns

Israel's continual violation of international law, its repressive practices against the Palestinian people and the refusal by Israel to recognize their fundamental and legitimate rights;

irrevocably condemns

the deliberate isolation by Israel of the occupied Palestinian and other Arab territories from the outside world and the restriction of free transmission of information,

resolves

that World and Regional Administrative Radio Conferences and the IFRB shall take due account of and safeguard the requirements of the occupied Palestinian territories in all matters relating to the utilization of the frequency spectrum and satellite positions on the geostationary-satellite orbit,

instructs the Administrative Council

to form a committee from among its Members with the task of ascertaining the facts concerning Israel's violations of the International Telecommunication Convention (Nairobi, 1982)* and of reporting to the Administrative Council on these violations which, within the occupied Palestinian and other Arab territories, prevent the Palestinian people and Arab civilians from making unrestricted use of telecommunication facilities,

* This reference will read: "... of the Constitution and Convention of the International Telecommunication Union (Nice, 1989) ...", as soon as those instruments come into force.

instructs the Secretary-General

to find suitable means of providing technical support and assistance for the benefit of the Palestinian people in order to improve the situation of telecommunications in the occupied territories,

requests the Chairman of the Plenipotentiary Conference

to bring this Resolution immediately to the attention of the Secretary-General of the United Nations.

RECOMMENDATION No. 1

**World and Regional Telecommunication
Exhibitions and Forums**

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

recognizing

a) that telecommunication exhibitions and associated forums are of considerable assistance in keeping the Members of the Union informed of the latest advances in telecommunication techniques and in publicizing the possibilities of applying telecommunication science and technology for the benefit of all Members of the Union, including the developing countries;

b) that world telecommunication exhibitions offer a universal opportunity for the display of state-of-the-art technology concerning all fields of telecommunication, including electronic mass media;

c) that regional telecommunication exhibitions and forums – staged at the invitation of administrations of Members – bring the potential benefits of telecommunications closer to the peoples of all continents by emphasizing the specific problems of each region and indicating possible solutions to them;

d) that such exhibitions and forums organized by the ITU with no commercial interest are an excellent means of catering for the needs of both developed and developing countries and facilitate the transfer of technology and of information essential to developing countries,

recommends

1. that the Union should, in collaboration with its Members, continue to organize world telecommunication exhibitions and forums on a regular basis, preferably in the city of the seat of the Union and as a part of ITU's permanent activities;

2. that the Union should continue to cooperate with administrations in organizing regional exhibitions and forums in Member countries and, that, so far as possible, these events should be synchronized with other important meetings or conferences of the Union with a view to minimizing the expenses and encouraging wide participation,

recommends further

that a significant part of any excess of income over expenditure derived from such exhibitions should be used for the ITU's technical cooperation activities for the benefit of developing countries.

RECOMMENDATION No. 2

Favourable Treatment for Developing Countries

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

a) the purpose of the Union, which is to maintain and extend international cooperation for the improvement and rational use of telecommunications of all kinds;

b) the ever-widening gap between the economic growth and technological progress of the developed and the developing countries;

c) the fact that the economic power of developed countries is founded on, or linked with, the high level of their technology, which is reflected in extensive and growing international markets, whereas the economies of developing countries are relatively weak and often in deficit because they are in the process of assimilating or acquiring technology,

recommends

that developed countries should take into account the requests for favourable treatment made by developing countries in service, commercial or other relations in telecommunications, thus helping to achieve the desired economic equilibrium conducive to a relaxation of present world tensions;

that the classification of countries in one or the other of these economic categories can be based on the criteria of per capita income, gross national income, national telephone development or any other mutually agreed parameters selected from those internationally recognized by the specialized information sources of the United Nations,

recommends further

that Members of the Union make available to the General Secretariat any relevant information on the implementation of this Recommendation,

instructs the Secretary-General

to monitor on the basis of information received from Members the extent to which any favourable treatment has been extended to developing countries by the developed countries,

instructs the Administrative Council

to review the results achieved and take any steps necessary to promote the objectives of this Recommendation.

RECOMMENDATION No. 3

Unrestricted Transmission of News

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

in view of

a) the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948;

b) the Preamble and Articles 4, 18, 19 and 20 of the International Telecommunication Convention (Nairobi, 1982)* ;

c) the provision of the Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO) concerning the free flow of ideas by words and images and the declaration on the basic principles, adopted by the XXth session of the UNESCO General Conference, concerning the contribution of the mass media to strengthening peace and international understanding, to the promotion of human rights and to countering racialism, apartheid and incitement to war and the relevant resolutions of the XXIst session of the UNESCO General Conference,

* These references will read: "the Preamble and Articles 1, 22, 23 and 24 of the Constitution of the International Telecommunication Union (Nice, 1989)", as soon as that Constitution comes into force.

conscious of

the noble principle that news should be freely transmitted,

conscious also of

the importance of the fact that this noble principle will promote the dissemination of news, thus strengthening peace, cooperation, mutual understanding between peoples and the spiritual enrichment of the human personality, as well as dissemination of culture and education among all people irrespective of their race, sex, language or religion,

recommends

that Members of the Union facilitate the unrestricted transmission of news by telecommunication services.

OPINION No. 1

Contributions to Defraying Union Expenses

The Plenipotentiary Conference of the International Telecommunication Union (Nice, 1989),

considering

1. that the expenses of the Union are met from the contributions of its Members on the basis of the number of contributory units chosen freely by each Member;
2. that this system of contributions, which has been applied since the establishment of the Union, has been found fully satisfactory;
3. that, under the system, the Members of the Union are supposed to choose their class of contribution in accordance with their financial possibilities,

is of the opinion

that, when choosing the class in which they wish to contribute for the period beginning 1 January 1991, the Members of the Union should, as far as possible, avoid reducing the number of units chosen and consider the possibility of increasing their participation in defraying Union expenses.

OPINION No. 2

Imposition of Fiscal Taxes

Members of the Union recognize the desirability of avoiding the imposition of fiscal taxes on any international telecommunications.

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ANALYTICAL TABLE

**of subjects dealt with in the Final Acts of the
Plenipotentiary Conference
(Nice, 1989)**

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Convention of the International Telecommunication Union**

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and to the Administrative Regulations**

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Resolutions
Recommendations
Opinions**

The following symbols are used:

- A = Annex
- OP = Optional Protocol
- R = Resolution
- Rc = Recommendation
- O = Opinion

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