



**Documents of the International Telecommunications Conference
(Atlantic City, 1947)**

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 201 TR-E

August 4, 1947

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of the International Telecommunications Conference

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

Document No. 202 TR-E

August 3, 1947

Committee E

R E P O R T

of the Convention Committee
(Committee E)
6th Meeting
July 30, 1947

1. The Chairman called the meeting to order at 3:36 P.M. He said that the following amendments were necessary to Document No. 163 TR-E (Agenda for 6th Meeting):-

- (i) Alter paragraph 4 (b) to read "Telecommunication as a public service."

- (ii) Page 2, third line, read "state" in place of "status."

2. Item 1 of the Agenda: Report of the Fourth Meeting
(162 TR-E)

It was found that the English text of the report of the fourth meeting had not been distributed and consideration of this item was postponed.

3. The Chairman stated that he had written to Mr. Krapka, Chairman of Committee 7 of the Radio Conference, suggesting that the two Committees should arrange for consultation on definitions of mutual interest (Document No. 56 TR-E p.2).

4. Item 2 of the Agenda
Article 13. Madrid Convention "Special Arrangements."
(continued from the 4th meeting).

The Chairman stated that he had prepared a document as arranged at the fourth meeting (page 4, paragraph 5, Document No. 162 TR-E) which would be distributed in time for discussion of Article 13, to be taken up again at a meeting next week.

5. Item 3 of the Agenda.
Article 30 Madrid Convention "Priority of Transmission
of Government Telegrams and Radiotelegrams"
(Document No. 91 TR-E)

The Chairman stated that he had received the United States proposed rewording which would be circulated for discussion later.

6. Item 4(a) of the Agenda
Article 28. Madrid Convention "Investigation of Infringe-
ments" (Document No. 80 TR-E)

The Delegate from Czechoslovakia considered that the study of this Article should not be undertaken until it had been decided whether or not to make acceptance of all the Regulations compulsory. For example, the proposals of the U.S.S.R. contemplated that such acceptance should be mandatory and if this policy were accepted, it would mean that Article 28 would also become mandatory.

The Chairman suggested that discussion might proceed without prejudice to the point raised by the Delegate from Czechoslovakia.

The Delegate from the United States felt that the present title of this Article was not consistent with its text and should be altered from "Investigation" to Notification."

The Delegate from France saw no objection to this change of title.

The Delegates from Italy and of the U.S.S.R. considered that the Article should be altered so as to prescribe that action to remedy contraventions brought to light was mandatory on contracting governments when such contraventions were brought to their notice.

The Delegate from France considered that investigations were a matter for national legislation and a mandatory article should not be inserted in the Convention.

The Delegate from the United States felt that such an amendment of Article 28 would involve duplication, since Article 9 already rendered remedial action mandatory.

The Chairman suggested that the words "In accordance with Article 9" should be added at the end of Article 28.

The Committee agreed that Article 28 should remain substantially in its present form with the addition, at the end, of the words "in accordance with Article 9" but that it should be reviewed at the drafting stage.

7. Article 22 of the Madrid Convention "Telecommunication as a public service"

The Delegate from the United States explained the U.S. proposals in Article 21 of Document No. 2 TR-E stressing that the United States believed (1) in the lowest rates economically possible and (2) in equality of treatment.

8. §1 Article 21. Document No. 2 TR-E

After an exchange of views on the interpretation of "public" and "public correspondence," it was agreed that § 1 of the U.S. text should be adopted with the addition of the word "private" before the word "senders" so as to make it clear that discrimination in favour of Governments as against private senders as a whole (including the press) should remain permissible without express authorization in the Convention and Regulations in accordance with the majority views of the Committee, as expressed (in regard to rates) in the report of the 4th Meeting.

9. §2. Article 21. Document No. 2 TR-E

After a preliminary exchange of views it was agreed to discuss this paragraph at a later meeting when § 4 and 5 would also be discussed.

10. §3. Article 21. Document No. 2 TR-E

The Delegate from the United States said that this paragraph was aimed against the practice of collecting excise taxes on telegrams, the charges for which are paid in another country. He instanced the fact that the U.S. Government was, at present, obliged to collect in the U.S. excise taxes on behalf of four other countries in respect of telegrams originating in the U.S. and destined for those countries.

The Delegate from Cuba considered that the new Convention should contain, in addition to a statement on the aims and purposes of the Union, relevant directions which would ensure the practical attainment of these aims. The United States proposal was designed to correct certain existing defects in international telecommunication practice. Article 22 of the Madrid Convention had a close connection with the aims of the Union and the United States proposed to add practical

proposals regarding excise taxes and rates. He suggested that the problems implicit in Article 22 should be faced and that clear provisions should be inserted to cover them. They should not be left to be dealt with by private arrangements outside the Convention. He stated that once the Convention was ratified by a country, its provisions became part of the law of that country. It was therefore important to include the U.S. proposals in the Convention rather than in the Regulations which might not be accepted by all countries.

A prolonged discussion ensued during which views were exchanged on the following questions (1) whether or not §3. of the U.S. text would derogate from the sovereignty of countries, members of the Union; (2) whether or not the problem of excise taxes should be dealt with in the Regulations by reference to Article 29 of the Madrid Convention; and (3) whether or not the paragraph, as it stood would by implication sanction or imply approval in principle, of the practice of levying excise taxes on telecommunications in general, other than those paid for in another country - and in particular on outgoing telegrams and radio-telegrams, etc. In the course of discussion, the view was expressed (1) that a resolution by the Conference might be more appropriate than the insertion of a (binding) article in the Convention and (2) such a resolution might be made in such terms that it would apply only to fiscal taxes on telegrams paid for in another country.

The Chairman inquired whether or not the Committee wished to recommend that a paragraph should be inserted in the Convention constituting a binding obligation upon members in relation to fiscal taxes upon communications, the charges for which are paid in another country.

The Committee agreed by a substantial majority not to recommend that such a paragraph be inserted in the Convention.

11. The Chairman then inquired whether or not the Committee wished to recommend the insertion of a resolution to the following effect:-

"The Contracting Governments recognize the desirability of avoiding the imposition of fiscal taxes on any international telecommunications, the charges for which are paid for in another country."

The Committee agreed by a substantial majority not to recommend the insertion of this resolution.

12. The Chairman then inquired whether or not the Committee wished to recommend the insertion of a resolution to the following effect, suggested by the Delegate from France.

"The Contracting Governments recognize the desirability of avoiding the imposition of fiscal taxes on any international telecommunications."

After this question had been put to a vote but before the announcement of the result the Delegate from Guatemala stated that there was difficulty in obtaining an accurate translation into Spanish of the term "fiscal taxes." Therefore he believed that the Spanish speaking members of the Committee might not have understood the Chairman's question correctly.

After consultation with the Spanish-speaking members, the Chairman announced that although there appeared to be some difference of practice, or at least some doubt in regard to the technical expressions in Spanish which would be most appropriate as a translation of the term "fiscal taxes," he was satisfied that this term had been correctly understood by the Delegates who heard the question in Spanish. He therefore confirmed the vote which gave a substantial majority in favour of recommending the insertion of the resolution.

13. The Chairman adjourned the meeting at 6.30. P.M.

Rapporteurs:

Chairman

A. David

H. Townshend

H. Lerognon

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

Document No. 203 TR-E

August 4, 1947

Committee F

REPORT

Of the General Regulations Committee
(Committee F)

Ninth Meeting
July 31, 1947

The Chairman opened the meeting at 10:15 A.M. by submitting to the approval of the Committee the reports of the two last meetings, Documents No 151 and 155 TR-E. These reports were approved.

The Chairman then proposed that the Committee study Article 21 of the General Regulations it being clearly understood that the Committee would not have to decide upon the right to vote of the 77 countries mentioned in this article. On the other hand, the Chairman drew attention to Document 151 R-E which constitutes a rectification to Document 157 R-E, and also corrects § 2 entered in page 4 of Document 156 TR-E.

During a brief exchange of views, the majority of the Committee expressed the opinion that the provisions of this Article 21 are sufficiently important to be incorporated in the Convention, and that a suggestion to this effect should be made in Committee C.

The Chairman then proceeded to the study of the proposals of the working group (Document 156 TR-E) concerning Article 2 of the General Regulations.

The title of the Article was deferred until the whole article had been discussed.

§ 1. After a lengthy discussion, the Committee decided to replace by dots.....the terms "Administrative Council" and "Inviting government" so as not to anticipate the work of Committee C. With this construction, §1 was adopted.

§ 2. Approved after a brief discussion on the prescribed periods.

§ 3. Approved.

§ 4. Approved

§ 5. An exchange of views took place concerning the suitability of maintaining the second sentence of this paragraph, several delegations being of the opinion that the question would be definitely decided upon by agreement with the U.N. as well as by the new Convention. In their opinion, this provision therefore entered essentially within the competence of Committee D.

The Committee decided, by vote, to maintain the sentence in question, but to refer the whole paragraph to Committee D for more thorough study and decision.

§ 6. A long discussion took place with a view to deciding whether the question of admission should appear in § 6, or whether it must be regulated only by Article 3, the title of which is "Admission." In the latter case, there would be a way of making Article 2 and 3 his identical, while at the same time taking into account the distinctive character of the two types of conferences. The Committee decided that every reference relating to admission should be crossed out in Article 2. Moreover, the question of § 6 should also be referred to Committee D, which matter would be examined by the Chairmen of Committees D and F.

§ 7. Approved in the following form: "As a general rule, the provisions of the preceding paragraphs shall apply to Extraordinary Plenipotentiary Conferences."

The meeting was adjourned at 12:30.

The Rapporteurs:

The Chairman:

Armand H. Wolf

A. Mockli

F. A. Trail

INTERNATIONAL TELECOMMUNICATIONS.
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 204 TR-E

August 4, 1947

Committee E

REPORT
of the Convention Committee
(Committee E)
7th Meeting
August 1, 1947

1. The Chairman called the meeting to order at 10:07 a.m.

2. Report of the 4th Meeting

The report of the 4th meeting (Document 162 TR-E) was approved subject to the following changes:

1. Page 1, para.2, line 3; read:

"Subcommittee E 1."

2. Page 2, third paragraph second line, delete all words after "charged" and insert "a double rate, but they have priority of transmission over very urgent private calls which are charged five times the ordinary rate. The Delegate from the United Kingdom stressed that he based his remarks on a textual interpretation of the Telegraph and Telephone Regulations and that, when a demand telephone service was provided, the question of priority did not arise."

3. Page 3. After the statement of the Delegate from the United States to read: "The Delegate from the United States stated that the United States was not prepared at this time to support the proposal of the United Kingdom, as it would have to study the matter as a whole and in detail, and was not in a position to do so at present."

4. Page 3, line 11. (concerns the French text only) read: "ce qui est" instead of "et en outre, ceci est."

5. Page 3, fifth line of para 5. (concerns the French text only) read: "à Messieurs les délégués" instead of "à un délégué."
 6. Page 4, para. 6, seventh line, delete "defining" insert "referring generally to"; eighth line, delete "insured" insert "encouraged."
 7. Page 6, para. 6., tenth line from the top, put the words "outgoing, incoming and in transit" in parentheses.
3. Report of the Fifth Meeting (Document No. 167 TR-E).

As the English text had not been circulated, approval of these minutes was postponed.

4. Agenda, Item 2.
Article 32. Monetary Unit (Document Nos. 102, 115 and 174 TR-E)

The Chairman invited the Delegate from India to explain the Indian proposals, which had been received and circulated since the previous meeting.

The Delegate from India said that it seemed from the discussions hitherto that there were three points of view on the Monetary Unit:

- (a) Some countries wished to maintain the status quo, namely, the gold franc as defined in Article 32;
- (b) Others felt that the present Monetary unit was not satisfactory, but thought that changing would require too much time and effort: hence they would be prepared to maintain it, but wished to make provision for special arrangements;
- (c) Finally, there were some, India among them, who were of the opinion that, since the purpose of the Conference was to revise the Madrid Convention and to delete any unsatisfactory provisions, it was indispensable to seize this opportunity to decide upon a new Monetary Unit.

Those who supported course (a) realized that the status quo did not meet present requirements, but they hoped that the financial situation would improve and they were prepared to retain the gold franc until it again became a satisfactory monetary unit.

He agreed with those who supported course (b), that it would take much time and effort to change the monetary unit but he felt that if the 1932 decision were untenable it would be worthwhile to devote the time and effort necessary to enable it to satisfy present requirements.

India agreed with Canada that the gold content of the monetary unit should be reduced. Canada suggested modifying the gold franc but India felt that any attempt to change the gold franc would meet opposition from those countries which had based their currencies on it. They therefore proposed that a unit of a certain gold value be adopted and had evolved a method whereby the value of this unit could be adjusted to meet present financial needs. They believed that this new unit would eliminate the necessity for special arrangements. They felt that their proposal would satisfy the majority of members: it retained gold as the monetary basis; it adapted the monetary unit to present conditions; it provided the means whereby the gold equivalent could be changed according to circumstances, thereby avoiding special arrangements, a source of much trouble.

The Chairman suggested dealing with the proposals on the monetary unit by grouping them according to the degree of their divergence from the status quo established by the Madrid Convention. He thought that the order should be as follows:

1. Greek proposal (entailing absolute abandonment of the gold basis);
2. Proposals of Canada and India (entailing the adoption of a new gold unit);
3. Proposals of the United States and the United Kingdom (retaining the existing gold franc but providing for the use of alternative standards).

The Committee approved.

Some of the English-speaking Delegates informed the Committee that they would prefer to postpone the second stage of studying Article 32 until the English text of the report of the Fifth Meeting was available; it was decided to follow this procedure.

5. Agenda, Item 3 (a).
Article 22 of the Madrid Convention "Tele-
communication as a Public Service"

The Chairman said that he suggested undertaking the study of §§ 2, 4 and 5 of Article 21 of Document No. 2 TR-E (proposals of the United States) as §§ 1 and 3 had been dealt with at an earlier meeting.

Document No. 2 TR-E, Article 21, § 2.

The Delegate from France stated that the first sentence of § 2 dealt with a question which had already been discussed by the Working Group of Committee C, which had prepared a text on this question, "Purpose and Aims of the Union" (No. 45 TR-E, Article 3, Moscow Document, 4 Ter).

The Chairman suggested dealing with the first and second sentences separately and beginning with the first sentence.

The Delegate from the United States said that the text prepared by Committee C contained a statement of the aims of the Union acting as a group, whereas the first sentence of § 2 of the United States proposal under discussion would impose an obligation on each individual member to fix the lowest possible rates. The second sentence referred to the practice of certain countries which included in rates, costs for services which they had not rendered.

The Delegate from Denmark supported the retention of Article 22 of the Madrid Convention in its present form.

The Delegate from Italy thought that the Regulations fixed the rates for contracting governments. The proposal of the United States would therefore affect only private interests and should be put in the form of a suggestion.

The Chairman pointed out that the incorporation of a paragraph in the Convention to the same effect as the paragraph proposed by the United States would result in forcing future Telegraph and Telephone Administrative Conferences to revise the Regulations in order to make them consistent with

the paragraph now under discussion.

The Delegate from France emphasized the fact that the article proposed by the United States would not bind private enterprises. In the United States the telecommunication services were in the hands of private operating enterprises, and this would derogate from the value of any provision such as those proposed by the United States, which might be inserted in the Convention.

A lengthy discussion ensued in which, in addition to the Delegates mentioned above, the Delegates from Lebanon, Australia, Switzerland, Chile, Portugal, Greece and the United Kingdom participated. During the debate the Delegate from Chile acknowledged that the Chilean proposal, Article 29, in Document No. 6 TR-E, was the same in substance as the proposal of the United States.

The Committee then turned to the study of the second sentence in § 2, Article 21 of the proposals of the United States.

The Delegate from the United States, in response to a question by the Chairman, acknowledged that this sentence, if adopted, would preclude the collection of cable landing charges, charges collected by the country concerned which has not performed any work.

After a lengthy discussion the following motions were put to the vote (with the results shown below):

1. Does the Committee wish to recommend to the Plenary Assembly that the first sentence of § 2, Article 21, proposal of the United States (Document No. 2 TR-E) be inserted in the Convention (without prejudicing the place of insertion or the effect of the texts prepared by Committee C)?

In favor: 11

Contrary: 19

2. Does the Committee wish to recommend to the Plenary Assembly that a clause in conformity with the Chilean proposal Article 29, (Document No. 6 TR-E) be inserted in the Convention?

In favor: 11

Contrary: 19

3. Does the Committee wish to recommend to the Plenary Assembly that a clause to the following effect be inserted in the Convention:

(a development of the second sentence of § 2, Article 21, Proposal of the United States, (Document 2 TR-E), which appeared during the debates)

"Charges collected from the public shall not contain any elements other than fiscal taxes in addition to payment for telecommunication services actually rendered."

The Committee voted against this proposal by a large majority.

It was agreed to study §§ 4 and 5 Article 21, (Document No. 2 TR-E), at a later meeting.

6. Agenda. Item.
Article 23 Madrid Convention "Responsibility"

The proposals of France, the United Kingdom and the U.S.S.R. were based on retaining the article of the Madrid Convention. The Hungarian proposal contained the phrase "and pay no compensation for any damage due to errors of service." The United States proposed to delete the article.

After an exchange of views in which the Delegates from the United States, Italy, Lebanon, Iran, Switzerland, France, Greece and Guatemala participated, it became clear that the consensus of opinion favored the retention of Article 23 as a whole, but that its wording should be revised at the proper time, in order to make it clear that the only purpose of this article was to stress the fact that the contracting governments did not assume any financial liability to the public by adhering to the Convention.

The Committee agreed to retain the substance of Article 23.

7. The Chairman adjourned the meeting at 12:40 p.m.

Rapporteurs:

A. G. David
H. Lerognon

Chairman:

H. Townshend

INTERNATIONAL
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ATLANTIC CITY
1947

Document No. 205 TR-E

August 4, 1947

Committee E

TURKEY

189 TR

The Delegation from Turkey proposed that Article 23 of the International Telecommunication Convention should be modified as follows:

"Article 23

The contracting governments declare that they accept no responsibility in regard to the users of international telecommunications service and pay no indemnity for faulty service."

Reason.

Article 23 of the Convention applies, in practice, only to telegrams. When there is alteration in wording, delay or non-delivery of a telegram of the international system, the sender asks for indemnity. However, as the provision of Article 23 of the Convention is not sufficiently clear on this matter, the administration operating the telegraph service meets with difficulty in explaining the scope of the said article concerning the non-responsibility of the administration as to the eventual losses caused by faulty service.

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Document No. 206 TR-E

August 4, 1947

Committee E

AGENDA
for the

EIGHTH and NINTH Meetings of COMMITTEE E
(Convention Committee) to be held respectively
on Wednesday 6th August at 10:00 a.m. in
the Renaissance Room and on Thursday 7th
August at 3:30 p.m. in the Trellis Room.

1. Approval of the Minutes of the Fifth Meeting (167 TR-E), the Sixth Meeting (202 TR-E) and the Seventh Meeting (204 TR-E).
2. Second stage of discussion on Article 32. Madrid Convention - "Monetary Unit"
(Docs. 102, 115 and 174 TR)
3. (If time permits)
 - (a) Continuation of discussion of Article 22. Madrid Convention - "Telecommunication as a public service"
(see individual proposals referred to in 80 TR)
 - (b) Article 13. Madrid Convention "Special arrangements"
(188 TR)
 - (c) Article 29 Madrid Convention "Charges and Franking Privileges"
(See individual proposals referred to in 80 TR)
 - (d) Article 31 Madrid Convention "Secret Language"
(See individual proposals referred to in 80 TR)
4. NOTES on state of work
 - (a) Chairman is due to report upon discussion with Chairman Committee C regarding proposals for regional arrangements (see para. 7. of Minutes 4th Meeting 162 TR)

- (b) It has been agreed that the following Articles of the Madrid Convention shall be preserved subject to minor textual alterations which are to be considered later:-

(1)	Art	23	
(2)		24	
(3)		26	
(4)		27	
(5)		28	
(6)		30	(subject as agreed to consideration of US text in 176 TR)

- (c) It has been agreed to recommend the insertion of a vote regarding fiscal taxes (text in 202 TR)
- (d) Subcommittee E/1 is studying Article 15 Madrid Convention "Arbitration" and will submit a report shortly.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 207 TR-E

August 5, 1947

Committee F

R E P O R T

of the Working Group of Committee F

August 2, 1947

(Document No. 166 TR-E, continued)

1. - The working group prefers not to devote a special article to the subject of Admission to the Conferences. It therefore proposes to insert in Articles 2 and 2bis the provisions bearing on admission to Plenipotentiary and Administrative Conferences. Under such conditions, the titles of Articles 2 and 2bis then become:

Art. 2 - Invitation and Admission to Plenipotentiary Conferences.

Art. 2bis - Invitation and Admission to Administrative Conferences.

2. - In conformity with the decision taken by Committee F, the texts of Articles 2 and 2bis contain points of suspension pending a decision on the subject of the Administrative Council.

3. - The Delegation from the United States proposes that the definition of the term Delegation be inserted at the end of Articles 2 and 2bis. The working group would prefer that this definition be inserted in the Annex on the subject of definitions.

4. - Temporarily, the working group allowed to stand the last sentence of § 5 and § 6 of Article 2. These provisions will have to be reconsidered after the findings of Committee D are made known.

Chairman of the working group:

D. V. POPOVIC

COMMITTEE F

Text Proposed by the Working Group

Article 2

Invitation and Admission to Plenipotentiary Conferences

§ 1.(1).....shall fix the definitive date and the exact place of the Conference.

§ 2. One year before this date, for an ordinary Conference, and at least six months before in the case of an extraordinary Conference, the (2), shall send invitations to the Government Members of the Union.

§ 3. The replies of the invited Governments must reach(2).....not later than one month before the date of opening of the conference.

§ 4. Immediately after the.....(2).....has sent the invitations, the Bureau of the Union shall request all the administrations of government members of the Union to forward their proposals for the work of the conference within a period of four months. The Bureau of the Union shall compile them and forward them, as soon as possible, to all members of the Union.

§ 5.(3).....may invite non-contracting governments to send observers to take part in the conferences in an advisory capacity. In such case, it must take into account all recommendations made by the United Nations as regards the non-invitation of any government to international meetings.

§ 6. The United Nations, its subsidiary organizations and specialized agencies, as well as any subsidiary organization of the International Telecommunication Union, may be admitted to the Conference and take part in its work in an advisory capacity.

§ 7. Delegations (4), and according to circumstances, the observers contemplated in § 5 and § 6 are admitted to the conference.

§ 8. The provisions of the foregoing paragraphs shall apply, so far as practicable, to extraordinary plenipotentiary conferences.

Text Proposed by the Working Group

Article 2bis

Invitation and Admission to Administrative Conferences

§ 1.(1).....shall fix the definitive date and the exact place of the conference.

§ 2. One year before this date, in the case of an ordinary conference, and at least six months before in the case of an extraordinary conference, the.....(2)shall send invitations to the government members of the Union, which latter shall communicate the invitation to the private telecommunication operating enterprises recognized by them.(2).....shall itself send a notification to the international organizations which may be interested in this Conference.

§ 3. The replies of the invited governments, insofar as the Delegations of Governments and the representatives of recognized private telecommunication operating agencies, must reach the.....(2).....at the latest one month before the date of the opening of the conference.

§ 4. Applications made by international organizations for admission to the conferences must be sent to the(2).....within a period of two months from the date of the notification as provided in § 2.

Four months before the meeting of the conference, the(2).....shall forward to the members of the Union the list of international organizations which have made application to take part in the conference, inviting them to state, within a period of two months, whether or not these applications should be granted.

§ 5. The following shall be admitted to conferences:

- (a) Delegations (4) of Governments;
- (b) Representatives of private telecommunication operating agencies recognized by their respective Governments;
- (c) Expert observers of international organizations if at least half of the members of the Union whose replies have been received within the period prescribed in § 4 have pronounced favorably.

§ 6. Any admission to a conference of other international organizations is subject to a decision of the conference itself, taken at the first plenary assembly.

§ 7. The provisions of § 4, § 5, and § 6 of Article 2 are applicable as regards the issue of invitations to non-contracting governments, and to the United Nations, as well as to the request to submit proposals to the Conference.

Alternative Texts to be Inserted in the Blank Spaces
in Articles 2 and 2bis

(1) "The Administrative Council in agreement with the inviting Government" or "The inviting Government."

(2) "The inviting Government" or "The Administrative Council."

(3) "The Administrative Council" or "The inviting Government in agreement with the other members of the Union."

(4) Note: The working group is of the opinion that the following definition of the term "delegation" should appear at the foot of Articles 2 and 2bis or included in the Annex containing definitions of terms used in the General Regulations.

Delegation

Persons charged with the representation of Members of the Union at conferences. Each Member of the Union shall be free to make up its delegation as it wishes. In particular, it may include in its delegation, in the capacity of delegates or of advisers, representatives of private telecommunication operating agencies which it recognizes.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 208 TR-E

August 5, 1947

Committee D

Provisional Draft
prepared by Working Group
of Committee D for the
Agreement between

THE UNITED NATIONS AND
THE INTERNATIONAL TELECOMMUNICATIONS UNION

PREAMBLE

In consideration of the provisions of Article _____ of the Convention of the International Telecommunications Union of Atlantic City 1947 and in consideration of the obligations incumbent on the United Nations in accordance with Article 57 of its Charter, the United Nations on the one hand, and the International Telecommunications Union on the other hand, agree as follows:

ARTICLE I

The United Nations recognizes the International Telecommunications Union (hereinafter called "the Union") as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

For the purposes of the relationship defined in this agreement the United Nations shall be considered as an international entity. The various aspects of the relationship of the International Telecommunication Union with the United Nations as an operating agency of telecommunications services shall be dealt with separately.

ARTICLE III

Reciprocal Representation

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the Plenipotentiary and Administrative Conferences of the Union, and may be invited to attend international consultative committee and other meetings convened by the Union and to participate without vote in the discussion of items on the agenda in which the U.N. may be concerned.

2. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the U.N. and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

3. The Union shall be invited to send representatives to be present at meetings of the General Assembly during which questions within the competence of the Union are under discussion, and to participate, without vote, in the deliberations of the main Committees of the General Assembly with respect to items concerning the Union.

4. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

ARTICLE IV

Proposal of Agenda Items

Subject to such preliminary consultation as may be necessary, the Union shall include on the agenda of its Plenipotentiary and Administrative Conferences, or its consultative committee and other meetings as laid down in paragraph 1 of Article III, items proposed to it by the U.N. or shall otherwise appropriately inform its members of such items for their consideration. Similarly, the Economic and Social Council, its Commissions and Committees and the Trusteeship Council shall include on their agenda items proposed by the Union.

ARTICLE V

Recommendation of the United Nations

1. The Union agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may be proper, of all formal recommendations which the United Nations may make to it. Such recommendations will be addressed to the Union and not directly to its members.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United

Nations on the action taken by the Union or by its members to give effect to such recommendations or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to co-operate with any body which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the Union.

2. Without prejudice to the generality of the provisions of the preceding paragraph:

- (a) The Union shall submit to the United Nations an annual report on its activities;
- (b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in Article XII, paragraph 1.
- (c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it, subject to the conditions set forth in Article XII, paragraph 2.

ARTICLE VII

Assistance to the United Nations

The Union agrees to co-operate with and to give assistance to the principal and subsidiary organs of the United Nations so far as is consistent with the provisions of the International Telecommunications Convention.

As regards the Members of the United Nations the Union agrees that in accordance with Article 103 of the Charter no provision in the International Telecommunications Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations.

ARTICLE VIII

Personnel Arrangements

The United Nations and the Union agree to co-operate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel and in so far as possible.

- (a) to avoid competition in the recruitment of personnel and
- (b) to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

ARTICLE IX

Statistical Services

1. The United Nations and the Union agree to co-operate with a view to insuring that statistical information and data shall be as useful and as widely used as possible.
2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.
3. The United Nations recognizes the Union as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as it may be essential for its own purposes or for the improvement of statistics throughout the world.

ARTICLE X

Administrative and Technical Services

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or over-lapping services, and when necessary to consult thereon to achieve these ends.
2. Arrangements shall be made between the United Nations and the Union in regard to the registration and deposit of official documents.

ARTICLE XI

Budgetary Arrangements

The Budget of the Union as determined by its Plenipotentiary Conference shall be transmitted to the United Nations, and the General Assembly may make recommendations thereon to the Plenipotentiary Conference of the Union.

ARTICLE XII

Financing of Special Services

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or information in accordance with Article VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.
2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

ARTICLE XIII

Inter-Agency Agreements

1. The Union agrees to inform the Economic and Social Council of the Nature and scope of any formal agreement contemplated between the Union and any specialized agency or other inter-governmental organization, and further agrees to inform the Economic and Social Council of the details of any such agreement, when concluded.

2. The U.N. agrees to inform the Union of the nature and scope of any formal agreement contemplated between any other specialized agencies or other inter-governmental organizations on matters which might be of interest to the Union and further will inform the Union of the details of any such agreement, when concluded.

ARTICLE XIV

Liaison

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

ARTICLE XV

Implementation of the Agreement

The Secretary-General of the United Nations and the appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XVI

Revision

On six months' notice given on either part, this Agreement shall be subject to revision by agreement between the United Nations and the Union.

ARTICLE XVII

Entry Into Force

This agreement is annexed to the International Telecommunications Convention concluded in Atlantic City in 1947. It will come into force after approval by the General Assembly of the United Nations, and, at the earliest, at the same time as this Convention.

Atlantic City, August _____, 1947.

The following text, using the agreement between the United Nations and the Universal Postal Union as a basis, shows the changes (deletions are crossed through, and additions are underlined), made by the Working Group of Committee D.

DRAFT AGREEMENT

between

THE UNITED NATIONS

and

THE INTERNATIONAL TELECOMMUNICATIONS UNION

- - - - -

PREAMBLE

In consideration of the provisions of Article ~~of the Convention of the International Telecommunications Union of Atlantic City 1947~~ and in consideration of the obligations placed upon the United Nations, ~~by~~ in accordance with Article 57 of ~~the~~ its Charter, ~~of the United Nations, the United Nations on the one hand, and the Universal Postal International Telecommunications Union, on the other hand,~~ agree as follows:

ARTICLE I

The United Nations recognizes the ~~Universal Postal International Telecommunications Union~~ (hereinafter called "the Union") as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

For the purposes of the relationship defined in this agreement the United Nations shall be considered as an international entity. The various aspects of the relationship of the International

Telecommunications Union with the United Nations as an operating agency of telecommunications services shall be dealt with separately.

ARTICLE II III

Reciprocal Representation

1. Representatives-of-the United-Nations-shall-be-invited-to-attend-all-the-Union's-Congresses, Administrative-Conferences-and-Commissions,-and The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of these meetings of all the Plenary and Administrative Conferences of the Union, and may be invited to attend international consultative committee and other meetings and to participate without vote in the discussion of items on the agenda in which the United Nations may be concerned.
2. Representatives-of-the The Union shall be invited to attend to send representatives to be present at meetings of the Economic and Social Council of the United Nations (hereinafter-called "the-Council") and of the Trusteeship Council and of its their Commissions and or Committees and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.
3. Representatives-of-the The Union shall be invited to attend send representatives to be present at the meetings of the General Assembly during which questions within the competence of the Union are under discussion, and to participate, without vote, in the deliberations of the main Committees of the General Assembly with respect to items concerning the Union.
4. Written statement presented to the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

ARTICLE III IV

Proposal of Agenda Items

Subject to such preliminary consultation as may be necessary the Union shall include on the agenda of its Congresses, Plenipotentiary and Administrative Conferences, or Commissions, or as the case may be shall submit to its members in accordance with the provisions of the Universal Postal Convention its consultative committee or other meetings as laid down in paragraph 1 of Article III items proposed to it by the United Nations, or otherwise appropriately inform its members of such items for their consideration. Similarly, the Council, its Commissions and Committees and the Trusteeship Council shall include on their agenda items proposed by the Union.

ARTICLE IV V

Recommendations of the United Nations

1. The Union agrees to arrange for the submission as soon as possible, ~~for appropriate action, to its Congresses or its Administrative Conference or Commissions, or to its members, in conformity with the provisions of the Universal Postal Convention, to its appropriate organ for such action as may be proper of all formal recommendations which the United Nations may make to it.~~ Such recommendations will be addressed to the Union and not directly to its members.
2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations or on the other results of their consideration.
3. The Union will cooperate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to cooperate with any body which the Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V VI

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the Union.
2. Without prejudice to the generality of the provisions of the preceding paragraph:
 - (a) The Union shall submit to the United Nations an annual report on its activities;
 - (b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in Article ~~XI~~ XII, paragraph 1.
 - (c) ~~The Union shall furnish written advice on questions within its competence as may be requested by the Trusteeship Council;~~
 - (d) ~~The Secretary-General of the United Nations shall, upon request, consult with the Director of the International Bureau appropriate authority of the Union regarding the provision with a view to providing to the Union of such information as may be of special interest to it, subject to the conditions set forth in Article XII, paragraph 2.~~

ARTICLE VI VII

Assistance to the United Nations

The Union agrees to cooperate with and to give assistance to the United Nations, its principal and subsidiary organs of the United Nations, so far as is consistent with the provisions of the Universal Postal International Telecommunications Convention.

As regards the Members of the United Nations the Union agrees that in accordance with Article 103 of the Charter no provision in the Universal Postal International Telecommunications Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations.

ARTICLE VII VIII

Personnel Arrangements

The United Nations and the Union agree to cooperate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel and ~~to avoid competition in the recruitment of personnel.~~ in so far as possible:

- (a) to avoid competition in the recruitment of personnel and
- (b) to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

ARTICLE VIII IX

Statistical Services

1. The United Nations and the Union agree to cooperate with a view to ~~securing the greatest possible usefulness and utilization of statistical information and data.~~ insuring that statistical information and data shall be as useful and as widely used as possible.
2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.
3. The United Nations recognizes the Union as the appropriate agency for the collection, analysis, publication, standardization, and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as it may be essential for its own purposes or for improvement of statistics throughout the world.

ARTICLE IX X

Administrative and Technical Services

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or over-lapping services, and when necessary to consult thereon to achieve these ends.

2. Arrangements shall be made between the United Nations and the Union in regard to the registration and deposit of official documents.

ARTICLE ~~X~~- XI

Budgetary Arrangements

The ~~annual~~ Budget of the Union as determined by its Plenipotentiary Conference shall be transmitted to the United Nations, and the General Assembly may make recommendations thereon to the ~~Congress-of~~ the-Union Plenipotentiary Conference of the Union.

ARTICLE ~~XI~~ XII

Financing of Special Services

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or information in accordance with Article ~~X~~ VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

ARTICLE ~~XII~~ XIII

Inter-Agency Agreements

1. The Union agrees to inform the Economic and Social Council of the nature and scope of any formal agreements contemplated between the Union and any specialized agency or other inter-governmental organization, and further agrees to inform the Economic and Social Council of the ~~preparation~~ details of any such agreements when concluded.

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated between any other specialized agencies or other inter-governmental organizations on matters which might be of interest to the Union and further will inform the Union of the details of any such agreement, when concluded.

ARTICLE XIII XIV

Liaison

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangement provided for in this agreement shall apply, as far as appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

ARTICLE XIV XV

Implementation of the Agreement

The Secretary-General of the United Nations and the President of the Executive and Liaison Commission appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XV XVII

Entry into Force

This agreement is annexed to the Universal Postal International Telecommunications Convention concluded in Paris Atlantic City in 1947. It will come into force after approval by the General Assembly of the United Nations, and, at the earliest, at the same time as this Convention.

ARTICLE XVI

Revision

On six months' notice given on either part, this Agreement shall be subject to revision by agreement between the United Nations and the Union.

Paris, -July-4, -1947

Atlantic City, August-----1947

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 209 TR-E
August 5, , 1947

Committee C

This document replaces document No. 197 TR-E

WORKING GROUP
of Committee C.

Proposal of the Working Group regarding the wording of
Article 1, § 1 and of Article of the Convention.

1. Article 1, § 1

§ 1. The sovereign right of each country, party to
the Convention, to regulate its telecommunications is fully
recognised. The Governments of these countries nevertheless
recognise that arrangements among them are necessary in
order to ensure the effectiveness of telecommunication.

2. Article 3

The Working Group proposes that this article be worded
as follows:

Article 3

PURPOSES OF THE UNION

I. The purposes of the Union are:

- a) to maintain and extend international
cooperation for the improvement and
rational use of telecommunications of
all kinds;
- 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, as far as possible, generally
available to the public;

II. To this end, the Union will

- a) effect allocation of the radio frequency
spectrum and registration of radio frequency
assignments in order to avoid harmful inter-
ference between radio stations of different
countries.

For the following paragraph, two alternative drafts were prepared:

b) (a) Foster the establishment of rates for telecommunication services at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining a sound and independent financial structure.

The Delegations from Ireland and the United States of America expressed their preference for the above wording.

b) (b) Foster collaboration among its members with a view to the establishment of rates for telecommunication services at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining a sound and independent financial structure.

The Delegations from the United Kingdom, France, India and the U.S.S.R. expressed their preference for the above wording.

For the last two paragraphs, the Working Group proposes the following text:

c) promote the adoption of measures for insuring the safety of life through the cooperation of telecommunication services.

d) undertake studies, formulate recommendations, and collect and publish information on telecommunication matters for the benefit of all members of the Union.

August 5, 1947

Committee F

Conferred Texts of Document 4^{ter} of the
Moscow Conference with corresponding proposals.

CONVENTION

Article 11

Rules of Procedure of Conferences

- §1. Before entering on its deliberations, each Conference shall adopt Rules of Procedure in accordance with which the discussions and work are organized and conducted.
- §2. For this purpose the Conference shall take as a basis the provisions of the General Regulations annexed to the present Convention, with such modifications as it thinks fit.

The corresponding text of the Madrid Convention, Art. 20 is as follows:

Article 20

Internal Regulations of the Conferences

- §1. Before any other deliberation, each Conference shall establish Internal Regulations containing the rules according to which the debates and the work shall be organized and conducted.
2. For this purpose, the Conference shall take as a basis the Internal Regulations of the preceding Conference, which it may modify if deemed advisable.

UNITED STATES 17 TR(Doc. No. 2 TR-E), Art. 5, § 5 h.

- §5. The Plenipotentiary Conference shall:

(h) elect its own officers and adopt its own rules of procedure, taking as a basis the rules of

procedure of the preceding session of the Conference.

CHILE 24 TR (Doc. No. 6 TR), Art. 23-

Internal Rules for the Conferences.

The procedure to be adopted at each Conference is decided by its internal regulations (Annex II). Each Conference may modify its regulations and adopt any supplementary regulations necessary for the performance of its work.

Reason.
For greater precision.

UNITED KINGDOM 49 TR (Doc. No. 9 TR-E), Art. 12-

Rules of Procedure of Conferences.

§1. Before entering on its deliberations, each Plenipotentiary Conference shall adopt Rules of Procedure which comprise the rules in accordance with which the discussions and work are organized and conducted. For this purpose the Conference shall take as a basis the provisions of the General Regulations annexed to the present Convention, with such modifications as it thinks fit.

§2. Conferences other than Plenipotentiary, including any regional conferences, shall follow the Rules of Procedure embodied in the General Regulations.

Reason.
Modification of Article 20 of the Madrid Convention consequent on the adoption of the General Regulations.

ITALY 65 TR (Doc. No. 11 TR-E).

Art. 11, §2. Replace by the following:

§2. To this effect the Conference takes as basis the provisions of the General Regulations annexed to the present Convention, which the Conference, if deemed advisable, modifies in its first plenary assembly, the modifications of which come into force at once.

FRANCE 121 TR (Doc. No. 14 TR-E), Art. 11,
§ 4 and 136 TR (Doc. No. 28 TR-E).

§4. Before any other deliberation, each Conference establishes internal Regulations containing the rules according to which the debates and the work are

organized and conducted.

To this end the Conference takes as basis the provisions of the General Regulations annexed to the present Convention, which it modifies if advisable.

France desires to add to Article 11, § 4 of its Convention plan (Doc. No. 14 TR-E), under the title "Plenipotentiary Conference," the following text:

In no case shall the internal regulations, drawn up for a conference, carry rules that are contrary to those in force at the time the conference opens.

GREECE 157 TR (Doc. No. 55 TR-E).

Art. 20. Delete this article.

Reasons

The Internal Regulations must be included in Annex No. 2 of the Convention.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 211 TR-E

August 5, 1947

Committee C

H U N G A R Y

190 TR

Proposal Concerning the Wording of
Article 4 of the Convention

The Delegation from Hungary proposes to adopt the Moscow text of Article 4, organization and operation of the Union, except for the wording of §3, the text of which is to be modified as follows:

"§3. Each Plenipotentiary Conference shall elect an Administrative Council of 15 members, each of whom shall be a national of a different Member country. The Member countries of each region forming a telecommunication unit (special regions) shall be represented in the Administrative Council. Candidates for membership in the Council shall be nominated by the respective Governments. No country shall be entitled to more than one representative in the Council."

REASON

Telecommunications service varies fundamentally according to the special regions of the world system, regions in which conditions are totally divergent in accordance with the geographic, economic and social characteristics of the territories in question. For instance, the countries of the Danube Basin form a unit from a geographic and economic standpoint and the requirements for telecommunication services due to the customs of this region are different from those in any other part of the world. The telecommunication system of Hungary constitutes a special part of the world system. In the plan for a European arhythmic telegraph service, Budapest will serve as an intermediary between the countries of southeastern and western Europe, and the Hungarian telephone service will play an especially important role in this region of the world. In case the plan for a rapid European telephone service by co-axial cables were to be carried into effect.

Therefore, the Hungarian Delegation is of the opinion that the Administrative Council of the International Telecommunications Union could not perform its task if the interests of these special regions of the world telecommunication system were not represented therein.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 212 TR-E

August 5, 1947

Committee F

COMMITTEE F

Comparison of the Texts of Document No. 4ter of
the Moscow Conference and the corresponding proposals.

C O N V E N T I O N

Change in the Time and Place of a Conference.

Moscow Text:

Art. 10 § 9. If twenty or more Members of the Union propose to the Chairman of the Administrative Council a change in the time and/or place of the next Plenipotentiary or Administrative Conference, the Administrative Council shall, with the consent of the majority of the members of the Union, fix a new time and/or place for the Conference.

The corresponding text of the Madrid Convention is as follows:

Article 19

Change of Date of a Conference

§ 1. The time set for the meeting of a conference of plenipotentiaries or of an administrative conference may be advanced or postponed if request to this effect is made by at least ten of the contracting governments to the government of the country in which the Bureau of the Union is located, and if such proposal is agreed to by the majority of the contracting governments which shall have forwarded their opinion within the time indicated.

§ 2. The conference shall then be held in the country originally designated, if the government of that country consents. Otherwise, the contracting government shall be consulted through the government of the country in which the Bureau of the Union is located.

United States. 17 TR (Doc. No. 2 TR-E)

Art. 5 § 4. If twenty or more Members propose to the Chairman of the Administrative Council a change in the time or place of the next session of the Plenipotentiary Conference, the Administrative Council shall fix a new time or place for such session consistent with the majority view expressed by the Members.

Art. 6 § 4. If twenty or more Members propose to the Chairman of the Administrative Council a change in the time or place of the next session of an administrative conference, the Administrative Council shall fix a new time or place for such session consistent with the majority view expressed by the Members.

Chile. 24 TR (Doc. No. 6 TR-E)

Article 18

Change of date of a Conference.

§ 1. The date fixed for the meeting of a Conference, whether plenipotentiary or administrative, may be put forward or postponed on request made to the Organizing Government by at least ten of the Contracting Governments.

§ 2. The said request shall be made through the agency of the Bureau of the Union.
The Conference then takes place in the country originally designated if the Government of that country agrees. If it does not agree, the Bureau of the Union consults the Contracting Governments.

Reason

For greater precision.

United Kingdom. 49 TR (Doc. No. 9 TR-E)

Art. 11 § 8. If twenty or more Contracting Governments propose to the Chairman of the Administrative Council a change in the time and/or place of the next Plenipotentiary or Administrative Conference, the Administrative Council shall, with the consent of the majority of the Contracting Governments, fix a new time and/or place for the Conference.

ANNEX NO. 5.

Procedure for Calling Extraordinary Plenipotentiary
or
Administrative Conferences.

(Article 11 § § 3, 7 and 8 of the Convention.)

§ 1. When a Contracting Government communicates to the Chairman of the Administrative Council a desire for (a) an Extraordinary Plenipotentiary Conference, (b) an Extraordinary Administrative Conference, or (c) a change in the time and/or place of the next Plenipotentiary or Administrative Conference, it shall suggest a time and place.

§ 2. On receipt of twenty or more requests the Administrative Council shall inform all Contracting Governments giving particulars and allow a period of six weeks for any alternative proposals to be made. If there is unanimity of opinion on place and date the Council shall ascertain whether the Government of the country in which the proposed meeting place is situated is prepared to act as "Inviting Government." If the answer is in the affirmative, the Council and the country concerned shall arrange accordingly. If the answer is in the negative, the Council shall so inform the Governments desiring the Conference, and invite alternative suggestions. On receipt of these suggestions, the Council shall where appropriate, follow the consultation procedure set out in § 3 below.

§ 3. If more than one meeting place or date for the Conference is suggested, the Council shall consult the Government of each of the countries where the places are situated. When the views of the Governments have been ascertained, the Council shall invite all Contracting Governments to choose one of the meeting places and/or dates which have been ascertained to be

available. According to the wishes of the majority of the Governments the Council shall then arrange the Conference in collaboration with the "Inviting Government."

§ 4. All Members of the Union shall despatch their replies to a communication from the Administrative Council regarding the date and meeting place for a Conference in time for the replies to reach the Council within six weeks of the date of the communication from the Council.

Italy. 64 TR(Doc. No. 11 TR-E)

Art. 10 § 8. If twenty Contracting Governments at least ask the Government of the country in which the International Telecommunication Union has its seat to change the date and place, or the date or place only, for the next Plenipotentiary or Administrative Conference, the said Government, with the assent of the majority of the Contracting Governments that have sent in their avis within a given period, fixes a new date and a new place, or one of the two only, for the Conference.

§ 9. The same procedure is followed when a Government declares that it cannot convene a Plenipotentiary or Administrative Conference with which it was intrusted by a previous Conference.

France. 121 TR(Doc. No. 14 TR-E)

Article 13.

Change of Date and Place of Conferences.

The date and place, or one of the two, of a Plenipotentiary or Administrative Conference may be changed at the demand of at least twenty members of the Union addressed to the Chairman of the Administrative Council, if the majority of the members of the Union consulted agree thereto.

In this case the Administrative Council fixes the new date and place, or one of the two only.

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Document No. 213 TR-E

August 6, 1947

191 TR

C A N A D A

Proposal concerning the voting procedure in Plenary
Sessions of Plenipotentiary Conferences.

Article 22 of the General Regulations should
include a paragraph as follows:

"A secret ballot shall be taken in Plenary
Sessions of the Plenipotentiary Conferences
upon the request of at least five Delegations
who are present and entitled to vote"

REASON

At its second plenary session on July 18, the
present conference adopted by a large majority a Canadian
proposal which provided for a vote by secret ballot to be
taken in certain cases. It is felt that this provision
has already proved its merit in reducing the number of
abstentions and in ensuring that decisions are taken in
such a way as to reflect the views of the largest possible
number of those present. The Canadian Delegation there-
fore feels that this provision should be written into
the General Regulations for the use of future Plenipotentiary
Conferences.

NOTE

It will perhaps be of interest to the Delegations
to know that a similar proposal for a secret ballot was
put forward by a Canadian Delegation at the recent Congress
of the Universal Postal Union in Paris and was adopted by
a very large majority.

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E
Document No. 214 TR-E

August 6, 1947

Committee D

Correction to Document No.148 TR-E

On page two, paragraph 7 beginning "At the request of the Delegate from China" should be replaced with the following paragraph:

The Delegate of China requested that in paragraph 6, page 2, Doc. No.88 TR-E after "The Delegate of China..." there be inserted the words "proposed that there should be close relationship between the I.T.U. and the U.N." and that the word "asked" be deleted. In other words, paragraph 6 on page 2 of Doc. No.88 TR-E, should read as follows:

"The Delegate of China proposed that there should be close relationship between the I.T.U. and the U.N. and that all documents cited may be used as a reference, especially the one concerning I.C.A.O."

F. A. Trail

Rapporteur

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August 6, 1947

Memo by United Kingdom

Amendment to Annex 1 of Document 9 TR

1. The United Kingdom attaches great importance to the principle that voting members of the I.T.U. should be sovereign countries, generally recognised to be independent in their international relations.
2. This principle governs the United Kingdom's proposals in Document 9 TR.
3. In particular, the list in Annex 1 of the 67 countries, which the United Kingdom proposes should constitute the initial voting membership of the I.T.U. on the date when the new Convention comes into force, has been drawn up in conformity with this principle.
4. The United Kingdom recognises, however, that there is a case for adding to this list certain countries which:
 - (1) are included in the list of the 77 voting members of the Atlantic City Plenipotentiary Conference of the I.T.U. and which also
 - (2) may reasonably be expected to have become generally recognised as independent in their international relations by the time the new Convention comes into force.
5. Accordingly, the United Kingdom has added to the list in Annex 1 of Document 9 TR the following countries viz:-

Netherlands East Indies
Burma.
6. This United Kingdom list, as now amended, contains the following 69 countries:-

Afghanistan
Albania

* Member of the United Nations

Argentine Republic *
Australia *
Austria
Belgium *
Bolivia *
Brazil *
Bulgaria
Burma
Byelorussian Soviet Socialist Republic *
Canada *
Chile *
China *
Colombia *
Costa Rica *
Cuba *
Czechoslovakia *
Denmark *
Dominican Republic *
Ecuador *
Egypt *
El Salvador *
Ethiopia *
Finland
France *
Greece *
Guatemala *
Haiti *
Honduras *
Hungary
Iceland *
India *
Ireland - Eire
Iran *
Iraq *
Italy
Lebanon *
Liberia *
Luxembourg *
Mexico *
Netherlands *
Netherlands East Indies
New Zealand *
Nicaragua *
Norway *
Panama *
Paraguay *
Peru *
Poland *
Portugal

* Member of the United Nations

Republic of the Philippines *
Roumania
Saudi Arabia *
Siam *
Sweden ±
Switzerland
Syria *
Turkey *
Ukrainian Soviet Socialist Republic *
Union of Soviet Socialist Republics ±
Union of South Africa ±
United Kingdom of Great Britain and Northern
Ireland ±
United States of America *
Uruguay ±
Vatican City State
Venezuela ±
Yemen
Yugoslavia ±

* Member of the United Nations

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Document No. 216 TR-E

August 6, 1947

Committee F

COMMITTEE F

Comparison of texts of Document No.5 ter
of the Moscow Conference and Corresponding
Proposals

INTERNAL REGULATIONS OF THE CONFERENCES.

Article 22

Remark 1.

While the Internal Regulations of Madrid and the Internal Regulations of the International Telecommunications Conference of Atlantic City both contain:

- a) an article entitled, respectively, "Voting in Plenary Assembly" (Article 22) and "Voting in Plenary Sessions" (Article 19);
 - b) an article entitled "Procedure for Voting in Plenary Assemblies (Sessions)" (Articles 24 and 21, respectively),
- Document No.5 ter of the Moscow Conference contains only one article: Article 22, entitled "Voting Procedure."

It would seem expedient, therefore, to combine these provisions in a single article.

Remark 2.

The Plenary Assembly of the International Telecommunications Conference of Atlantic City, in its meetings of July 18, 19 and 22, 1947, studied at great length the question of voting procedure and clearly expressed its opinion thereon. There is little likelihood now that a delegation would be willing to take the responsibility of reopening the discussion of that question. Moreover, there is no evidence of reasons which would be able to induce the present Plenary Assembly to modify its opinion.

For these various reasons, a suggestion has been made to combine, without change, the texts of Articles 19 and 21 of the Internal Regulations of the International Telecommunications Conference of Atlantic City, as they appear in Document No. 175 TR-E.

If that suggestion were accepted, Article 22 of the Internal Regulations of the Conferences (Chapter I of the General Regulations) would read as follows:

VOTING PROCEDURE IN PLENARY SESSIONS

- §1. In plenary sessions, each proposal or amendment shall be submitted to a vote after discussion.
- §2. Voting shall take place by a show of hands. If the majority is not clearly apparent, even after a second test, or if an individual count of the votes is requested, there shall be a formal roll call in the alphabetical order of the names of the delegations.
- §3. If five or more delegations, present and entitled to vote, request, when a vote is about to be taken, that it shall be taken by secret ballot, this shall be done. The necessary steps shall be taken to guarantee effective secrecy.
- §4. For a valid vote to be taken at Plenary Sessions, at least one-half of the delegations accredited to the Conference and having the right to vote must be present or represented at the session during which the vote is cast.
- §5. In Plenary Sessions, no proposal or amendments shall be adopted unless it is supported by a majority of the delegations present and voting. In determining the number of votes required for a majority, abstentions shall not be taken into account. In case of a tie the measure shall be considered rejected.
- §6. Exceptions to the above rule shall be made with respect to proposals to admit, suspend, or exclude a country (In connection with the list of countries in Article 18 entitled to participate and vote in the Conference) also the proposals with a view to changing the Headquarters of the Union. In such cases, a 2/3 majority of the positive and negative votes cast shall be required.
- §7. If the number of abstentions exceeds 50% of the delegations present and voting, the measure shall be reconsidered at a subsequent meeting.

*
* . *

For the sake of convenience, the Moscow and Madrid texts, as well as the various proposals relative to them and referring to the Internal Regulations of the Conferences (Chapter I of the General Regulations) are given below, as well as those relating to other articles of these regulations.

Moscow Text:

Article 22

VOTING PROCEDURE

The Delegations of the U.S.S.R. and France proposed:

1. Questions of substance shall be decided by a two-thirds majority of Members present and voting, and questions of procedure by a simple majority. The decision as to whether a question is one of substance or procedure shall be decided by a simple majority.

The Delegations of the U.S.A., the U.K. and China were not in a position at the present time to accept this or to propose a different formulation.

2. (Would be the subject of an article 22 bis).

3. The vote shall be taken by a show of hands. Should it prove impossible to determine the exact majority of votes even after a recount has been taken or, should it become necessary, at the request of any one Delegation, to take a record of the vote, this shall be done by a roll-call in alphabetical order of the names of the countries represented by the Delegations, in accordance with Article 16 of the present Regulations.

Madrid Text:

Article 22.

Voting in Plenary Assembly.

In plenary assembly, no proposal or amendment shall be adopted unless it obtains a clear majority of the votes cast. If there is an even number of votes cast for and against the proposal or amendment, it shall be considered as rejected.

Article 24.

Procedure for Voting in Plenary Assemblies.

§1. In plenary assemblies, subject to the provisions of

Article 18, each proposal or amendment shall, after discussion, be put to a vote.

§2. Votes shall be taken by a show of hands. If there is not clearly a majority, even after a second count, or if an individual check of the votes is requested, a roll call shall be taken, following the alphabetical order of the names of delegations, as they appear in French.

Chili. 24 TR (Doc. No. 6 TR-E), Annex II.

Article 16.

Quorum.

The quorum of the plenary assemblies of the Conference is formed of the majority of the delegations participating and having the right of vote.

Article 26.

Voting in the Plenary Assemblies.

The proposals and amendments are approved in accordance with the procedure established in article 20 of the Convention.

When only a majority of the countries represented and taking part in the voting is required and when there is an equality of suffrages, the voting must be renewed; should there be again equality of suffrages, the proposals and amendments are considered to be rejected.

Article 28.

Voting Porcedure in the Plenary Assemblies.

Voting takes place in accordance with the provisions of article 25 and in observing the following rules:

- (a) The vote of each delegation is given by the head of that delegation or by another member acting on his behalf.
- (b) The delegates may vote by show of hands or in any other manner decided on beforehand. However, on the demand of a delegation by a decision of the Chairman, the

vote can be given by call of the Conference in the alphabetical order of the French names of the countries represented.

United Kingdom, 49 TR (Doc. No.9 TR-E), Annex 6, Section II.

Article 18.

Voting Procedure in Plenary Assembly.

§1. No proposal or amendment shall be adopted unless it obtains a clear majority of the votes cast. If the votes are equal it is considered as rejected.

§2. (Would be the subject of an article 22 bis).

§3. The vote shall be taken by a show of hands. Should it prove impossible to determine the exact majority of votes even after a recount has been taken, or, should it become necessary, at the request of any Delegate, a record of the vote shall be taken by a roll-call in alphabetical order of the names of the countries represented by the Delegations, in accordance with Article 13 of the present Regulations.

Reason.

As Cairo Rules, viz. §1, Art.21; §3, Art.23.

Italie, 102 TR - 104 TR (Doc. No.12 TR-E).

Art. 22. Complete the title with the words: in the Plenary Assemblies.

Art. 22, §1. Replace by the following:

§1. In a Plenary Assembly, no proposal or amendment is adopted unless it obtains a clear majority of the votes cast. If the votes are equal it is considered as rejected.

Art. 22, §2. Add the following new clause:

A delegation prevented by serious reasons from attending the sittings, has a right to intrust its vote or votes to another delegation. One and the same delegation may not however under this arrangement hold and exercise the votes of more than two delegations, including its own vote or votes.

France, 121 TR (Doc. No.14 TR-E), General Regulations.

Article 22.

Voting in Plenary Sitzings of Conferences.

§1. In plenary sittings of Plenipotentiary Conferences, no proposal or amendment concerning the text of the Convention or its General Regulations is adopted unless it obtains a majority of two-thirds of the votes of the delegates present, without deduction of the abstentions.

§2. In a plenary sitting of an Administrative Conference, no amendment referring to the Regulations, other than the General Regulations, is adopted unless it obtains the absolute majority of the votes.

If the number of votes is equal, the proposal or amendment is considered as rejected.

Article 24.

Voting procedure in Plenary Sitzings of the Conference.

§1. In the plenary sittings of the Conferences, and subject to the provisions of article 18, each proposal or amendment is, after discussion, put to the vote.

§2. The vote is taken on a show of hands. If the majority does not appear clearly, even after a second count, or if an individual check of the votes is demanded, a roll call shall be made in the alphabetical order of the French names of the members of the Union.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 217 TR-E

August 6, 1947

Committee F

COMMITTEE F

Comparison of texts of Document No. 5^{ter} of the
Moscow Conference and corresponding proposals.

INTERNAL REGULATIONS OF CONFERENCES.

Article 22 bis.

Adoption of New Provisions.

Moscow Text (Art. 22, § 2):

As a rule, Delegations which have not succeeded in convincing the Conference to accept their opinions with regard to a new decision on the Convention or Regulations, shall accept (concur with) the opinion of the majority.

Nevertheless, should a Delegation be of the opinion that the proposed undertaking would prevent its Government from ratifying the new acts, it may declare its refusal (final or temporary) to concur with the majority.

Madrid Text:

Article 23.

Adoption of New Provisions.

1) In general, delegations which cannot carry their point on a new provision of the Convention or Regulations, must do their utmost to accept the opinion of the majority.

2) If, however, the measure proposed seems to a delegation to be of such a nature as to prevent its Government from ratifying the new acts, it may declare a formal refusal (definitive or provisional) to accept the vote of the majority.

Atlantic City Text. (Doc. No. 175 TR-E).

Article 20

ADOPTION OF NEW PROVISIONS

§ 1. As a general rule, delegations which cannot have their opinion regarding a provision accepted by the others must endeavor to adopt the opinion of the majority.

§ 2. However, if the measure proposed appears to a delegation to be of such a nature as to prevent its government from ratifying it, the delegation may express reservations (final or provisional), regarding this measure.

CHILE. 24 TR (Doc. No. 6 TR-E),
Annex II, Art. 27.

Adoption of New Provisions

As a general rule, the delegations that cannot succeed in carrying their points of view concerning a new provision of the Convention or the Regulations, must endeavour to side with the majority.

Nevertheless, if a delegation considers that the measure adopted is of such a nature as to prevent their Government from ratifying the new agreements, they can make a reserve with respect to the said decision.

UNITED KINGDOM. 49 TR (Doc. No. 9 TR-E),
Annex 5, Section II, Art. 18, § 2.

(1) In general, Delegations which cannot carry their point on a new provision of the Convention or Regulations, must do their utmost to accept the opinion of the majority.

(2) If, however, the measure proposed seems to a Delegation to be of such a nature as to prevent its Government from ratifying the new acts, it may declare a formal refusal (definitive or provisional) to accept the vote of the majority.

FRANCE. 121 TR (Doc. No. 14 TR-E),
General Regulations, Art. 23.

Adoption of New Proposals.

(1) As a rule, the delegations that cannot carry their point on a new provision of the Convention or the Regulations, must endeavour to accept the opinion of the majority.

(2) If, however, the measure proposed seems to a delegation to be of such a nature as to prevent its Government from ratifying the new acts, it may give a formal refusal (definite or temporary) to accept the vote of the majority.

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Document No. 218 TR-E

August 6, 1947

Committee C

Correction of Document
No. 155 TR-E
Page 2, Point 3,
beginning with 7th sentence,
Read:

This would appear to indicate complete autonomy in telecommunications matters but, whatever the actual fact, the existence of the Secretary of State for India in London, and all that that implied, was bound to create the impression among other members of the Union that India, even in the sphere of telecommunications, took her directive from the British Parliament and followed U.K. in the voting. The delegation for India believed that such an impression was strong, at any rate until recent years. If then it was felt that India with her direct representation in the Union and a status higher than that of the Colonies had not had complete autonomy in Telecommunications matters and her vote had been under the control of the Ruling Power, how much more control there must be on the Colonial votes. The real purpose of these Colonial votes was adequately indicated at the Washington Conference of 1927 when Germany was given 5 Colonial votes even though there were no Colonies under its control at that time.

He continued:

If we understood the Delegate from France rightly, he has told us that the relationship between his country and its Colonies is undergoing a change and he hopes that the new relationship will be on democratic principles and the Colonies will have autonomy in Telecommunication matters. India suggests that this Union should wait and see the final results of the various struggles for independence which are going on at present, before agreeing to the retention of the Colonial votes which are really so much weightage for the Metropolitan Countries. In the meanwhile Colonies may be admitted as Associate Members of the Union as proposed by the Government of the United Kingdom in para. 2 of Article 1 of 49 TR, Doc. No. 9 TR-E.

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Document No. 219 TR-E

August 7, 1947

Committee C

REPORT
of the Committee on Organization
of the Union

(Committee C)

Sixth Meeting
July 24, 1947

1. The meeting was opened at 3 P.M. under the chairmanship of Mr. Alexander Fortoushenko (Soviet Union).

The Chairman proposed continuing the discussion concerning Article I of the Convention (Constitution of the Union).

He gave the floor to the Delegate from the United States of America who made the following statement:

"Mr. Chairman:

The discussion of the membership question during the last two meetings of this Committee has been both penetrating and exhaustive, and there is little for me to add at this time. The general principles of the United States proposal correspond with those of the United Kingdom, and I do not wish to take the time of the Committee to elaborate them in view of the clear exposition given by the Delegate of the United Kingdom at our meeting yesterday.

We have before us, Mr. Chairman, three types of proposals: First, the Madrid Convention, the principles of which are incorporated in the French and Italian proposals. It is true that the French proposal does provide that countries which have ratified or acceded to the Convention form the ITU. However, it does not specifically define membership in the Union. Secondly, we have the proposal of the U. S.S.R. which moves in the direction of giving a more definite basis

for membership and follows the Rio proposal which is useful only in this hemisphere not world-wide; and, thirdly, there are the proposals of the United Kingdom and the United States which are more specific and definite than the other two.

As a result of the lengthy discussions which we have had in the Plenary Session during these past three days, as well as in the special committee on voting during the past three weeks, it is clear beyond any doubt that the Madrid Convention does not furnish us with any definite basis for membership.

In the first place the term membership does not appear in the Convention. Such terms as "parties to the Convention" or "contracting governments" are used to describe members but there have been differences of view expressed with regard to the meaning of those terms. Moreover, membership is not identified in the Convention with voting and voting has been left entirely for the decision of each Conference when adopting its Internal Regulations. Are contracting parties those countries which are merely signatories of the Convention or are they signatories which have ratified the Convention together with those which have adhered, or are they signatories which have ratified the Convention and adopted one or more of the sets of regulations? Because of differences in interpretation it has been possible for some Delegations during the recent discussions in the Plenary Assembly and in the Special Committee on Voting to claim that the Convention of Madrid was being seriously violated in any way. It is our view, Mr. Chairman, that in drafting the new Convention we would be derelict in our duty if we perpetuated the ambiguities of the Madrid Convention with regard to membership and saddled future Conferences with such lengthy discussions as we have had during these past three weeks. The issue at this Conference as at Madrid and as at Cairo has centered on voting. As long as the Convention provided that any country may adhere at any time, the Union will be faced with the problem of determining the voting rights. At Madrid and Cairo much time was spent on this question. The voting formula in each instance was an ad hoc compromise. Some of the countries listed by the Bureau which have adhered were accorded the vote while others were not. For these and other reasons which I might adduce, my Delegation cannot support the status quo of the Madrid Convention nor the proposals which perpetuate the principles of the Madrid Convention.

The proposal of the Delegation of the U.S.S.R., while advancing a more definite concept of membership still leaves too much room for argument. Membership in the United Nations is a definite criterion for membership in the Union which no one would wish to contest. On the other hand, the criteria for determining what other countries may become members of the Union leaves open the question as to who determines whether a country meets the four criteria set forth in the Soviet proposal. If it is up to each government to decide that question, then the proposal would not be satisfactory to my Delegation. If, on the other hand, the decision were left to the Conference or to the members of the Union, there would be less objection. It is clearly the kind of thing which must be decided by the Conference or by the Members of the Union and not by a single government. Moreover, the proposal of the U.S.S.R. would not accord any status to non-metropolitan countries or territories which have been contributing to the work of the Union. My Delegation supports the view that recognition should be given to such countries through a provision for associate membership.

Let us look again at the question of the colonies. These countries have to solve special telecommunication problems. It is not logical to provide only one representative for the whole group of colonies which, very frequently, have very different needs. Such is the case, for instance, of Indo-China and of St. Pierre and Miquelon whose interests are defended by the same representative of the French Colonies.

As was mentioned by the Delegate from Cuba, the Colonies regularly follow their mother countries on important votes. The United Kingdom represents one of the greatest colonial empires of the world, and it is that very same empire which is making the proposal for a new representation of colonies.

The capacity as associate member will permit the various colonies to be represented separately. This constitutes the best guarantee for safeguarding their interests.

We must recognize, I think, that political and administrative entities do not remain static, be they states, countries, protectorates, colonies or territories. Hence, our proposal provides for a Union consisting of member states which are generally recognized as states and lists them in Annex 1. I wish to point out in connection with this list that we do not wish to maintain the division

between members of the United Nations and other states in the final draft. All of these countries should be in a single alphabetical list. The list as arranged in our proposals was merely to indicate, for sake of convenience, which countries were members of the United Nations.

There are some countries which at present have not yet attained a full measure of self-government. These countries, we believe, should be considered as associate members until such time as they are generally recognized to have become fully self-governing. Such recognition can be given at the appropriate time by our respective governments through their action in the United Nations, in according them membership in that organization or by similar action in the Conferences of the Union, by according them full membership in the Union.

3. The Delegate from the Portuguese Colonies made the following statement:

"During the meeting of this committee : last evening, I had no opportunity to make myself heard. It is true that I did not have much to say, because one always says little when one does not wish to repeat oneself overmuch.

Relying on my memory today, I realize that what I had to say at that time has already been said, and much better than I could say it myself, by the two honorable delegates from the Belgian Congo and the French Colonies.

The arguments which these two Delegates developed so clearly and logically are likewise my own arguments, in view of the fact that the position of the Telecommunications Administration of the Portuguese Colonies is identical with that of these two countries in Africa where we are neighbors. I shall therefore confine myself to endorsing fully these viewpoints in defense of the same cause, that is, the cause of Colonial votes. I should, however, like, with your permission, to supplement their statements with this little thought in which Error and Reason dwell side by side.

Is it true or not that all of us, without exception, want our Telecommunications Union to come out of this Conference strengthened? If, as I feel sure it will be, the answer is in the affirmative, then it is evident that we shall never achieve this end by clos-

ing the door (that is the exact term) on some of the present members, or more specifically, the colonies, notwithstanding the fact that these colonies have radiocommunication networks of the first magnitude in the telecommunications world.

No, Gentlemen, I must repeat, if we are honestly determined to improve our Union in the future, it is indispensable to follow as of today a common-sense path, avoiding once and for all the serious error we would commit by eliminating colonial votes, and work with an ear to Reason. Then, we shall succeed, beyond the shadow of a doubt."

4. The Delegate from Tunisia in turn stated:

"It is embarrassing to have to speak in defense of a too particular interest. That is why, after having examined the special case of Tunisia, which is quite typical, I shall consider the question from a more general aspect.

Tunisia has been particularly surprised to find that she was not entered in the list of members recognized by the Union. I feel obliged to intervene in the name of the Beylical Government to ask how such an omission has occurred.

Tunisia has been a member of the ITU since 1885, has participated in all its conferences since that date and has fulfilled all the obligations of a member. She therefore wishes to ask what new factor since the Madrid Conference could have modified her position in the Union.

Does anyone believe that Tunisia could not fulfill certain conditions which might be imposed in the future upon members of the Union?

Gentlemen, the Tunisian Government has been and always will remain in control of its administration and in particular of the telecommunications service which it manages itself. Its budget is independent and is voted by its assembly. Its legislation is in its own hands, and is exclusively established by Beylical decrees. It concludes directly with foreign countries international agreements relative to telecommunications. It ratifies quite independently the telecommunications conventions and regulations. It is free to construct on its own territory any installations it may deem useful.

At the very moment when everyone here recognizes the necessity of strengthening our Union so as to ensure the execution of its regulations, how can you be willing to reject immense territories whose absence could nullify the effect of the Regulations of the Union, which are of value only when imposed on the whole world?

I would add that Tunisia, a member of the Union for more than 60 years, would not be willing to be lowered to the position of an associate member, and that this does not constitute an acceptable solution for her.

Tunisia is a country who is jealous of all her prerogatives. The fact that there has been no mention of her in the proposal to which I alluded is a point on which her Government is particularly sensitive. She requests that the question of any modification in her present situation as a member should not be brought up, and that Tunisia should be entered in the list of the members of the Union.

As I said at the outset, Tunisia therefore constitutes a typical example which may prove in all evidence the danger of the establishment a priori of new lists which are drawn up without taking former decisions into consideration.

I would therefore make a two-fold proposal:

1. A proposal concerning procedure: on this subject, I propose setting aside paragraphs 2 and 3 of the proposal of the Soviet Union (Doc. 45 TR-E) and first coming to a decision concerning paragraph 2.
2. A fundamental proposal: that of adopting in accordance with the Soviet proposal, as the initial list of the members of the Union, the countries recognized in the present Conference.

The Delegate from the United States of America raised an objection: he criticized the expression: "Parties to the present Convention" and asked when these countries would be admitted. Would it be when they had signed, or ratified, or when they had paid their dues? It is certain that if membership qualification were subordinated to these various conditions, the situation would be very confused. But the objection is easy to avoid. It suffices to replace the expression "parties to the present Convention" by the expression "parties to the present Conference" and to specify the infringements which could cause the loss of membership qualification."

5. The floor was then given to the Delegate from France, who spoke as follows:

"The delegations from Cuba and the United States of America have noted the fact that colonies often voted in the same way as the mother country. It has been said that they "always" voted the same way. This is not true. However, one should not be surprised that votes are in agreement when the interests of the colonies and those of the mother country coincide. Are we thought to be so naive that we have not noticed the similarity of other votes which is no less striking. But let us not discuss them for we recognize the fact that there are in this case similar views and interests. It is necessary to be logical.

Independence has also been mentioned but it is not my intention to discuss here this idea, which can be a subject of infinite controversy. I shall only state that independence is quite relative and that everyone can ascertain the fact that if colonies are progressing towards independence, other countries are moving in the opposite direction. Politics have entered too largely into our considerations here.

Let us rather endeavour to see clearly the problems which we are dealing with. We should examine successively the three following points:

- a) The Union in relation to its present members,
- b) The Union in relation to its future members
(question of adherence to the Union)
- c) The Union in relation to the possibility of
the exclusion of certain members

These three points are different. We are ready to examine the second dispassionately. As to the third, exclusion, we will not adopt the criterion of the U.N. but rather the failure of our members to perform their duties (disregard of the Convention and the Regulations, non-payment of dues, etc.) which might compromise the existence of the Union itself if we did not put an end to it.

In our opinion, there can be no discussion on the first point, for the Madrid Convention is formal as to the present composition of the Union. "If you wish to exclude some of the oldest members you will have to produce the texts giving you the authority to do this, because no one is authorized to violate the Madrid Convention as long as a new Convention has not entered into force."

6. The Delegate from Lebanon said he wished to say a few words concerning Morocco and Tunisia. These two countries, who have long been independent, are not colonies but French protectorates. They have signed the Madrid Convention. That is why the Delegation from Lebanon is vigorously opposed to the proposal which tends to compare them to colonies and deprive them of their right as a Member of the Union. The Delegation requested that the status quo be maintained, at least until the U.N. has taken a decision as regards colonies and certain territories concerning which it is at present determining upon an opinion.
7. The D  legate from Cuba thanked the Delegate from France for having alluded to the statement he had made at the end of the last meeting, but said that he thought the problem would have to be considered as a whole. He repeated that he had explained "in a clear and definite manner that as a general rule, when matter of great importance was involved, colonies and protectorates vote in the same way as the mother country." He recalled that in only two cases could divergent votes be observed:

- (a) when a country wishes to annul a vote without abstaining; then it votes contrary to its colonies; "this is an innovation in the theory of abstention."
- (b) When regional matters are involved: then the colonies or protectorates can give an independent vote.

Between the present formula and that proposed by the United States of America and the United Kingdom with a view to avoiding the plural vote, the Delegate from Cuba thought that a formula of agreement could be found: one could, for instance; decide that when the votes of the mother country and the colonies are in agreement, to count only one vote, and in the opposite case to count two votes.

(Most of the Delegates smiled simultaneously.)

8. The Delegate from the French Colonies referred to the statement of the Delegate from the United States of America, who had explained that a single Delegate could not adequately ensure the representation of the colonies as a whole such as, for instance, the French Colonies. He quite agreed that the interests of Indo-China were very different from those of St. Pierre and Miquelon. In fact, Indo-China, a great territory of the tropical zone, possesses important internal communications by wire and radio, while St. Pierre and Miquelon, a very tiny territory in the temperate zone, need concern themselves exclusively with external communications. However, it is not quite clear why these interests can not be represented by one and the same person.

In fact:

- a) Either the questions dealt with are of a general nature, and therefore concern all the territories of Overseas France which will then have the same interests.
- b) Or the questions are special ones of a technical character concerning one or another of the territories, and there has never been a case where one and the same question concerned several among them, at the same time, simultaneously and in a divergent manner.

If there is only one delegation to represent all these territories it is because they are all grouped within the French Union and that it is more advantageous that the technical studies be centralized in France, under the aegis of the Ministry of Overseas France. This will perhaps not always be the case, for political evolution may lead to separate representations for certain territories.

The Delegate from the French Colonies concluded by maintaining that the right to vote which he held did not at all constitute a plural vote for France because the interests of the territories which he represented were different from the interests of the French mother country.

9. The Delegate from the Netherlands Indies made the following statement:

"It would take too much time to repeat all the arguments raised at earlier conferences in support of the right of the N.E.I. to vote. These arguments were recognized in the past and they still are valid at this and future conferences.

The principal ones are:

- a) In accordance with the revised Constitution of the Netherlands of 1922 the Overseas Territories for the last 25 years have no longer been recognized as colonies, but as autonomous Territories. For this reason the Netherlands delegation declined to receive a second so-called colonial vote at the Madrid conference in 1932 and at its instigation this second vote was assigned to the Netherlands Indies Government, the largest of its overseas territories.
- b) The interests of the N.E.I. in the field of communication are completely different from those of the Netherlands. In the N.E.I. a large territory, consisting of islands exclusively, has to provide with communications, making the application of radio circuits particularly attractive. While in Holland the small densely populated area indicates an advantageous use of cable circuits as of primary importance. Furthermore, the N.E.I. is located in the tropical area and Holland in the

- temperate zone, causing side divergences in the application of radio. In this respect I may recall the words of the honourable delegate of the U.S., Mr. Colt de Wolf, at the second meeting of the ad-hoc committee on voting rights. In dealing with the question of voting by proxy, Mr. de Wolf stated that he could not envisage how the interests of two countries could be looked after by the delegation of one of them only, as the interests of two countries are usually quite divergent. As I explained, this is especially the case in the relations between the Netherlands and the N.E.I..
- c) The telecommunications administration and consequently the delegation of the N.E.I. is quite distinct from that of the Netherlands, each having the right to sign agreements on its own initiative.

These arguments used at previous conferences apply even more so under the present conditions

As to what has been stated by the honourable Delegate of Gudia as regards voting, I may declare that the voting of the N.E.G. has never been ruled by the Netherlands. Documents of former conferences will show you the truth of this declaration. At this Conference and at the Radio Conference it has occurred already several times that the vote of the N.E.G. was not the same as that of the Netherlands. After having heard the statement of the Indian Delegation, it became clear to me how the United Kingdom came to its proposition regarding associated membership to which the N.E.G. are strongly opposed. The Indian Telecommunication Administration evidently has always been controlled by the metropolitan country. This is not the case with regard to the administration of the N.E.G. and I may venture to suggest the same holds for other countries.

I have listened with very great interest to the explanation given by the honourable Delegate of the U.S.S.R.. I fully agree with his point of view on the subject of membership because it is based on justice and equity to the rights of the present members of the Union.

10. The Delegate from India wished to correct the impression that had been caused by the statements of the Delegate from the Netherland Indies. It was not true that the Telecommunications Administrations of his country had, been controlled in the past by the United Kingdom. He added that if the Netherlands, Indies was an exception, it still remained a fact that the colonies usually vote like their mother country, and the impression was created that the latter disposes of a plural vote.

11. The Delegate from Australia pointed out that the existence of colonial votes had been justified by the fact that there was a difference between the technical problems of the mother country, on the one hand, and the colonies, on the other but he believed that the technical questions could not be solved by a vote. He added that the territories were not responsible for their international relations, and that, if they participated in the vote, they would have an influence on the decisions which pertained to the Sovereign States. This consideration was very important, in his opinion.
12. The Delegate from the United Kingdom wished to emphasize two points:
 - a) He confirmed the statement of the Delegate of India in all its points.
 - b) He requested the Delegate from the Netherlands Indies to study the complete statement he had made the day before for the purpose of explaining the reasons which lead the United Kingdom to propose the idea of "associate Member," such reasons being, in effect those the Delegate from the Netherland Indies had just stated.
13. The Chairman declared that the various Delegations had now clearly explained their views, and that the time had come to constitute a Working Group which would prepare an accurate wording for Article I of the Convention, taking into consideration the ideas expressed by the various countries. It was, therefore, necessary to determine the terms of reference and the composition of this Working Group.
14. The Delegate from France agreed with the Chairman, but he pointed out that the task of the Working Group would be greatly facilitated if an answer could be found to the question that had just been raised, namely:

"Which are the juridical arguments drawn from the Madrid Convention which will remain valid until the effective date of the new Convention -- in order to exclude certain present members of the Union?" He believed that the Working Group would

not be able to reach a decision until an answer has been found to this question.

15. The Chairman thought that precise terms of reference must be given to the Working Group, and, in the name of the Delegation from the Soviet Union, he read the draft of the terms of reference, the text of which is added, as Annex I, to the present report.

16. The Delegate from the United Kingdom then read a draft of the terms of reference which is to be found in Annex 2.

17. The Delegate from Guatemala stated that in order to allow the Working Group to make a more thorough study of this question, it would be advisable to give it instructions of a broader scope, and he proposed a third draft of the terms of reference as given in Annex 3.

18. The Delegate from Cuba explained that, in principle, he was in agreement with the drafts presented by the United Kingdom and Guatemala, but that he believed that the Working Group should not have definite limits imposed on its task, and he submitted a fourth draft of the terms of reference, the text of which is to be found in Annex 4.

19. The Chairman asked the Secretary General to distribute as soon as possible, to the members of the Committee, the fourth draft of the terms of reference which had first been submitted, so that the various Delegations might study them and take a position at the next meeting.

He then proposed that the Committee proceed with the study of Articles 3 and 4 of the draft of the Moscow Convention, which are called respectively "Purpose and Aims of the Union" and "Organisation and Operation of the Union".

20. The Delegate from Hungary was of the opinion that it was necessary to determine and define distinctly the aim and purpose of the Union in separate articles, because the aim and purpose are different ideas which must not be confused. Therefore, he proposed an Article 2 (purpose of the Union) worded as follows: "The aim of the U.I.T. is to facilitate the realization of the ideas expressed in the Charter of the United Nations as well as the development of the world Telecommunications Union according to determined plans." Article 3 (the Purpose of the Union) would include the slightly modified text of Article 3 of the Moscow Draft.

21. The Delegate from Ireland stated that in order to take into account the questions raised at the Radio Conference it would be necessary to word (3) of Article 3

as follows:

"(3) Effect allocation of the radio frequency spectrum and registration of radio frequency uses in order to insure for all countries an equitable part of the use of such frequencies and in order to prevent harmful interference between radio stations of different countries."

22. The Delegate from India declared that he had received instructions to support Article 3 of Moscow with the amendment proposed by the United Kingdom and China for sub-paragraph (4) and amended by France. Moreover, he had no objections to the addition proposed by Ireland.
23. The Delegate of France stated that (4) of Moscow -- which corresponded to d) of the French proposal -- was not precise enough. On the other hand, he pointed out, as had already been remarked at the Rio Conference and at the last meeting of the C.C.I.T. in London, that one should, in order to fix tariffs, take the idea of the cost price into account. On the general plan, the discriminatory character of the tariffs should be eliminated. He did not mean that the tariffs should be drawn up in a rigid manner, but he believed that they should be on a sound basis. He therefore proposed the French wording :

"d) Foster the establishment of rates on levels as low as the real cost price permits it, corresponding to a sound and independent financial management of telecommunications."

24. The Delegate from Italy declared that, in accordance with the Proposal 53^{TR} of his country, he supported the Moscow Draft. He also accepted the addition proposed by France for (4).

No other Delegate having requested the floor, the Chairman concluded that the Committee as a whole seemed to be in agreement on Article 3, and in order not to lose any time he proposed to entrust a working group with the preparation of the definitive wording.

He then asked the Committee to proceed with the study of Article 4. But it was evident that the various Delegations were not ready to begin the discussion. The Chairman was surprised by this fact, but he was forced to join in the wishes of the Committee.

25. A discussion took place on the possibility of convening the Committee on Saturday, July 26th, instead and in place of the working group. Finally, it was decided that the Working Group would meet as planned, to study Article 3 of the Convention. It would subsequently deal with Article 1 when the Committee had taken a decision,

a) on the subject of the terms of reference concerning this article;

b) on whether § 1 of Article 1 of the Moscow Draft should be maintained or deleted.

26.. The Committee therefore proceeded to the constitution of the Working Group. It agreed that the Chairmanship be entrusted to Mr. A. Fortoushenko himself.

After some discussion, it was decided by 20 votes to 14 that the number of members of the Working Group be limited to 11.

The Chairman proposed to appoint the eleven first countries which had asked to participate in the work, namely (in the order of the requests): the Soviet Union, the United States of America, the United Kingdom, France, the Belgian Congo, China, India, Cuba, Ireland, Morocco and Tunisia, and the French Colonies.

Adopted.

27: The Chairman confirmed that the Working Group would meet on Saturday, July 26, at 10 A.M. in order to study Article 3 of the Convention and that it would be entrusted subsequently with Article 1.

The meeting was adjourned at 12:50 p.m.

The Rapporteurs:

J. Persin
F.A. Rankin
B. Yourovski

The Chairman:

A. Fortoushenko

Annex 1.

Committee C

U.S.S.R. PROPOSAL

Terms of Reference of the Working Group of Committee C

- Organization -

The working group should prepare for the approval by the full Committee a precise formulation of Article 1 of the draft convention on membership in International Telecommunications Union on the basis of the following provisions:

- a) The present International Telecommunications Union is to be retained and no question is put forward about the establishment of an entirely new organization. Therefore on the basis of the Madrid Convention the present membership in the Union is to be maintained.
- b) Conditions should be set up which would apply for the acceptance of new members and determined in general by the sovereignty of one country in its relations with other countries.
- c) Those countries which do not satisfy the conditions for full membership may be admitted to the Union as Associate Members if in the future these countries will receive the status of independence and the conditions for full membership will be satisfied they should be admitted as full members of the Union.

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Annex 2.

Committee C

UNITED KINGDOM

Suggested terms of reference for Subcommittee C-2

To prepare draft provisions on the basis of
(a) . A list of the initial:

- (1) Voting Membership
- (2) Non-Voting Membership of the
ITU(i.e. at the outset of the
coming into force of the new
convention).

These will consist respectively of the present list of voting members as in paragraph 18 of Rules of Procedure at the Atlantic City Plenipotentiary Conference with or without modifications and of the present list of countries participating without vote in that present conference, with or without modification.

(b) The conditions to be laid down in the new convention for the future admission of countries and territories or groups of territories to separate representation in the ITU:

- (1) With voting rights or
- (2) Without voting rights

NOTE:

- (1) The Subcommittee should assume that, in the future as in the past, countries and territories participating in the work of the Union by means of separate representation will be divided into two classes, viz. Those with and those without voting rights.
- (2) The Subcommittee may prepare alternative provisions corresponding to alternative views on the main issues.

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Annex 3.

Committee C

GUATEMALA

Terms of Reference of the Working Group:

1. What degree of sovereignty, and what other conditions are necessary for membership in the Union?
2. What classification should be set up for members of the Union?
3. What action should be taken in regard to present members who do not fulfill these requirements?
4. What conditions are to be required of future members?
5. To prepare a draft text and draw up a list of members who satisfy the required conditions.

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Annex 4

Committee C

CUBA

1. The working group shall study the different proposals pertaining to Article 1 of the MADRID Convention, and also the points of view expressed in this Committee on the subject.
2. Said group shall submit to the full Committee, a draft on all paragraphs on which a general agreement can be arrived at.
3. On all other paragraphs on which no general agreement can be obtained, the working group shall endeavor to reduce its recommendations, to two alternate proposals, in order to facilitate the adoption of either one, by submitting them to a vote.

Nicolás Mendoza

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

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Document No. 220 TR-E

August 6, 1947

Committee D

Draft prepared by Working Group
of Committee D
for the Agreement
between

THE UNITED NATIONS AND
THE INTERNATIONAL TELECOMMUNICATIONS UNION

PREAMBLE

In consideration of the provisions of Article _____ of the Convention of the International Telecommunications Union of Atlantic City 1947 and in consideration of the obligations incumbent on the United Nations in accordance with Article 57 of its Charter, the United Nations on the one hand, and the International Telecommunications Union on the other hand, agree as follows:

ARTICLE I

The United Nations recognizes the International Telecommunications Union (hereinafter called "the Union") as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

For the purposes of the relationship defined in this agreement the United Nations shall be considered as an international entity. The various aspects of the relationship of the International Telecommunication Union with the United Nations as an operating agency of telecommunications services shall be dealt with separately, in conformity with the terms of the International Telecommunications Convention.

ARTICLE III

Reciprocal Representation

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the Plenipotentiary and Administrative Conferences of the Union, and may be invited to attend international

consultative committee and other meetings, convened by the Union and to participate without vote in the discussion of items on the agenda in which the U.N. may be concerned.

2. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the U.N. and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

3. The Union shall be invited to send representatives to be present at meetings of the General Assembly during which questions within the competence of the Union are under discussion, and to participate, without vote, in the deliberations of the main Committees of the General Assembly with respect to items concerning the Union.

4. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

ARTICLE IV

Proposal of Agenda Items

Subject to such preliminary consultation as may be necessary, the Union shall include on the agenda of its Plenipotentiary and Administrative Conferences, or its consultative committee and other meetings as laid down in paragraph 1 of Article III, items proposed to it by the U.N. or shall otherwise appropriately inform its members of such items for their consideration. Similarly, the Economic and Social Council, its Commissions and Committees and the Trusteeship Council shall include on their agenda items proposed by the Union.

ARTICLE V

Recommendation of the United Nations

1. The Union agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may be proper, of all formal recommendations which the United Nations may make to it. Such recommendations will be addressed to the Union and not directly to its members.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to co-operate with any body which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of appropriate information and documents shall be made between the United Nations and the Union to meet the requirements of each.

2. Without prejudice to the generality of the provisions of the preceeding paragraph:

- (a) The Union shall submit to the United Nations an annual report on its activities;
- (b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information.
- (c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it.

ARTICLE VII

Assistance to the United Nations

The Union agrees to co-operate with and to give assistance to the principal and subsidiary organs of the United Nations so far as is consistent with the provisions of the International Telecommunications Convention and

without prejudice to the sovereign position of individual members of the Union who are not members of the United Nations.

As regards the Members of the United Nations the Union agrees that in accordance with Article 103 of the Charter no provision in the International Telecommunications Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations.

ARTICLE VIII

Personnel Arrangements

The United Nations and the Union agree to co-operate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel and:

- (a) to avoid competition in the recruitment of personnel and
- (b) to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

ARTICLE IX

Statistical Services

1. The United Nations and the Union agree to co-operate with a view to insuring that statistical information and data shall be as useful and as widely used as possible.
2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.
3. The United Nations recognizes the Union as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to make use of such statistics so far as they may be essential for its own purposes or for the improvement of statistics generally. The Union shall be the sole authority on the form in which its Service documents are compiled.

ARTICLE X

Administrative and Technical Services

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or over-lapping services, and when necessary to consult thereon to achieve these ends.
2. Arrangements shall be made between the United Nations and the Union in regard to the registration and deposit of official documents.

ARTICLE XI

Budgetary Arrangements

The Budget of the Union as determined by its Plenipotentiary Conference shall be transmitted to the United Nations, and the General Assembly may make recommendations thereon to the Plenipotentiary Conference of the Union.

ARTICLE XII

Financing of Special Services

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or information in accordance with Article VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.
2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.



ARTICLE XIII

Inter-Agency Agreements

1. The Union agrees to inform the Economic and Social Council of the Nature and scope of any formal agreement contemplated between the Union and any specialized agency or other inter-governmental organization, and

further will inform the Economic and Social Council of the details, of any such agreement, when concluded.

2. The U.N. agrees to inform the Union of the nature and scope of any formal agreement contemplated between any other specialized agencies or other inter-governmental organizations on matters which might be of interest to the Union and further will inform the Union of the details of any such agreement, when concluded.

ARTICLE XIV

Liaison

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

ARTICLE XV

Implementation of the Agreement

The Secretary-General of the United Nations and the appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XVI

Revision

On six months' notice given on either part, this Agreement shall be subject to revision by agreement between the United Nations and the Union.

ARTICLE XVII

Entry into Force

This agreement is annexed to the International Telecommunications Convention concluded in Atlantic City in 1947. It will come into force after approval by the General Assembly of the United Nations, and, at the earliest, at the same time as this Convention.

Atlantic City, August _____, 1947.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

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Document No. 221 TR-E

August 7, 1947

Committee C

REPORT

of the Committee on Organization
of the Union.

(Committee C)

Seventh Meeting, July 29, 1947

1. The meeting was opened at 10:10 A.M. under the chairmanship of Mr. Alexander FORTOUSHENKO (Soviet Union).

The Committee approved the agenda of the meeting as given in Doc. No. 150 TR-E.

2. The Chairman submitted to the Committee the report of the fourth meeting (Doc. No. 137 TR-E).

The Delegate from the United States pointed out a translation error on page 4 No. 6 of the English text. This error will be corrected.

The Delegate from the United Kingdom stated that on page 7, under § 3 a statement, the meaning of which he does not understand, is attributed to him. The Chairman reminded him that he had, however, made this statement very clearly, using as a basis the indications contained in Doc. No. 45 TR-E, p. 2 § 3, last two subparagraphs. The Delegate from the United Kingdom was satisfied with this explanation.

The report of the fourth meeting was adopted without further comment.

3. The Chairman proposed that the Committee proceed to the second point on the agenda: the terms of reference of the Working Group in charge of preparing the text of Article 1 of the Convention. He recalled the fact that the Committee had for consideration four drafts of terms of reference which had been published as Numbers 140 TR-E (United Kingdom), 141 TR-E (Soviet Union), 142 TR-E (Cuba) and 143 TR-E (Guatemala). He pointed out that the choice should be fairly easy, as the last two drafts were not in contradiction with the first two. He thought that the Committee should give the Working Group specific

directives, and that it would be preferable to adopt as a basis either the draft of the United Kingdom, or the draft of the Soviet Union. The drafts of Cuba and Guatemala, which are very interesting but could be adopted as additions to the more precise draft to be chosen by the Committee. He believed that the fastest procedure would be to put to the vote the proposals of the United Kingdom and the Soviet Union.

4. The Delegate from the United Kingdom pointed out that, according to the discussions at the last meeting, there are two important points on which opinions differ:

- the initial list of members of the Union,
- the conditions for admission of new members.

He was of the opinion that these questions should be settled by the Committee rather than be left to the initiative of the Working Group, and he proposed giving the various delegations time to study the explanations presented during the last meeting, before asking them to adopt a definite position.

The Delegate from the United States supported this proposal.

The Chairman stated that there was no question of discussing the initial list of members of the Union at that time because this problem lies within the competence of the Working Group. On the other hand, the Committee could adopt immediately the directives for the Working Group. What was involved was a choice between the proposal of the United Kingdom and the proposal of the Soviet Union, which moreover differ only on point 3):

- The United Kingdom proposes drawing up a list of voting members and a list of members without the right to vote, using as a basis the list appearing in Article 18 of the Internal Regulations of the present Conference, which might be modified;

- The Soviet Union is not opposed in principle to preparing a list of members based on the list appearing in Article 18 of the Internal Regulations, but it requests fundamentally that all present members of the Union remain members without any reservation; moreover the Soviet Union indicates the essential and necessary conditions that new members must fulfill.

This question had been adequately studied and the Committee could already decide upon the principle to be adopted.

The Delegate from the United Kingdom stated that he agreed with the procedure proposed by the Chairman, but that in his opinion the question of the initial list of members of the Union should be decided by the Committee and not by the Working Group. Consequently he proposed that only § b) of the draft terms of reference published in Document No. 140 TR-E should be considered and that examination of § a) should be postponed until Friday.

The discussion continued briefly and finally the Committee decided to postpone until the next meeting the whole question of the terms of reference of the Working Group.

5. The Delegate from Egypt recalled the fact that there was fairly general agreement to leave in the Convention the provisions of § I of Article I, confirming the sovereign right of every country to regulate its telecommunications. He thought that the Committee could easily deal with this point rather than leave it to the Working Group.

The Chairman stated that this observation was particularly judicious, and proposed that the Committee then come to a decision then and there so as to enable the Working Group to make the wording of this paragraph quite clear.

The Delegate from Belgium recalled the statement he had made on this subject during the fourth meeting (C.F. Doc. No. 137 TR-E, p. 11, no. 16) and proposed adding to the first sentence of paragraph I: "and to conclude with all countries, all agreements concerning their mutual telecommunications. Nevertheless-----."

The Delegate from the United States agreed with the principle suggested by the Belgian Delegation, but stated that in his opinion the question should be dealt with in Article 13, which deals with special arrangements, rather than in Article I, which deals with the general constitution of the Union.

The Chairman shared this opinion and considered that the Committee should then make a decision on § I of Article I, as it appears in the Draft Convention of Moscow, namely:

§ 1. "The sovereign right of each country, party to the Convention, to regulate its telecommunication is fully recognized. The Governments of these countries nevertheless recognize that arrangements among them are necessary in order to ensure the effectiveness of telecommunication."

The Chairman put the question to the vote: "Is it necessary to retain in the text of this § I in the draft of the new Convention?"

The vote by a show of hands gave the following result:

- yes: 38
- no: 0

The Committee therefore decided to maintain the principle of this paragraph, the drafting of which could be undertaken by the Working Group.

6. The Chairman then opened general discussion of Article 4 of the new draft Convention: Structure and Functions of the Union.

The Delegate from Egypt asked that Article 10 be studied immediately after Article 4 as § 4 of Article 10 deals with budgetary questions which are of direct and immediate concern to the Subcommittee of Finances and Personnel. In fact, this Subcommittee must as soon as possible be informed of the principles which will govern the preparation and approval of the budget of the Union.

The Delegate from France wished to propose a method of discussion. After studying the various proposals, he considered that discussion would be difficult if the various questions were not taken up in logical order. He apologized for having to suggest the plan of the French proposal, for in the French proposal the questions are clearly divided and it is possible to study them one after the other, and thus to avoid any overlapping which might lead to confusion. In the French plan, the following appear in separate Articles:

- Organization of the Union;
- Administrative Council, with the subdivisions:
 - Composition
 - Appointment
 - Functions
 - Powers

The General Administrative Secretariat.

International Committees.

This plan is perhaps not the best but it seems to be the most practical.

7. The Delegate from Ethiopia wished to clarify the position of his country concerning the structure of the Union. He made the following declaration:

There is no doubt that every member of the Union likes to see this organization perfect and efficient; the various proposals admirably and elaborately worked out and submitted by many countries prove that.

Ethiopia wishes to express its deepest appreciation to the Five Great Powers, who, convened at Moscow, prepared such a valuable document for our guidance as well as to those other countries which furnished us with very useful proposals.

After studying these proposals submitted by the various countries, the Ethiopian Delegation deemed it necessary to clarify the position of Ethiopia.

We have no desire to obstruct the speedy progress of the work of this conference by submitting counter proposals; the decision of the majority as regards the structure of the Union will be acceptable to Ethiopia. However, just by way of observation the Ethiopian Delegation requests your permission Mr. Chairman and Gentlemen to make the following remark:

Most countries hit by the scourge of the war, among them Ethiopia, are now, at the present moment engaged in the difficult task of an overall reconstruction, of course, one of such reconstruction work of utmost importance is that of Telecommunication; but it is not the only one.

There are for example education, health, industry, economic and many others which demand equal consideration in the work of reconstruction and without which the existence of a nation as such is impossible; we have no other way, therefore, except to apportion our scant means between these pressing demands, these demands have to be met accordingly; it is not possible to perfect one and leave the others all together. Under such circumstances, Ethiopia prefers that the new structure of the Union would be as simple and economically not onerous as possible, provided,

of course that such simplicity and less onerousness does not impair its effectiveness; because, otherwise, many countries will find it beyond their power to fulfill properly their obligation, and thereby unnecessarily misunderstanding will be created in the Union, which misunderstanding will not be harmful only to the countries concerned, but also to the Union in general. Therefore, the Ethiopian Delegation thinks it advisable to avoid for the time being unnecessary multiplication of hierarchy in the Union, because that implies in its part multiplying expenses.

8. The Delegate from the Netherlands stated that if he approved the general outlines of the various drafts for a new structure of the Union, he was of opinion that a very important point should be cleared up: to determine the exact role and utility of the Executive Committee of the Administrative Council. The delegations which had made proposals for the creation of this organization should explain the role which they intended it to play. If the utility of the Executive Board was not clearly proved, the Netherlands Delegation would be obliged to oppose its creation of same.

9. The Delegate from LEBANON while in complete agreement on the new structure of the Union, wished to express a particular point of view: in Article 4 of the Moscow draft he saw "nothing more or less than a duplication of the present Bureau." To simplify matters it was necessary to put aside this idea. He proposed that that the present Bureau be strengthened if it was considered inadequate by adding new members to it, rather than to establish an Administrative Council "which could make no decisions between two conferences." He recalled that the Universal Postal Union had studied the same question and had decided to establish "an Executive and Liaison Council whose only utility was to sit around during the period between two congresses." Moreover he was of the opinion that "no matter what the number of members - eleven, fourteen or nineteen - there would be a split in the I.T.U., because the small countries would not be represented and would be the only ones sacrificed."

10. The Delegate from the United States of America recalled that at the Moscow Conference many discussions had taken place regarding the creation of a Bureau of the Administrative Council. Now the United Kingdom had examined this question again and henceforth considered this Bureau unnecessary. The American Delegation would like to draw attention to Article 7, § 3 of its proposals, providing for election by the Administrative

Council of a Chairman and two Vice-Chairmen, in order to form an Executive Committee or Bureau which would operate during the interval between meetings of the Council. The United States of America preferred to omit any reference to an Executive Committee or Bureau of the Administrative Council. It is very important to determine at this time the functions of the Administrative Council. It would then be possible to let this Council determine in turn how to carry out its functions.

Thus, for example, the Administrative Council could set up a Committee entrusted with a specific task, or else it could entrust the Chairman or one of the Vice-Chairmen with the task of carrying out certain provisional duties.

Under these circumstances the Delegation from the United States of America withdrew the § 3 of Article 7 of its proposals, with the understanding that it recognized the right of the Council to organize itself as it sees fit, in order to carry out efficiently the duties assigned to it.

11. The Chairman then took the floor in the name of the Delegation of the Soviet Union. The following ideas form the basis of the Soviet proposals. To start with, no one questions the fact that the Plenipotentiary Conference is the supreme organ of the Union and that it should be convened with greater regularity, than has been the case up to the present. Intervals of 4 to 6 years between Plenipotentiary Conferences have been suggested in various proposals. In our opinion, an interval of 5 years would be a satisfactory answer to the question. An Administrative Council should be created to provide for management and normal functioning of the Union. This Council should consist of about 15 members, elected at the Plenipotentiary Conferences; it should be convened once or twice yearly, or according to need, for the purpose of examining and auditing the statements and budgets of the permanent organs of the Union, and for general management of the activities of the Union. Consultative committees form the basis of the structure of the Union. Besides the existing committees on telephone, telegraph and radio, the creation of an International Frequency Registration Board has been suggested in some proposals. There is also a proposal to merge the telephone and telegraph committees into one. After an agreement in principle is reached on the above proposals, a working group could examine them in the light of recommendations and proposals made by various delegations and by the Radio Conference. At the Moscow

Conference there was a suggestion to create an Administrative Bureau of the Union for the current management and coordination of the work of the various committees of the Union. This Bureau, according to the Moscow Conference proposals, was to consist of a chairman, of one deputy chairman for general questions, and of an additional number of deputy chairmen equal to the number of consultative committees of the Union; committee chairmen were to be ex-officio members of the Bureau, with the object of coordinating the work of the various committees. All the above mentioned persons, both administrators and organizers, should be in the employ of the Union. In the opinion of the Soviet Delegation, the cost of the set up outlined will not differ substantially from the cost of a Bureau as outlined by other delegations. Finally, a General Secretariat, with a Secretary-General at its head, should be created to handle the extensive secretarial work of the Union. It was proposed to have small specialized secretariats of the Consultative Committees, incorporated in the General Secretariat for administrative purposes.

12. The Delegate from the United Kingdom agreed with the very clear statement of the Chairman, and in connection with the new structure of the Union admitted that there were no important differences between the Moscow draft and the new proposals. However, he pointed out that there was one very important point on which there was not general agreement, namely, whether permanent officials, "elected by plenipotentiary conferences, who direct the permanent organizations of the Union (International Frequency Registration Board and Consulting Committees), should be included among the members of the Bureau. As the case may be, these "well-paid officials would or would not be members of the Administrative Council. The Delegation from the United Kingdom was of the opinion that these officials of the Bureau should not belong to the Administrative Council, because the Council should be free to organize itself according to the task. "It is essential that the functions of the highly paid members of the Bureau should not be fused with the functions of the organizations which regulate the work of the Union, that is to say, those of the Council."

13. The Delegate from Egypt wished to stress another very important question. He made the following statement: There is a particular point which has not been dealt with, so far, by any proposal. The conditions of this Conference peculiar in the sense that a

remodeling of the union is being decided. There are new organizations, new Council and other organisms attached to the Union and depend on its finances. Whatever is going to be decided, it is going to be decided on the basis of new principles.

The coming into force of the new organization will be fixed by a date. Between now and that date, there are preparations to be made to cover the transitory period. There should, therefore, be an interim measure to be taken until the new organization is put in force officially.

It is to the establishment of these measures that I wish to call the attention of this Committee.

The Egyptian delegation proposals to deal with these matters later in the discussion or if the Committee agrees, this question can be referred to Subcommittee 1 on Finance and Personnel.

14. The Delegate from France made the following statement:

"Will the present Bureau, with its powers, fulfill the needs of the future Union?

"I hesitate somewhat to repeat the praises of the Bureau which in everyone's opinion operated perfectly in the past. However, this Bureau is composed of international officials and, moreover, of permanent officials whom the Convention has deprived of any initiative. And it is in so far as they were deprived of any initiative, that they were able to benefit from a statute ensuring them the permanence of their employment, which is absolutely necessary for positions requiring a proven ability. These considerations will have the same importance in the future for the personnel of the Secretariat General which will take over the functions of the present Bureau of the Union.

"Let us consider the future, and rather than the top levels, let us consider the lower levels of the Union where the most humble but also the most useful work is accomplished: I am speaking of the technical committees. We do not know as yet how many of them there will be, nor what form we shall give them; but one thing is certain: it will be necessary to calculate the expenses of these organizations, and it is fundamentally in terms of the finances of the Union that the structure will be decided.

"Very efficient instruments are needed at the least possible cost. The French Delegation opposes any unjusti-

fied form of international red tape, but it will not be close-fisted regarding the creation of organizations whose usefulness and efficiency are clearly recognized. As for collaboration between the various committees, there is no other means of ensuring this than by raising these committees to the upper level of the administrative ranks of the Union in a consulting capacity.

"As for the usefulness of the Administrative Council, it is mainly justified by the need to have the budget of the Union, approved before it goes into effect, within the limits set by the Plenipotentiary Conference.

"Concerning the interval between plenipotentiary conferences, the five-year interval seems reasonable. As for administrative conferences, four years is a minimum which should not be reduced if consideration is given to the time necessary for application of the regulations as well as for preliminary studies for the conferences.

"Between conferences, the Administrative Council can carry out certain functions in collaboration with the committees. It can, for instance, give considerable assistance in the preparation of administrative conferences. It can also proceed to a provisional verification of accounts which will be submitted to the jurisdiction of the plenipotentiaries at a much later date.

"The relations between the U.I.T. and the U.N. will give rise to exchanges of delegations. The present Bureau does not offer this possibility. On the contrary, the Administrative Council will have delegating powers whose nature and scope will be determined by the Plenipotentiary Conference. Thus, real liaison will be set up between the U.I.T. and the U.N.

"In conclusion, what should be the nature of the organization of to-morrow?

- At the top, the Plenipotentiary Conference where decisions are taken by vote and which delegates certain powers to the Administrative Council, elected by it.

- The Administrative Council which delegates some of its powers to the Bureau, elected by it.

The Bureau, composed of a Chairman and two Vice-Chairmen, and to which the Heads of the Committees should

not belong.

"This organization will be inexpensive, efficient and will in no way encroach on your prerogatives. You may count on the French Delegation to see to it that the Administrative Council does not eclipse the Plenipotentiary Conference or the Administrative Conferences."

15. The Delegate from Greece expressed the following views:
- The most efficient organization is very often neither the most economical nor the most expensive; we must look for the happy medium.

- We must avoid having the functions of the various organizations interfere with one another because this would lead to conflicts of authority.

- The supreme organ of the Union is the Plenipotentiary Conference which should be convened regularly to revise the Convention and the General Regulations.

- During the interval between Plenipotentiary Conferences, an Administrative Council, with as few members as possible, should ensure that the Convention and the Regulations are being enforced and correctly interpreted. But this Council should in no case take over the powers reserved for the Conferences.

- It is advisable to have a permanent organization - the Bureau - composed of three members at most, elected by the Administrative Council. This Bureau shall have no prerogatives other than those delegated to it.

- The Administrative Council should not meet more than once a year, "because otherwise it would be too expensive for the Union and would serve no other purpose than to increase international touring."

- The Consultative Committees should remain very specialized organizations: an attempt should be made to organize all of them along the lines of the C.C.I.F., which is very efficient.

The Greek Delegation is of the opinion that in this way the Bureau, the Administrative Council and the Consulting Committees will have powers that are clearly separated.

16. The Delegate from Chile pointed out that no one person could enjoy the confidence of all the members of an inter-

national organization. To operate satisfactorily, the Bureau of the Union should receive multiple directives. He therefore came to the conclusion that within the directing organization of the I.T.U., expression of the interests of the various economic regions of the world should be possible.

As to the new structure of the Union, the Delegation from Chile agreed with the general outlines of the statement by the Chairman.

17. The Delegate from Czechoslovakia pointed out the position of his country on the subject of the structure of the Union:

- The principle of reorganization proposed by the Moscow Conference is acceptable.
- The Plenipotentiary Conference and the Administrative Conferences constitute the supreme organ of the Union.
- The Administrative Council may not encroach on the authority nor on the powers of the Conferences.
- Five years is a very satisfactory interval between Plenipotentiary Conferences.
- The Administrative Council should take over the present functions of the Swiss Government in connection with the Union, and carry out other administrative functions, such as, for instance, approval of the annual budget within the limits set by the Plenipotentiary Conferences, co-ordination of the work of the Consulting Committees, liaison with other international organizations, etc.....
- It is not necessary to create an Executive Committee or Bureau whose functions can very well be carried out by the Secretary-General or by the Chairman or Director of the Bureau.
- The present name of the Bureau should be preserved.
- The provisions of Article 17, § 2, sub-paragraph 1 (a) of Madrid which seem to have been forgotten in the Moscow draft should be retained.
- The International Bureau may act as the secretariat of the Consulting Committees.

The Delegation from Czechoslovakia therefore proposes

the following structure which seems simple, efficient and not too expensive:

- 1) Conferences (Plenipotentiary and Administrative),
- 2) Administrative Council (without Bureau and without Committee),
- 3) Consulting Committees and International Frequency Registration Board,
- 4) Bureau of the Union,
- 5) Secretariat (for the Conferences, the Administrative Council, the International Consulting Committees, etc....)

18.. The Delegate from Italy made the following statement:

"The Italian Delegation agrees that the supreme organ of the Union should be the Plenipotentiary Conference of countries that are members of the Union. But since Article 4 is entitled: "Structure and Functions of the Union," the Italian Delegation is of the opinion that Administrative Conferences, which alone have the right to revise the Regulations should also be added to paragraph 1. As an interval between two Conferences, whether plenipotentiary or administrative, the Italian Delegation accepts five years, in accordance with the proposal it submitted.

"As regards the Bureau of the Administrative Council and the Secretariat, the Italian Delegation proposes consideration of the possibility forming a single Bureau, with a President or Director as Head, which should also have jurisdiction over questions that according to the Moscow draft, would be handled by the Secretary-General. The Secretary-General should be the highest official, engaged permanently and subordinate to the President or Director of the Bureau."

19.. The Delegate from Portugal recalled the fact that during the second meeting he had made several observations concerning the drafts for the re-organization of the Union and that at that time he had questioned the utility of the Administrative Council.

He stated that after listening to the statements made during the meeting, particularly the statement of the Delegate from France, "who described a perfect and elegantly conceived" organization he still had some doubts about this

organization and wished to express them, in the hope that the delegates defending the principle of the creation of an Administrative Council would supply him with some information on the subject.

Indeed, if the Administrative Council has hardly any powers, its usefulness is not apparent. And in fact study of these powers reveals that they are practically nil.

Continuity between conferences is chiefly ensured by the Consultative Committees. The Delegate from Portugal gave as an example the activity of the C.G.I.F., which has only a small permanent secretariat at its disposal and no administrative council: it draws up its own budget, collaborates with the other International Consulting Committees and, after the war, succeeded very quickly in finding the solution of the technical and accounting problems created by the resumption of International Telephone Service on a new basis. All this was accomplished in the interval between two conferences.

The Portuguese Delegation moreover considers that an organization such as the Administrative Council which includes representatives of various countries, will only function if there is no political disturbance in international relations. At the slightest political difficulty between different countries, this organization would be destroyed. Without being opposed to the creation of the Administrative Council, it is, however, possible to question its utility. This question therefore requires a great deal of reflection and should be treated with great care.

20. The Delegate from Argentina made the following statement:

In regard to the structure of the Union, the Argentine Delegation will respect the decision of the majority; but it wishes to state here, that, in its opinion, the projected Administrative Council will be, in practice, an intermediate authority, a connecting link, between Plenipotentiary Conferences and the Bureau of the Union.

In order to determine the powers of the Administrative Council, we can consider two hypotheses:

- a) That it might on its own authority definitely, settle matters pertaining to the Conferences,

and then merely report to the next Plenipotentiary Conference on its activities.

- b) That it deal solely with administrative matters, leaving fundamental problems to the Conferences.

If we accept the first hypothesis, it would imply giving up powers belonging to Plenipotentiary Conferences, - patrimony of all the countries belonging to the Union, - to a limited number of countries - composing the Council at a given time.-

- 1) If such were the case, it should be taken into consideration that a regional distribution of the members appears to be the minimum requirement in order to insure relative equity in the composition of the Council and thus to avoid formation of groups of great powers, hegemonies, or whatever name you wish to apply.
- 2) Since the members will have to be paid by their own countries and such expenses can not always be borne by countries already overtaxed with the other expenses of the Union, because of post war conditions or any other reasons connected with present economic difficulties, it is very likely that small countries will not be represented on the Council.

If we take the second hypothesis, it would mean the creation of a non-operating organization, without any functions and, therefore, an unnecessary duplication of executive machinery. Therefore, this second hypothesis serves only to stress that the creation of the Administrative Council would have no result other than lengthening the intervals between meetings of the Plenipotentiary Conferences.

Considering what generally happens here in the United States and even in Atlantic City, we can reach the conclusion that the idea of the creation of the Administrative Council is opposed to the dynamism predominating in this country which believes that the best way to stimulate progress, to coordinate efforts, and spread knowledge is to have frequent conferences or meetings - as frequent as ordinary activities and financial circumstances allow - for everyone concerned in the solution of common problems.

The Argentine Delegation believes that the creation of the Administrative Council would not result in any greater advantages than the present system, because:

1. The activities of this organization would justify further lengthening of the periods between Conferences, but would not supply the efficiency of the Conference, which in the last instance will really interpret the will of the members of the Union. Members would thus have fewer opportunities to express their opinions themselves and to influence the decisions adopted;
2. The economy involved for each member of the Union in attending conferences less frequently, would be illusory because it would be balanced by the expenses of the Administrative Council.
3. If the expenses are the same, it would always be more suitable in order to solve important problems of the Union, and direct its policy to have as many conferences, as frequently as possible with all the members of the Union participating. In this way, a greater number of opinions can be studied, a greater exchange of ideas takes place and furthermore the old very experienced telecommunications officials have an opportunity to communicate their knowledge and advise beginners, either by the spoken word or by their example, as we have seen at this Conference.

For the Argentine Delegation, the creation of the Administrative Council, since it implies delegating to a few the rights and power belonging to all, would not be adequately justified on the basis of necessity or of obvious suitability. We have already had the opportunity, at this conference, to witness the fact that some very practical and sound suggestions were made by small countries and we would like as far as possible to keep a system that permits free use of initiative by everyone, without subjecting ourselves to set patterns.

In conclusion: we repeat that we will submit to the will of the majority, but we favor a more simple and economical organization, whose fundamental elements would be formed by the Plenipotentiary Assembly as the supreme organ. The Consultative Committees, the new I.F.R.B. and the reorganized Bureau, with broad executive powers, to act in the intervals between conferences. The increased efficiency of the Consultative Committees and the Bureau, properly coordinated, would be sufficient to insure the objectives of the Union, and in this way we would not change the democratic quality of the I.T.U.; we would keep each member on the same level of equality

and we would make better use of the resources contributed by each country for the operation of the Union.

21. The Delegate from Chile stated that during its last meeting "in 1936 or 1937," the C.C.I.F. had studied the question of the insulation of telephone cables and that, since then, its Paris Bureau had limited its activity to publishing the results of this study and also of some other work. He emphasized that no American country had effectively collaborated with the C.C.I.F.

22. The Delegate from Portugal thought it his duty to clear up the doubts expressed by the Delegate from Chile. He therefore recalled that the C.C.I.F. had held a Plenary Assembly in London in 1945, in order to study conditions relating to the restoration of the European telephone network and also new operating methods. Since then, committees of rapporteurs have been working and met for one month in 1946. A second Plenary Meeting is to take place in Switzerland in October 1947. In addition, the 7th and 8th Committees of rapporteurs will again be meeting very shortly.

It is therefore obvious that the activity of the C.C.I.F. has greatly increased in between the Conferences of the Union.

23. The Chairman stated that it would soon be time to adjourn the meeting and he proposed that, at its next meeting, the Committee should continue the discussion of the question of the terms of reference to be assigned to the Working Group in connection with Article I and that the committee should decide in principle on the questions raised in Article 4. In order to facilitate the task of the Working Group in regard to this last Article, the Committee should vote on the following questions in particular:

1. Is the Committee agreed that the Plenipotentiary Conferences and, at the same time, the Administrative Conferences should convene regularly?
2. Is it the wish of the Committee that there be set up an Administrative Council composed of approximately 15 members elected by the Plenipotentiary Conference, to meet regularly once a year in order to study questions relating to the activity of the Union?
3. Who are to be the permanent officials elected by the Conference or nominated by the Administrative

Council?

4. Should the Chairmen of the various Committees belong to the Bureau of the Union?

The Chairman stated that to simplify matters, it would be necessary to draw up a list of these various questions with the possible alternative solutions.

The Committee agreed that this work should be done by the Chairman himself and by the Secretary-General, so that the list of questions to be taken up separately could be rapidly distributed to all members.

The meeting was adjourned at 12:45 p.m.

The Rapporteurs,

J. PERSIN
F. A. RANKIN
B. YUROVSKI

The Chairman,

A. FORTOUSHENKO

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 222 TR-E

August 7, 1947

Committee F

192 TR

SWITZERLAND

Suggestion to Committee F relating to the
Internal Regulations of the Plenary Assemblies
of the C.C.I.

In order to set up the internal regulations of International Consulting Committees it is necessary first to consider the type of work which must be undertaken by the C.C.I. and the fundamental difference between the tasks performed by the Plenipotentiary or Administrative Conferences and the Consulting Committees.

The C.C.I.s are groups whose duty is to prepare for the general progress of telecommunications in matters dealing with technique, operation, rate-fixing, etc. With complete independence they study the various problems which the Administrations or private enterprises put before them. When the numerous and specialized committees have finished their studies, their conclusions are submitted to the Plenary Assembly, which either approves or rejects them. The results of this examination are then reported to the Administrations in the form of advice or of recommendations; the Administrations are free to adopt them, and to put them in practice in their international services or to reject them.

Nevertheless, their advice is generally accepted and put into practice without difficulties for several reasons, among others because the specialists who have prepared them, are experts and constitute the active portion of the technical or administrative services of Administrations or interested private enterprises.

This method of working has proved its usefulness for over twenty years in the International Telephone Consulting Committee, because the latter has been able to work with complete independence and to adapt itself, according to the various cases, to the continually changing needs created by the inevitable evolution of

engineering technique. In future it will be necessary to allow the C.C.I.F. as well as the other C.C.I.F.s the same liberty of action and flexibility of adaptation, without binding them by inflexible regulations, printed in a convention (or in an annex) which can only rarely be modified and this modification can only be made by means of a Plenipotentiary Conference.

Administrative Conferences constitute the codifying organ which sets up international telegraph, telephone and radio regulations, sees that they are applied and sanctions new inventions recommended by the C.C.I., if these have proven satisfactory in practice. This is an important task for which detailed, clear and uniform rules of procedure must be followed: these rules are precisely the various provisions of the Internal Regulations of the Conferences.

The Swiss Administration, however, considers that the structure and general statutes of the C.C.I. will constitute a special chapter of the General Regulations (see Moscow Document 5 ter, Chapter II). Therefore, for the reasons indicated above, the other provisions relating to the C.C.I. should be limited to an absolutely indispensable minimum.

That is why the Swiss Administration suggests:

• completing Chapter II of the Moscow Document 5 ter, relating to the statutes of the C.C.I. by the following provision:

"The C.C.I. shall themselves set up their Internal Regulations and their working methods which, however, must not be inconsistent with the provisions of the General Regulations annexed to the Convention and deleting Chapter III relating to these Internal Regulations."

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

E
Document No. 223 TR-E

August 7, 1947

Committee C

AGENDA
for
THE MEETING OF COMMITTEE "C"

Friday, August 8th
- - -

- (1) Approval of minutes.
- (2) Consideration and approval of report of Subcommittee No. 1 on finance and personnel regarding the proposal to create an International Telecommunications Bank.
- (3) Consideration of Articles 10, 11, 7, of Moscow Document.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 224 TR-E

August 7, 1947

Committee C

REPORT

of Subcommittee 1, (on Finances and Personnel) concerning
the founding of an International Telecommunications Bank

1. The Subcommittee has studied the proposal of Hungary for the creation of a World Telecommunication Bank (Doc. 1 TR-E) to give financial aid in the reconstruction of telecommunications systems in the countries devastated by the war. It has also studied the proposal of Greece relating to the assistance necessary for the reconstruction of telecommunication installations (Doc. No. 48 TR proposal 143 TR). The Subcommittee has reached the conclusion that the problem of the reconstruction of telecommunication systems in countries devastated by the war is part of the general problem of reconstruction, and it has taken note of the fact that other international organizations, in particular the International Bank for Reconstruction and Development, and the Social and Economic Council of the United Nations as well as its Committees are already dealing with this general problem.

Under these circumstances, it does not seem advisable to the Subcommittee to recommend the creation of a new institution intended solely to help in the reconstruction of telecommunication installations. The Subcommittee is of the opinion, however, that the Conference should send the recommendation given below to the United Nations, and it suggests that the governments interested in the reconstruction of their telecommunications systems apply directly to the competent international organizations. It recommends, moreover, that the documents of this Conference relating to this question be submitted by the Director of the Bureau of the International Telecommunication Union to the Secretary General of the United Nations.

Draft Recommendation
to be sent to the United Nations:

The International Telecommunications Conference convened in Plenary Assembly in Atlantic City, on....., recognizes the necessity of rendering immediate assistance to the countries that were devastated by the war in order to

rehabilitate their telecommunications systems, and recommends that the United Nations draw the attention of its competent organizations to the importance and urgency of this problem, which is part of the general problem of reconstruction.

2. The Subcommittee has studied the question of setting up a bank in charge of the operations involved in balancing credits and debits between Administrations, or between Administrations and private companies, as a result of the settlement of international accounts relating to telecommunications services. The Subcommittee has taken note of the fact that Article 33 of the Madrid Convention (Rendering of Accounts) does not fall within its competence but is rather within the competence of Committee E. Moreover the Subcommittee is of the opinion that the question of setting up a bank or other institution for settling international accounts on telecommunications should be referred to the Administrative Conferences which deal with all matters concerning these settlements.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 225 TR-E

August 7, 1947

Committee F

Committee F

Agenda of the Meetings

Friday, August 8 and Saturday, August 9.

1. Report of the ninth meeting, Doc. No. 203 TR-E.
2. Study of the report of the Working Group contained in Doc. No. 207 TR-E.
3. Study of the "Texts" proposed by the Drafting Group, texts contained in Doc. No. 194 TR-E.
4. Study of the "Compared Texts" of Article 16 to 20 of the Internal Regulations Doc. No. 157 to 161 TR-E.

Chairman of Committee F.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 226 TR-E

August 7, 1947

Committee C

193 TR

URUGUAY

Proposal for the Revision of the International
Telecommunications Convention.

Art. 4.-

- 1) The Supreme Body of the Union is the Plenipotentiary Conference of Member Countries of the Union.
- 2) The Union comprises the following permanent bodies:
 - a) The Administrative Council and its Committee.
 - b) The Administrative Secretariat General.
 - c) The International Committees.
- 3) The Administrative Council is composed of 11 members elected by the Plenipotentiary Conference by means of a procedure which permits an equitable representation of the different regions of the world.
- 4) To this effect, the members of the Council shall be elected from the candidates appearing on the first four lists presented by members of the I.T.U. grouped in the four regions specified below, proportionately to the number of members assigned to them:

REGION A. American Region as delimited by the 3rd Inter-American Conference of Rio de Janeiro, in 1945;

REGION B. European Region and West Africa located to the east of the preceding region up to meridian 20 east;

REGION C. Region of Eastern Europe and Northern Asia limited on the west by meridian 20 east, on the south by parallel 40 north and on the east by the American Region;

REGION D. The rest of the terrestrial globe limited on the west by meridian 20 east, on the north by parallel 40 north, and on the east by the American Region.

The 11 members of the Council shall be divided as follows:

- 3 for each of Regions A B and D, and 2 for Region C.
5. Any member of the Union whose territory is divided by meridian 20 east or by parallel 40 north (to the east of the preceding meridian and up to the western limit of the American region), shall be free to choose the adjoining group which he may decide to join.
 6. Each of the regional groups constituted in accordance with the preceding paragraphs shall appoint candidates by means of the procedure it may deem most appropriate, in compliance with the following rules: No less than six, and no more than seven in groups A, C, and D; and no less than four, and no more than five in group B. The candidates of the Council must have some experience in telecommunication services.
 7. The Conference shall elect, among the candidates included in the four regional lists prepared in conformity with the preceding paragraph, 3 members for regions A, B and D and two members for region C. To this effect each member of the Union shall dispose of 11 votes to be divided in proportion to the number of members to be elected in each of these regions.
 8. The members of each regional group who have obtained the greatest number of votes during the election, shall be declared elected.

(The paragraphs of Article 4 of the Moscow Document follow)

Reason

The Delegation from Uruguay, in proposing the insertion of the paragraphs proposed in the Article of the Convention dealing with the organization of the Administrative Council, seeks to establish the principle of an equitable regional representation in the directing bodies of the Union.

The timeliness and the legitimacy of this principle have been unanimously recognized by Committee 3 -- (Organization) -- of the Radio Conference by the creation of an organization entrusted-

ted with technical questions, such as the I.F.R.B. (International Frequency Registration Board) which must decide upon the structure of the Union in the new Convention.

This principle seems still more justified in a body such as an Administrative Council, which has a task as important as ensuring, during the intervals between Conferences, coordination with other international organizations and the Administrative Management of the Union, approving the annual budget, and being responsible for any other task with which it may be entrusted by the Conference, on behalf of which it acts, on condition that these tasks be always perfectly compatible with the principle of regional representation.

The composition of the Council, insofar as the number of members is concerned, the determination of the regional groups, and the nomination of the members to be elected by each region, as well as the voting procedure, shall be based on the decisions, unanimously adopted by the members of Committee 3 -- Organization -- of the Radio Conference for the organization and structure of the I.F.R.B., which can rationally be applied to the organization to which the present proposal has reference.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 227 TR-E

August 7, 1947

Committee D

REPORT OF
COMMITTEE D

For Consideration by Plenary Session
to be held on August 8, 1947

1. The Committee has prepared a draft agreement to serve as a basis of negotiations for the establishment of relationships between the International Telecommunications Union and the United Nations. This draft agreement is attached as Annex to this Report.

2. The Committee recommends that the Plenary Session approve this draft agreement as a basis for negotiations to be carried on between a negotiating committee of the International Telecommunications Union and a negotiating committee of the United Nations.

3. The Committee further recommends that the Plenary Session create a negotiating committee and authorize such committee to negotiate on behalf of the International Telecommunications Union with a negotiating committee to be appointed by the United Nations. It is recommended that the negotiating committee on behalf of the International Telecommunications Union be composed of representatives of the following countries:

India, Chairman
Argentina
Egypt
France
Ireland
Switzerland
U.S.S.R.
United Kingdom
United States
Uruguay

4. Finally, the Committee recommends that the Plenary Session issue a directive to the Negotiating Committee to secure the following objectives in its negotiations:

a. Obtain assurances of the independent status of the International Telecommunications Union, similar to the assurances obtained by the Universal Postal Union in its negotiations with the United Nations.

b. Make every effort to obtain agreement upon the retention of the following provision which appears in Article VII of the attached draft Agreement: "... without prejudice to the sovereign position of individual members of the Union who are not members of the United Nations." If, however, agreement cannot be obtained upon the retention of this passage, the Negotiating Committee should see to it that a record of the discussion on this point appears in the minutes of the negotiations.

c. Obtain assurances that the International Telecommunications Union will retain its freedom to publish any documents it may choose within its own sphere. (See attached draft Agreement, Article IX, par. 3).

(227 TR-E)

ANNEX

Draft prepared by Committee D
for the
Agreement
between

THE UNITED NATIONS AND
THE INTERNATIONAL TELECOMMUNICATIONS UNION

PREAMBLE

In consideration of the provisions of Article _____ of the Convention of the International Telecommunications Union of Atlantic City 1947 and in consideration of the provisions of Article 57 of its Charter, the United Nations on the one hand, and the International Telecommunications Union on the other hand, agree as follows:

ARTICLE I

The United Nations recognizes the International Telecommunications Union (hereinafter called "the Union") as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

For the purposes of the relationship defined in this agreement the United Nations shall be considered as an international entity. The various aspects of the relationship of the International Telecommunication Union with the United Nations as an operating agency of telecommunications services shall be dealt with separately, in conformity with the terms of the International Telecommunications Convention.

ARTICLE III

Reciprocal Representation

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the Plenipotentiary and Administrative Conferences of the Union, and may be invited to attend international

consultative committee and other meetings convened by the Union and to participate without vote in the discussion of items on the agenda in which the U.N. may be concerned.

2. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the U.N. and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

3. The Union shall be invited to send representatives to be present at meetings of the General Assembly during which questions within the competence of the Union are under discussion, and to participate, without vote, in the deliberations of the main Committees of the General Assembly with respect to items concerning the Union.

4. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

ARTICLE IV

Proposal of Agenda Items

Subject to such preliminary consultation as may be necessary, the Union shall include on the agenda of its Plenipotentiary and Administrative Conferences, or its consultative committee and other meetings as laid down in paragraph 1 of Article III, items proposed to it by the U.N. or shall otherwise appropriately inform its members of such items for their consideration. Similarly, the Economic and Social Council, its Commissions and Committees and the Trusteeship Council shall include on their agenda items proposed by the Union.

ARTICLE V

Recommendation of the United Nations

1. The Union agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may be proper, of all formal recommendations which the United Nations may make to it. Such recommendations will be addressed to the Union and not directly to its members.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to co-operate with any body which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of appropriate information and documents shall be made between the United Nations and the Union to meet the requirements of each.

2. Without prejudice to the generality of the provisions of the preceeding paragraph:

- (a) The Union shall submit to the United Nations an annual report on its activities;
- (b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information.
- (c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it.

ARTICLE VII

Assistance to the United Nations

The Union agrees to co-operate with and to give assistance to the principal and subsidiary organs of the United Nations so far as is consistent with the provisions of the International Telecommunications Convention and

without prejudice to the sovereign position of individual members of the Union who are not members of the United Nations.

As regards the Members of the United Nations the Union agrees that in accordance with Article 103 of the Charter no provision in the International Telecommunications Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations.

ARTICLE VIII

Personnel Arrangements

The United Nations and the Union agree to co-operate to ensure as much uniformity as possible in the conditions of employment of personnel taking into account the specific circumstances of their employment, in particular the location of their functions, and:

- (a) to avoid competition in the recruitment of personnel and
- (b) to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

ARTICLE IX

Statistical Services

1. The United Nations and the Union agree to co-operate with a view to insuring that statistical information and data shall be as useful and as widely used as possible.
2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.
3. The United Nations recognizes the Union as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to make use of such statistics so far as they may be essential for its own purposes or for the improvement of statistics generally. The Union shall be the sole authority on the form in which its Service documents are compiled.

ARTICLE X

Administrative and Technical Services

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or over-lapping services, and when necessary to consult thereon to achieve these ends.
2. Arrangements shall be made between the United Nations and the Union in regard to the registration and deposit of official documents.

ARTICLE XI

Budgetary Arrangements

The Budget of the Union as determined by its Plenipotentiary Conference shall be transmitted to the United Nations, and the General Assembly may make recommendations thereon to the Plenipotentiary Conference of the Union.

ARTICLE XII

Financing of Special Services

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or information in accordance with Article VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.
2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

ARTICLE XIII

Inter-Agency Agreements

1. The Union agrees to inform the Economic and Social Council of the Nature and scope of any formal agreement contemplated between the Union and any specialized agency or other inter-governmental organization, and

further will inform the Economic and Social Council of the details, of any such agreement, when concluded.

2. The U.N. agrees to inform the Union of the nature and scope of any formal agreement contemplated between any other specialized agencies or other inter-governmental organizations on matters which might be of interest to the Union and further will inform the Union of the details of any such agreement, when concluded.

ARTICLE XIV

Liaison

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

ARTICLE XV

Implementation of the Agreement

The Secretary-General of the United Nations and the (appropriate authority) of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XVI

Revision

On six months' notice given on either part, this Agreement shall be subject to revision by agreement between the United Nations and the Union.

ARTICLE XVII

Entry into Force

This agreement is annexed to the International Telecommunications Convention concluded in Atlantic City in 1947. It will come into force after approval by the General Assembly of the United Nations; and, at the earliest, at the same time as this Convention.

Atlantic City, August _____, 1947.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 228 TR-E

August 8, 1947

Committee C

REPORT
of Subcommittee 1 (Finances and Personnel)
of Committee C

4th Meeting
August 6, 1947

The Chairman, Mr. Abaza, called the meeting to order at 10:10 A.M. The report of the second meeting (Document No. 153 TR-E) was submitted to the Subcommittee for approval.

The Delegate from the United States requested that the following correction be made in the report of his statement as it appeared in the next to the last paragraph on page 4 of the French document, namely, to replace "aux Nations Unies" by "a la Banque internationale pour la reconstruction et le developpement."

The report was then adopted.

The Chairman next submitted to the Subcommittee the proposals presented by the Working Group (Document No. 196 TR-E) which referred to: 1) assistance to be given in the reconstruction of telecommunications systems in the countries devastated by the war; 2) the creation of a bank for the settlement of international accounts.

The proposed wording for the former question was adopted, with the following comments:

The Delegate from Greece requested that in the first paragraph of 1), "Document No. 48 TR-E, Proposal 143 TR" be added in parentheses at the end of the sentence: "It has also studied the proposal of Greece relating to the assistance necessary for the reconstruction of telecommunication installations."

The Delegate from the United States suggested the addition of the following words at the end of the draft recommendation: "which form part of the general problem of reconstruction." Furthermore, he made note of the fact

that in the English version of the recommendation the word "organs" should be substituted for the word "organizations."

The draft proposal for 2) was adopted, subject to the two following changes: In the first sentence, substitution of the word "Administrations" for the word "States" which appears twice; and completion of the last sentence by inserting the words "or other establishment" after the words "setting up a bank."

It was then agreed that Document No. 196 TR-E be sent to Committee C with the above mentioned changes after deletion of its preamble.

The Chairman noted that at the last meeting of Committee C, a Working Group had been formed to study the various agencies of the Union, and he stated that decisions of the Working Group were to be submitted to the Subcommittee as each decision was arrived at, so that the resultant financial impacts might be estimated.

The Chairman then remarked that the Subcommittee should take up the study of Article 17, § 3 (3) of the Madrid Convention, which concerns the apportionment of the expenses of the Union, as well as examination of proposals having a bearing on this problem, particularly those appearing in the Moscow Document and those presented by the Delegations of Chile, the United States of America, France, Great Britain, Italy and Tunisia.

Most of these proposals provide for division into classes: the proposal of Chile contemplates adoption of the proportional system established for financing the International United Nations Organization. The Chairman reminded the meeting that at the ICAO, the governments, in Plenary Assembly, had fixed the coefficient to be applied to each country; that is, some countries have coefficient 1, others 2, 3, 5, 10 etc.... up to coefficient 45 applied to the United States. He wished to ask the Subcommittee the following question: "Should a certain number of classes be provided for, or should the work of determining the portion for each country be left to the Plenary Assembly?"

The Delegate from France recalled that the UPU provided for 7 classes, and that the French proposal likewise called for 7 classes, the last of which consisted of only one unit intended for small countries which might be unable to meet the expenses of the Union which are expected to increase considerably.

The Delegate from the United States would have preferred to exchange the class system for that of a division of expenses among the various members through the good offices of the Plenipotentiary Conference. This new and more flexible system would permit an easier apportionment of Union expenses, which will be greater than heretofore. He recalled that this procedure was actually in use by various international organizations established since the war, such as the ICAO, the UNESCO and the FAO. He proposed that this procedure be treated as an amendment to the United States proposal 17 TR of Document No. 2 TR-E.

The Delegate from France, supported by the Delegate from Italy, requested division of the question into two parts: 1) determination of the number of classes and their scales; 2) conditions under which the countries would be classified in the various classes. He agreed with the United States Delegate on the second point which consisted of changing the existing procedure.

The Delegate from Switzerland asked the Delegate from the United States to set forth his reasons for wishing to change the present procedure, and how to determine the contribution of a country adhering to the convention between two Conferences. He pointed out that the organizations already existing before the war had not changed their system, and cited the UPU as an example. The increase in expenses did not seem to imply a change in the method of apportionment.

The Delegate of the United Kingdom supported the remark made by the Delegate of Switzerland.

The Delegate of the United States explained that he desired above all that the various possible classes not appear in the Convention at the risk of being modified by each Plenipotentiary Conference, but that they be settled by the Conferences themselves in order to give greater flexibility to the procedure. The contribution of countries that become members between two Conferences might be fixed by agreement between the governments of such countries and the Administrative Council of the Union.

The Delegate of France preferred to keep a list of classes in the Convention, it being understood that the number of classes might be modified.

The Delegate of Belgium wanted to have general discussion on the principle and particularly on the question of knowing whether the governments should remain free to choose their classes themselves or whether these classes would be fixed according to certain criteria.

The Chairman wanted to have the advice of those present. Personally, he felt the proposal of the United States relating to as many different classifications as desired by the Plenipotentiaries was very interesting. As the representative of a small country, he would like to make a study as to whether this proposal might be advantageous for small countries.

The Delegate of the United States recalled that the I.C.A.O., UNESCO, and the United Nations had endeavoured to fix the contributions in accordance with the ability of each country to pay, and the degrees of interest of these countries in the organization under consideration. He felt that the procedure he proposed for adoption might, through its flexibility, lead to the equitable apportionment that he was seeking, and avoid the possibility that small countries might be prevented from becoming members of the Union because of excessive dues.

The Delegate of Greece supported the idea of an increase in the number of classes in favor of the small countries. It seemed to him that the United States proposal should be studied very carefully to see whether it was really favorable to small countries.

The Chairman asked for a reply to the following question: "Do we propose to leave countries free to choose their dues or do we propose to fix such conditions?"

The Delegate from Switzerland asked the Representative of the United States if he agreed that each country should be free to choose the proportion of its contribution, and what method was used by the I.C.A.O. to classify the various countries.

The Delegate from the United States specified that he wished to have a provision inserted in the Convention under which the funds necessary for the Union would be paid by all members in accordance with the decisions of the Plenipotentiary Conferences.

As far as the I.C.A.O. was concerned, the Council of the I.C.A.O. had prepared and submitted to the Provisional Assembly a scale for the division of expenses. This scale had been adopted by the Provisional Assembly, and later, the first Assembly adopted a slightly different scale which appeared in a document distributed to members of the Subcommittee.

The Delegate from the United Kingdom remarked that the present system of classification used by the I.T.U. was satisfactory to the small countries. The administrative report of 1946 showed that in the Radio Division, out of 104 participating administrations, 49 were in the 6th class and had each paid 1/300 of the total contributions. In the Telegraph and Telephone Division, out of 88 administrations, 39 were in the 6th class.

The Delegate from the United States expressed the fear that, if expenses increased to a great extent, and if the countries remained free to choose their class, the result would be unpredictable. For that reason he deemed it preferable for the Plenipotentiary Conference to discuss the matter.

The Delegates of China and Belgium endeavored to compare the present system with the systems employed by the I.C.A.O., the United Nations, etc.... in regard to the ratio of the contribution of a small country to that of a great country such as the United States. In the I.T.U., Belgium paid 60% as compared with the contribution made by the United States; in the United Nations it pays 3.5%; in the I.C.A.O., 18%; in the F.A.O., 4%; and in the I.L.O., 9%.

The Director of the Bureau of the Union, replying to the Chairman's question, noted that, in his opinion, the contributions made by the United States to international bodies created since the war, should be considered as being exceptionally and doubtless, temporarily high. In comparing the countries which immediately follow the United States, in the size of their contributions, very different results are obtained. He believed that the great effort now being made by the United States for the purpose of putting these organizations on their feet could not continue indefinitely, and that in the future the contributions made by the various countries would show less inequality.

The Delegate from China felt that it should be definitely decided whether each country was to be entirely free to make its own choice, or whether the different countries should be classified. It would be necessary to avoid permitting all the countries from choosing the minimum.

The Delegate from Italy thought that the ideal apportionment would provide for a more gradual classification to accord with the different countries. Hence there should be many classes. The Delegate requested that the Committee first study the question whether it was essential to increase the number of classes in order to establish a more gradual scale of apportionments. In the affirmative, what should be the number of these classes?

The Chairman felt that it would be difficult to reach an immediate decision, because each Delegate would wish to know the size of the contribution of his country under each of the systems contemplated. As far as freedom to choose classes was concerned, this system had hitherto led to no abuses. It must be noted that questions of prestige and of public opinion in the Plenary Assembly would exert considerable influence on decisions of this sort. The first question to be settled is the following: "Shall the different countries be left free to choose their own classes, or shall the Plenary Assembly make the decision?"

The Swiss Delegate did not believe that the Plenary Assembly should be given the power officially to put countries into a specified class. A responsibility of this sort did not seem desirable to him. He considered it indispensable to work out a system of classification whereby, even with free choice, contributions would be fairly apportioned. He felt that it would be possible to work out a sufficiently flexible system to attain this end, by merely modifying the present system.

After a brief exchange of views on the procedure to be followed for the ensuing debates, it was agreed that at the beginning of the next meeting, the Subcommittee would first decide either to continue the general discussion or to follow the procedure suggested by the Chairman, consisting in replying to the following questions:

Shall we propose that classes for the apportionment of expenses be included in the new Convention, or not?

a) In case of an affirmative vote, how many classes shall we propose? What shall be the number of units assigned to each class? Shall we propose that each country be free to choose its own class, or not?

b) In case of a negative vote, shall we propose that each country be free to choose the amount of its contribution, or not? If the countries are not to be free to choose, on what bases and under what directives shall the contributions of each be determined?

The meeting adjourned at 12:30 P.M.

Rapporteur:

H. LACROZE

Chairman:

Sh. ABAZA

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

Document No. 229 TR-E

August 8 1947

Committee E

194 TR S O U T H A F R I C A

Proposal concerning the Monetary Unit

Article 32

The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts is the gold franc of 100 centimes, of a weight of 10/31sts of a gramme and of a fineness of 0.900, unless a different method is adopted by mutual agreement between certain Administrations in their relations between themselves.

Reason

After having listened with great interest over a period of several hours to the statements made during the first and second stages of the discussions on Article 32, South Africa believes that further lengthy discussions will not bring about a material change in the views held by the various delegates on the subject of the monetary unit. The position in this respect is admirably set out in subparagraphs (a) and (b) of paragraph 1, annex 9 to Document 167 TR, wherein the United Kingdom states that it has refrained from proposing the abolition of the gold franc as the monetary unit for two reasons viz.:

- (a) The adequate discussion of such a proposal would occupy more time than is likely to be available at the Plenipotentiary Conference at Atlantic City, and
- (b) The time is not yet ripe for the universal adoption of a satisfactory alternative.

South Africa therefore considers that the question should be put at an early stage when Article 32 (Madrid) again comes before Committee E and asks that the above-mentioned proposal should be submitted to the meeting. The South African proposal is based on the proposals made by the United States in 165 TR (Document 77 TR) and by the United Kingdom in 49 TR, Article 24 (Document 9 TR), but the present form of Article 32 has been retained and an endeavour has been made to reword the United Kingdom and the United States proposals in a manner which might be more acceptable to delegations who wish to retain Madrid

Article 32 without change. South Africa considers that instead of having to rely upon the provisions of the present Article 13 (Special Arrangements), specific mention should be made in Article 32 of the right of members of the Union and their operating agencies to adopt by mutual agreement a different monetary unit in their relations between themselves.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 230 TR-E

August 8, 1947

MINUTES
of the fourth Plenary Meeting
August 5, 1947

The meeting was called to order at 10:20 by Mr. Charles R. Denny, Chairman of the Conferences.

The Chairman pointed out that the Plenary Meeting had been convened to consider a proposal submitted at the Meeting of the Heads of Delegations on August 1 (Document Nos. 199 TR-E and 683 R-E).

The questions on the agenda may be found in the "Important Notice" already distributed, as follows:

Proposal 1: That the High Frequency Broadcasting Conference should convene at Atlantic City on August 15 (or some later date in August or September, 1947, to be specified) with a complete substantive agenda.

Proposal 2: That instead of holding a High Frequency Broadcasting Conference with a complete substantive agenda, the work at Atlantic City should be restricted to preliminary exploration of the substantive questions with the view to planning for a conference to be held at some other place at a future date.

Before opening the discussion, the Chairman asked if there were any comments concerning the minutes of the third and fourth Plenary Meetings of the Telecommunication Conference (Document Nos. 193 TR-E and 145 TR-E).

These minutes were adopted without modifications.

The Chairman then recognized the Delegate from the United States, who made the following statement:

"The Delegation of the United States had reviewed its position in respect to High Frequency Broadcasting in the light of the discussions which took place at the last meeting of the Heads of Delegations and wishes to make a statement in support of a short conference on High Frequency Broadcasting.

It is generally agreed that the main purpose of the Conferences now in progress is to bring order out of the chaos now existing in the frequency spectrum and to provide plans for the optimum use of bands of frequencies by the respective services. Unfortunately, however, due to insufficient time, it will not be possible to hold a full scale broadcasting conference as was originally contemplated. Therefore, we agree that we can not re-engineer the bands allocated to high frequency broadcasting and make specific frequency assignments within the time we will have at our disposal at Atlantic City. Moreover, we agree that we can not start the High Frequency Broadcasting Conference on August 15 without interfering with the Radio and Plenipotentiary Conferences.

On the other hand, we firmly believe that considerable progress can be made within the limited time available at Atlantic City in regard to certain matters relating to high frequency broadcasting and, particularly, technical matters in so far as they relate to broad plans of good engineering practice, upon which a world wide frequency assignment and sharing plan could be based.

But even on this limited basis we feel that a definite closing date by which all work in Atlantic City will be finished must be agreed upon.

We feel that the work on high frequency broadcasting could begin on August 25 without interfering with the work of the Radio and Plenipotentiary Conferences and that all activity at Atlantic City must be finally concluded no later than September 30, 1947, which we propose as the final date of departure of all Delegations. In fixing this date we have assumed that the Radio Regulations and the new Convention will be signed by September 15.

We have carefully reviewed Document No. 200 TR-E, which is the Denmark and United Kingdom proposal in respect to an agenda for the High Frequency Broadcasting Conference. We are prepared to accept this proposal with very slight modification. Specifically, we have in mind that item 2 (c) should call for the formulation rather than the consideration of broad engineering principles on which a new frequency assignment plan for high frequency broadcasting services should be based. Our only other suggestion in regard to the Denmark-United Kingdom proposal is that item 2 (e) (2) which

provides for the drafting of an agenda for the next high frequency broadcasting conference, should specifically indicate that matters relating to practice and procedure should be included as well as technical matters.

The agenda in Doc. 200 TR-E does not include consideration of proposals for a separate broadcast organization within the framework of the I.T.U. However, there are impelling reasons for giving consideration to such proposals. As a result of discussions with other governmental representatives in Rio de Janeiro, Moscow and Paris, the United States submitted Document No. 14 Rhf, which is a proposal covering a complete set of high frequency broadcasting regulations. In addition to a chapter which covers engineering matters only, the proposed regulations include a chapter dealing with the status of the regulations-- that is the relationship of the regulations to the International Telecommunications Convention; the procedures for calling future conferences, the establishment of a high frequency broadcasting board in which the scope, functions, composition and internal and staff regulations are set forth, general principles relating to organizational matters and proposals of a general nature--such as the right of countries to enter into regional or other special arrangements. The reason we do not propose at this time the inclusion of this matter on organization and procedural matters in the agenda of the H.F.B. conference is that there are presently pending before the Radio Conferences proposals for the establishment of a broadcast board and there are divergent views on this matter. One view is that this board should be limited to high frequency broadcast matters, the other view is that this board should deal with both high frequency and medium frequency broadcast problems. We feel that neither the Radio nor the High Frequency Broadcast Conferences can reconcile these divergent views. Indeed it would appear that only the Plenipotentiary Conference can do this. Therefore, we propose that the Radio Conference shall forthwith refer to Committee C of the Plenipotentiary Conference the proposals which it now has under consideration relating to the creation of a broadcast board. The Plenipotentiary Conference shall then decide whether such a board shall be created and if created shall, with the advice of the high frequency broadcast conference, define its functions.

Referring back to the Denmark-United Kingdom proposals for an agenda for the High Frequency Broadcasting Conference, the Delegation of the United States wishes to point out that it has given considerable study to the problem of formulating a specific proposal which lays a complete engineering basis for an assignment plan and is prepared to submit such

a proposal when the High Frequency Broadcast Conference convenes. It should be emphasized, however, that the United States proposal does not include specific frequency assignments since we believe that a future conference is best able to fit the discrete frequencies within the framework of the plan.

It should be pointed out that we are now fairly certain that Committee 5 will approve certain bands of frequencies for high frequency broadcasting which will represent an increase of about 38% in broadcast space between 5.95 and 20 megacycles, which is the most generally useful part of the high frequency broadcast spectrum. The 38% does not take into account the seven megacycle band which may be shared on a geographical basis.

Even with these expanded bands the broadcast requirements of the world can not be accommodated unless the bands are utilized with recognized engineering principles. Accordingly, we again wish to emphasize the necessity of formulating principles of good engineering practices upon which a world wide frequency assignment and sharing plan could be based.

In support of the foregoing views, the United States Delegation wishes to invite attention to the fact that it was the unanimous decision of all the American nations at the Third Inter-American Conference held in Rio de Janeiro that a High Frequency Broadcasting Conference must be held immediately following the World Radio Conference. Moreover, at the Paris informal broadcasting conference, 1946, as a result of discussions on the subject of a high frequency broadcast organization, it was agreed that a High Frequency Broadcast Conference should be held in connection with the World Telecommunications Convention. Thus the need for a broadcast conference at an early date has been generally recognized.

Before concluding, there are a few obvious facts which also support the view that a short conference should be convened at Atlantic City, beginning as I have suggested on August 25. First, we are fortunate in having at our disposal the facilities of the Berne Secretariat, including the simultaneous translating system. In addition, there are in attendance at the Radio and Plenipotentiary Conferences many trained experts who are best qualified to do the most effective planning work for the best utilization of the newly allocated broadcasting bands. These experts have been

devoting their full time to the work of these Conferences and have a fresh viewpoint on telecommunications matters generally which should prove to be of inestimable value in carrying through the work of the High Frequency Broadcasting Conference.

To recapitulate, we propose:

1. That a short conference on High Frequency Broadcasting be convened on August 25, provided the work of the Radio and Plenipotentiary Conferences permits, but in no event should the High Frequency Broadcasting Conference be delayed beyond September 8.

2. That this conference should devote itself primarily to the formulation of the engineering principles which would underlie a frequency assignment plan to be prepared in the future; and that it should also plan in detail the agenda and prepare for the next H.F.B. Conference.

3. Matters relating to the H.F.B. organization should be considered and dealt with by the Plenipotentiary Conference instead of being taken up initially by the H.F.B. Conference.

4. We feel that all conference activity should be concluded no later than September 30, 1947, which we propose as the latest date of departure of all Delegations from Atlantic City. In fixing this date to wind up our stay at Atlantic City we have assumed that the Radio Regulations and the new Convention will be signed by September 15."

The Delegate from the U.S.S.R. then spoke as follows:

"Among the principle questions before us for study in the course of the Conferences meeting in Atlantic City, the most important are questions which relate to a definitive set-up for the use of frequencies in their varied fields of usefulness. From this standpoint I deem it highly important to decide upon measures which will admit of improving the arrangement of frequency usage. In especial, I am contemplating preparation of a new plan of frequency assignments between services to permit, satisfying the various organizations and aiding them to collaborate more closely in the arrangement of high frequencies. For this purpose, it is fitting to attach great importance to the study of questions touching the organization of work on the Frequency List in which Committee 6 is engaged. We have all recognized the need of preparing, as speedily as possible, a new International Frequency List based on sound engineering principles and on a reallocation of frequencies among the services. During the discussions of problems relating to the preparation of a new International Frequency List, we discovered that these problems raised numerous difficulties and we also came to realize that it was indispensable once more to undertake an important task of preparation .

Among the services which interest us, broadcasting needs to be organized as speedily as possible as far as the use of frequencies is concerned. Broadcasting interests a great number of countries, and its efficiency can only be guaranteed in as far as interference between different broadcasting stations can be avoided. Moreover, all services are equally interested in the proper use of frequencies by broadcasting stations, all the more so that many broadcasting stations are unfortunately obliged to work on frequencies which have not been reserved for broadcasting. It is therefore evident that a speedy solution of this question, based on the conclusion of agreements on the use of the frequency spectrum is as urgent as it is important.

I recall that this question, although it was not the subject of any thorough discussion at the Cairo Conference, nevertheless gave rise to the hope that, in as short a time as possible, a special Conference might be convened to examine the case of high frequency broadcasting. For this reason, we approve the proposal to convene at Atlantic City on the coming August 15 a

special Conference for High Frequency Broadcasting, the purpose of which will be to assign the frequencies required for the different broadcasting stations of the world, in order to avoid as far as possible harmful interference between stations and, moreover, to improve the efficiency of use of the frequency spectrum reserved for broadcasting. The difficulties which we are encountering in preparing the Frequency List are great in comparison to those which will arise here when the frequencies are assigned between broadcasting stations.

We are of the opinion that the preparation of a new International Frequency List, based on technical principles, is an important and urgent problem; we must, in consequence, complete this work little by little.

The Delegation of the Soviet Union therefore feels that frequency assignments between broadcasting stations is urgent and that it will constitute a great step towards the realization of the International Frequency List. It is consequently a surprise to the Delegation of the U.S.S.R. to see that this problem has been evaluated in an entirely different manner by the last meeting of Heads of Delegations, and to discover that a number of delegates refused to study here this important question.

What are the arguments adduced to oppose the convocation of a Broadcasting Conference at Atlantic City?

It is asserted that no one can engage in this work, since all the delegates are absorbed by other conferences. I believe that this assertion is not entirely accurate, because many delegations have specialists whose sole duty is the study of broadcasting questions; it would be well to use their experience and qualifications to prepare a study of the technical principles on the basis of which the High Frequency Broadcasting Conference could act later. In my opinion we made a mistake at the first stage of the Radio Conference by not trying to constitute a preparatory committee for the study of technical principles for the assignment of radio frequencies, following the example of the group directed by Professor van der Pol, because the fact cannot be ignored that questions of broadcasting are part of those which must have the attention of the Radio Conference. On the theory that broadcasting would have its attention more especially after August 15, a large part of the Radio Conference examined

broadcasting questions only slightly.

It is said that the new frequency allocation between different services has not yet been approved and that there is, therefore, no occasion to assign these frequencies between broadcasting stations before this approval has been granted.

I do not support this point of view as far as those frequency bands are concerned, which have been allocated to broadcasting, because there is already sufficient agreement to permit carrying on a preparatory work.

Finally, some say that no preparation can be made for frequency assignments between broadcasting stations, because, up to the present, there has been no frequency assignment list; it has therefore been stipulated to postpone this assignment until the establishment of the general Frequency List.

I do not approve these arguments for the reasons I have already explained; on the contrary, it is necessary to study the assignment of frequencies between high frequency broadcasting stations as the first part and, I stress this point, a very important part of the International Frequency List; I insist upon the fact that this part, from a technical standpoint, can be prepared entirely apart from the preparation of the general Frequency List.

It has been claimed that the new International Frequency List could not come into force before two years, or even later, and that there is therefore no reason, here at Atlantic City, to engage in frequency assignments between broadcasting stations.

I do not approve this argument. If, in virtue of the Cairo Regulations, a new frequency allocation were put in force about a year after the signature of these Regulations, there is no reason why the new frequency allocation among services, prepared by Committee 5, should not also come into force not later than the year after the end of this Conference, that is, October 1, 1948. Until that time, and without waiting for the preparation of a new definitive frequency allocation list, each participant in this Conference should take immediately steps to realize the use of frequencies for his station, in conformity with the new allocation of frequencies between services.

These two problems are absolutely distinct, and I think all the delegations will agree that, apart from the fact of knowing when we shall succeed in setting up the new frequency assignment list, as contemplated by Committee 6, we should, by October 1, 1948, put in force the new frequency assignment between services. There is no reason for postponing the assignment of frequencies between broadcasting stations.

Thus, we conclude that there is no technical reason for refusing to carry out completely the program contemplated at the convocation of the Atlantic City Conference. Nevertheless, in view of the opinions expressed here by many delegates, and the statement made by the Delegation from the United States representing the inviting Government, it must be acknowledged that this High Frequency Broadcasting Conference cannot take place in Atlantic City with a complete agenda. We must then use the opportunity offered us by the fact of meeting here together, and of having the technical means to carry out an agreement which will permit the establishment of technical principles on which the conference which must meet later can be prepared as far as possible. We are therefore agreed in principle upon the proposal of the United States to convene the Conference no later than August 25 instead of August 15. This Conference will be in charge of defining the technical principles; questions of organization will be referred to the Plenipotentiary Conference; the work of all conferences is to be ended no later than September 30.

But, to achieve success, we must employ our time up to August 25 in a more efficient manner than we have hitherto done. I therefore repeat my proposal to create a Working Group which will take charge of preparing for the High Frequency Broadcasting Conference, which must have a limited agenda. This working group will comprise those delegations who wish to take part; it will make a preliminary study of the different proposals which have already been made to us on broadcasting questions."

The Chairman thanked the Delegate from the U.S.S.R. and recognized the representative of the United Nations who made the following statement:

Representative of the United Nations - Mr. Van Dissel

Mr. Chairman, Gentlemen. Having had no opportunity to participate in the discussion concerning the High Frequency Broadcasting Conference, on the occasion of the last session of the heads of delegations of the Conference of Telecommunications and Radiocommunications, the Delegation of the United Nations expresses herewith its appreciation of being able to explain its views on the subject here from the floor in Plenary Session.

It seems not necessary to emphasize the fact that the United Nations are deeply and sincerely interested in the High Frequency Broadcasting Conference and its problems, was it only simply by the fact that the United Nations has on its agenda at the General Assembly of September, 1947, the project of a world-wide broadcasting system to be installed and operated independently from any government by its own services.

In order to legalize its particular position in the telecommunications field, the Delegation of the United Nations presented a statement at the occasion of the fifth meeting of Committee D of the Telecommunications Conference containing a proposal to insert in the Convention an appropriate article in order to obtain for the United Nations operating service, a special status within the Union, permitting it to enjoy all the essential facilities and privileges which are accorded to governments and national administrations. I can refer here to the Annex of Document 185 TR.

Up to this moment, however, no decision relating to this proposal has been taken, therefore, and this must be emphasized here, the United Nations participate at the Conference of Telecommunications and Radiocommunications, only in the status of an observer, and as such could not participate in discussions relative to the High Frequency Conference, in which this delegation is deeply and sincerely interested.

With reference to that High Frequency Broadcasting Conference itself, the situation is rather different. Independently of any decision taken on its status in the Telecommunications Conference, it is our understanding that the United Nations was invited to participate in this Conference as a full member and will therefore have the same privileges at this Conference as all the other delegations.

The attention of this Plenary Session is drawn especially to this situation in order to avoid any misunderstanding.

With great interest, and one may say with a certain concern, the United Nations Delegation has studied Document 199 TR, 683R and the proposals contained in the "Important Notice."

During the careful study of these two documents, some doubt and questions arose which may be summarized in the following two points:

- 1) Has this Plenipotentiary Session any special or general mandate to take decisions concerning the High Frequency Broadcasting or does the mandate of this Plenipotentiary Session permit it only to limit itself to the formulation of one or more recommendations to be presented to the High Frequency Broadcasting Conference, the latter being considered as an independent and autonomous body?
- 2) In case a recommendation or recommendations are put to the vote, in this Plenary Session, what is the real value of such a vote, in view of the fact that several delegations having the right to vote, will not participate in the High Frequency Broadcasting Conference and that on the other hand, all the participating members of the same High Frequency Broadcasting Conference, are unable to vote in this session?

It seems that in the minds of some delegations, there were some doubts whether the High Frequency Broadcasting Conference should be considered as an administrative conference or as a plenipotentiary conference. In the opinion of the United Nations Delegation there exists only one authority which can give a definite and final answer concerning this matter and that is the inviting government, the government of the United States of America.

There is no doubt in the minds of the United Nations Delegation, about the character of this new conference. In its opinion it can only be considered as a Plenipotentiary Conference with a complete and definite autonomy.

Therefore, it is this Conference and only this Conference, I mean the High Frequency Broadcasting Conference, which has the right to take a position concerning its program and proceedings. The Plenary Session of the Telecommunications Conference can therefore only formulate recommendations to be presented in due time and form to the High Frequency Broadcasting Conference. This with regard to the first question.

With regard to the second question. The Delegation of the United Nations esteems that the result of a vote under the conditions as indicated before, can only have a very relative value.

The attention of the Plenipotentiary Conference is especially drawn to these two points, as it seems that document No. 199 TR/683R might read, if it is presupposed that the Plenary Session has the full mandate to take decisions, that the questions mentioned in the said document will be put to a vote without any doubt about the absolute value of that vote.

This remark, I make, Mr. Chairman, and Gentlemen with full respect for the complete autonomy of this Plenary Session within the framework of its own convention, but with the sincere doubt that such an authority can be extended within the framework of another autonomous and independent body, that of the High Frequency Broadcasting Conference.

With regard to the substance of the question and proposals contained in the document mentioned, and the "Important Notice," the Delegation of the United Nations can inform this session that it has the intention of making the following declaration on the occasion of the official opening of the coming High Frequency Broadcasting Conference. The United Nations being sincerely interested in the organization and regulations of high frequency broadcasting, and furthermore convinced that the present status of the High Frequency Broadcasting is very unsatisfactory, expresses its concern towards any measures tending to prolong unnecessarily the actual unsatisfactory situation, recommend that any proposal tending toward improvement of the actual situation should be studied seriously and considered without delay.

The United Nations Delegation therefore urge strongly that the High Frequency Broadcasting Conference start at the earliest date possible and only consider a restricted action in the form of preliminary exploration of the main questions with the view to a future conference, when and if that same conference considers such an action unavoidable and necessary.

We are fully aware that many practical reasons might oblige the High Frequency Broadcasting Conference to accept the recommendations of this Plenary Session. It is the definite opinion of the Delegation of the United Nations that the only regular form of procedure is the one outlined before. This solution seems to be to convene the High Frequency Broadcasting Conference at the earliest date possible after this session, for one full regular meeting with only one point on the agenda, the consideration of the recommendations of this plenary session. These considerations can be discussed, accepted, rejected or modified. At the same time the actual date of the entrance into a restricted or a full action of the conference could be fixed. This latter course, Mr. Chairman and Gentlemen, is the only regular course that would be legally justified, giving at the same time satisfaction to all parties concerned, and is strongly recommended by the United Nations Delegation."

The Delegate from Denmark, one of the two authors of the proposal submitted in the joint document Nos. 200 TR-E/686 R-E, believed it suitable to make a few remarks concerning this document and the reasons justifying it. He felt that the United States which had made similar comments, could find the proposal of Denmark and the United Kingdom acceptable. He would accept, however, the following change suggested by the United States:

Under 2, (c), replace "shall consider the" by "shall formulate the." On the other hand, he felt that paragraph 2, (e), (2), should not be modified as suggested by the United States, that is, at ~~this~~ time, it should not be specified that the agenda include questions of procedure. In his proposal, the Delegate from Denmark gave September 3, as the date of the beginning of the High Frequency Broadcasting Conference, but he would accept any earlier date which the Conference found it possible to set. Concerning the effective application of the new frequency allocation plan, he was not completely in agreement with the opinion of the Delegate from the U.S.R.R., since technical preparations, technical adjustments of antennae and transmitting stations did not permit considering the putting into effect of the new plan before two years. According to the work of Committee 6, it could be stated that making this postponement of shorter duration was quite impossible, and that the new bands assigned to high frequency broadcasting would not be available until the list was completely established and in effect.

Turning to the remarks of the representative of the United Nations, concerning the autonomy of the High Frequency Broadcasting Conference, the Delegate from Denmark felt the matter to be thorny and delicate, he would prefer to consider it only from a purely technical aspect:

"The High Frequency Broadcasting Conference can not be autonomous in every respect. It must, naturally, stay within the limits prescribed by the Telecommunication Union. If it were completely autonomous, it could allocate frequencies without consideration for other services. But it must take into account all resolutions adopted by the Telecommunication Union and must respect frequency bands and the time sharing schedule

provided for high frequency broadcasting. We should like to see the situation of high frequency broadcasting improved at an earlier date, but I see no possibility of this until wider bands are open to it. Now, according to the consensus of opinion, this will not come about before two years.

That is why we recommend that the method given in Document Nos. 200 TR-E/686 R-E be applied."

The Delegate from Egypt believed that the Assembly should limit the discussion to the three following points: the opening date of the High Frequency Broadcasting Conference, its agenda, the closing date of the Conference.

He supported the United States' view concerning the establishment of a High Frequency Broadcasting Board, but he felt that the details of the agenda should not be considered. He was happy to observe that the representative of the United Nations shared his viewpoint concerning the autonomy of the High Frequency Broadcasting Conference. All that this Conference could do, was to submit recommendations to the High Frequency Broadcasting Conference. It was his opinion that this Conference should begin August 15 in order to constitute a Credentials Committee, a Committee to propose a limited agenda and lastly, to consider proposals or recommendations of the present Assembly. The Second Plenary Meeting of the Broadcasting Conference should meet August 25 as proposed by the United States.

Mr. Meyer, member of the French Delegation to the Radio and Plenipotentiary Conferences, spoke as Chairman of the French Delegation for the third Conference, thus establishing a link between the matters raised for the first and second Conferences as well as for the third Conference.

"May I remind the Assembly," he said, "that I have three points to discuss, and the first is to determine the nature of the third Conference -- whether, in our opinion, this Conference was or was to have been a plenipotentiary or administrative conference where the representatives of states coming here would have either full powers or minimum powers authorizing them to sign one set of Regulations -- and, to support this conception, I took as my authority, the text of the telegram which the government of the United States had sent us through

the I.T.U. This telegram reads as follows:

"SCE Berne 181 A 8/5/47 15:30 Service Burinterna
to Gentel Paris --

Here follows our telegram of April 26 from the United States government which reads "For the Administrative Conference concerned with the revision of Radio Regulations, full powers are not necessary. Naturally, they will be necessary for the Plenipotentiary Conference which will establish a convention. It is assumed that many delegates to the Radio Conference will also participate in the Plenipotentiary Conference and for the latter full powers will be necessary. As for the short wave Broadcasting Conference, although the United States proposes that only one set of Regulations be prepared by this Conference, it is not certain that other governments will accept this proposal. If it were to be decided that the Act established by this Conference should be a convention, full powers would be necessary. Delegates should be qualified to sign one revised set of Regulations although full powers are not required for this."

From this fact, governments which accepted the invitation to the third Conference, have in general, I suppose, given full powers to their delegates, which is the case of the Delegate from France. Consequently, today, the question arises whether the Conference -- which I shall call Conference 3 for the sake of simplicity -- is indeed a plenipotentiary or administrative conference, whether the Delegates from participating states must have full powers or simple powers for an Administrative Conference and, at all events, whether -- and this seems much more important to me, for it is a question of substance not of form -- this third Conference shall have complete authority over its agenda. As far as we are concerned, we believed that it would be a conference of plenipotentiaries provided with full powers, although we did not attach great importance to this. For, if we come with full powers to sign a document, these powers would be all the more valid for accepting a set of Regulations, or even for accepting nothing whatsoever. What we feel to be of importance, are the conclusions which derive from this very important question of rights. Concerning the matter of the agenda which I shall take up as point 2, it would seem to be asking too much for the Plenipotentiary Conference to decide this today, as item number 1. It is stated in Document Nos. 199 TR-E/683 R-E that 17 countries have

experts at Atlantic City for the High Frequency Broadcasting Conference and that, moreover, 15 countries will send additional delegates; 31 experts are still expected, that is, they have not yet arrived. If I know how to add, 17 plus 15 = 32 and, to my knowledge, there are more than 70 nations at this Plenipotentiary Conference. Consequently, if we were to decide today the agenda of the next Conference, there would be in fact 40 countries -- even constituting a majority -- which do not intend to participate, but which would be asked to decide an agenda for a meeting which does not concern them. This would appear strange, to say the least. I shall return to this point in relation to the matter of the agenda.

I now reach the matter of the agenda; it does not seem to me that we should make any decision upon it. I believe that the Government of the United States which issued an invitation contains rather variable conditions as may be seen from the telegram which I just read, should decide now, as the inviting Government, what the nature of the third Conference should be, and at what date it should meet. For practical reasons I recognize perfectly that it is the prerogative of the inviting power to give this Conference the character it believes the Conference should have. These practical reasons are the date of the completion of work, the availability of rooms and the utilization of the General Secretariat which is at present the I.T.U., although no one has tried to ascertain whether in future the I.T.U. should organize this High Frequency Conference.

Now I come to the second item of the agenda. Even if we can accept that, for reasons of convenience of which it is the only judge, the inviting Government sets a certain date for the Conference and desires it to be of a certain nature; if, then, we limit the role and the duration of the Conference in comparison with what was originally planned, it seems to us that Conference 3 must alone have authority to determine its own definitive and detailed agenda, for only Conference 3 will be composed of true participants to the Conference, for in this Conference there are non-participants, and all participants are not here. Hence, the detailed agenda of the third Conference, even though, limited in its duration and in its own organization, should

be considered by Conference 3, which, only at that time, should take whatever document it deems advisable as a basis for its agenda. May I recall that the United States Delegation itself in Document No. 11 Rhf-E, proposed an agenda, which, in general, is satisfactory and that the United Kingdom also took up the matter of the agenda of Conference 3 (Document No. 2 Rhf-E), which indeed proves that this question falls within the competence of the third Conference?

It would be also perfectly acceptable to us that the third Conference should take as a basis of discussion the new Document Nos. 200 TR-E/686 R-E signed by Denmark and the United Kingdom, or any other similar new document, it being understood that Conference 3 should alone take the initiative as to the final decision upon its agenda.

Does this mean that we should do nothing until August 25 or September 3? I do not believe so, and here I come to the program mentioned by the Delegate of the U.S.S.R. He spoke of a Working Group preparing the third Conference. But I do not agree that this Working Group should be formed in the Plenipotentiary Conference. It should be formed in advance by the members of Conference 3 who are already here, and should accept members as soon as they arrive. This group would prepare the work and, unofficially, set up the agenda. But what we want today is that this Conference, after fixing such date and such legal status, agree that the agenda of Conference 3 be accepted by the members thereof. Next, we should accept the directives -- not the recommendations -- bearing on the principles of frequency allocation.

What I shall call my third point is the question of the international organization of broadcasting, of a central broadcasting organization. This question is predominant in all our minds, especially today, on the eve of the third conference. It has been discussed on all sides. It has been discussed in Moscow, in Paris, in informal broadcasting conferences. It is being discussed in the Radio Conference where Working Group C of Committee 3 is talking about an international and central broadcasting organization in connection with the question of the C.C.I.D. A few moments ago, the Delegation from the United States presented a proposal to refer this same question, in its opinion one of great importance, to Committee C of the Telecommunications Conference. As far as it relates

to the organization of the I.T.U. -- the underlying principles of which are now under consideration by the said Conference, we can well understand why this question of a central broadcasting organization has been brought up in Committee C. But we should not consider this a normal procedure unless the future Working Group of Committee C were here and now to be completed by qualified broadcasting representatives in the Working Group which is to prepare for the third Conference. Under these conditions, the work would be effective and efficient.

We do not believe that the Telecommunications Conference needs to spend time on the details of organizing the C.C.I.D. and, in particular, on possible groups of rapporteurs, on which discussions have already taken place.

We insist, and this will be my final point, that every question peculiar to broadcasting be discussed by Conference 3 which shall make every decision on the future central broadcasting organization, in matters not pertaining to the I.T.U. Let us not forget that, in fact, broadcasting systems have different legal status in every country. There are private, or mixed systems, and sometimes, in certain countries, both systems coexist. Under these conditions, nothing in the past has prevented, and nothing in the future will prevent broadcasting systems in all countries from making agreements on special organizations. It is self-evident, as the Danish Delegate said, that these organizations cannot deal with questions which are not consistent with the decisions of the Plenipotentiaries. It is self-evident that international organizations should not interfere with frequencies and with frequency allocations, outside the framework fixed by the Plenipotentiary Conferences which make the law.

We believe that, beginning on August 15, a Working Group of this Third Conference must be formed, and that the first Plenary Assembly must be convened on August 25 or September 3.

The Delegate from Chile observed that this Conference is in the same difficult situation as the Madrid Conference of 1932. At Madrid, one of the main difficulties was that it was impossible to satisfy adequately the new and pressing needs resulting from the rapid development of high frequency broadcasting. These difficulties were so great that the Frequency Allocation Table drawn up in Washington

was not modified in regard to these bands; in other words, the matter remained unsettled.

By the time the Cairo Conference convened, the problem had become more serious, for in 1938 there were four hundred seventy stations. The broadcasting bands were then increased but the congestion was not alleviated. Moreover, the nations did not formally bind themselves to reserve the bands allocated for high frequency broadcasting for these services only.

As the importance of these services continued to grow and as no technical standards were set up to effect an equitable allocation of frequencies, we now find ourselves with more than one thousand high frequency broadcasting stations all operating under unsatisfactory conditions because there is a real chaos in the spectrum and this situation is detrimental to all.

The Atlantic City Radio Conference, considering the imperative need of finding a solution to this grave problem proposes that the high frequency broadcasting bands between 6 and 20 Mc/s, which are generally recognized as the most effective bands for medium and long distance communication, be widened. But this wise measure would be useless if the entire problem were not solved for the same situation that arose as a result of the Cairo Conference would recur, but this time the results would lead to the complete failure of high frequency broadcasting, even in those countries which at present have very powerful stations such as, the United States, the United Kingdom, Russia, France, Argentina, Brazil and others.

We would then again have a Frequency Allocation Table which would lose its scientific basis as a result of the continuation and probably the increase in the existing chaos which would affect all the services, especially the fixed, maritime mobile, and aeronautical mobile services.

I am certain that no one wishes to assume the responsibility of such consequences.

But, even more, neither could the new Frequency List be drawn up. This means that the very backbone of radio communications systems would remain unimproved and the International Frequency Registration Board would be confronted with an unsoluble problem from the outset.

All the tremendous work accomplished at the Atlantic City Conferences would be useless since it would be im-

possible to conclude the very important agreements which have been contemplated here for adoption with the collaboration of all the nations of the world.

With this gloomy prospect before us, it is not only a necessity but also our duty to face with determination the problem of settling the future of international radiocommunications all the more since no conference has, to this date, attained this desirable goal.

In order to find the exact solution to the problem it would be advisable that the studies carried on by the High Frequency Broadcasting Conference be as extensive as the situation requires, due to their vital importance. Chile considers that it would not be wise to limit the agenda of this Conference for it is quite obvious that certain points will require some time before final clarification.

On our side, we have experience which has always proved that in order to find the only true solution we must recognize the difficulties involved in a given problem.

In consequence, it behooves the High Frequency Broadcasting Conference to examine every aspect of the complex subjects with which it is concerned for since Marconi and Popoff pointed the way towards unlimited horizons for the human race it is only now that engineering is in a position to construct equipment which is noteworthy for the accuracy and stability of frequencies, correct modulation and almost total absence of harmonics, and the technique of propagation shows great promise.

We have on hand knowledge which will enable the High Frequency Broadcasting Conference - after a well thought-out and intelligent exchange of expert opinions - to determine which problems have to be postponed in order to be solved in the light of better and fuller information.

In document No.198 TR-E, the Egyptian Delegation has suggested the solution by proposing that a Plenipotentiary Conference meet after a certain interval in order to reach complete agreement on matters which it may be necessary to hold in abeyance. In document No.200 TR-E, the United Kingdom and Denmark propose that a Conference of the same nature be convened for the same purposes.

These proposals make it possible to accord the High Frequency Broadcasting Conference sufficient latitude to reach agreements itself on the basis of the best engineering principles and in this particular, I am in agreement with the representative of the United Nations.

In any event the aforementioned Conference will have to leave certain problems or agreements to be settled once the necessary investigations have been made.

In order for the Conference proposed by Egypt, the United Kingdom and Denmark to be successful, it would be advisable to organize a Committee to compile the pertinent information gathered by the nations represented at this conference. The Committee mentioned above would make preliminary studies on the basis of these results in order to arrive at the desired draft solution. With this prime objective in mind, Chile proposes that the same International Committee which will draw up the new International Frequency List and which will be composed of the most distinguished experts from all countries, also continue at the preliminary work in order to arrive at the formulation of a rational and equitable world-wide plan for the assignment of frequencies in high frequency broadcasting bands.

The Delegate from the Vatican declared that in principle he was in agreement with the arguments and the practical conclusions that had been presented so far. As to the agenda of the Broadcasting Conference, he was of the opinion that the present Conference should limit itself to a mere formulation of directives. He was of the opinion that August 15 would be the most convenient opening date, and that if a Working Group could begin functioning immediately, much time could be gained.

The Delegate from the United Kingdom was happy to learn that the Delegation from the United States now proposed to postpone the High Frequency Broadcasting Conference, and to convene a preparatory Conference in Atlantic City. He said that this proposal, as well as the one to limit the agenda of the preparatory Conference should in no way reflect on the decision made by the United States six months ago to convene such a Conference. It was most urgent to study the high frequency broadcasting problem. If a proposal has been made to convene only a Conference with a limited agenda, it is because we are now in different circumstances.

In fact we no longer have the necessary time at our disposal to study a complete program; moreover, the new International Frequency List will only be put into effect in two years.

As to the proposal of the United States to amend the proposals of Document Nos. 200 TR-E/686 R-E, the United Kingdom agrees that the Broadcasting Conference should meet on August 25 in the event the progress in the two other Conferences permits. Meanwhile, a Working Group may be created, as proposed by the Delegation from the U.S.S.R.

As no work can be undertaken before the countries have presented the list of their stations and indicated their requirements, I propose that all countries establish as soon as possible the High Frequency requirements they need for their broadcasting. I suggest moreover, that the closing date of all the Conferences be fixed at September 28th.

The Delegation from the United States accepted these suggestions concerning the dates.

The Delegate from the United Kingdom, referring to the proposal by the Delegate from the United States to amend §2 (2) of Doc. Nos. 200 TR-E/686 R-E, also agreed to substitute for "shall study the principles," "shall formulate the principles." As to the agenda mentioned in §2, (a), (2), he preferred to maintain the present wording, as proposed by the Delegate from Denmark, but he agreed that the inclusion in the agenda of questions of procedure and methods be studied and discussed by the High Frequency Broadcasting Conference.

Last, he supported the proposal of the United States to have the Plenipotentiary Conference study the question of Broadcasting Organizations. As has been pointed out by the Chairman of the Delegation from the United States, broadcasting is an indivisible part of radiocommunications. On the other hand, he could not support the proposal of the U.S.S.R. to establish a definite assignment of high frequencies during the present Conference. Concerning the remarks made by the Delegate from France and the representative of the United Nations, the United Kingdom was of the opinion that the problem of assignment of frequencies belongs to the Radio Regulations. The High Frequency Broadcasting Conference should therefore derive its authority from the I.T.U. if it has the intention of making frequency assignments. Considering that this Plenipotentiary Conference is a supreme

organ of the I.T.U., this Delegation considers that it has all the necessary authority to make recommendations to the inviting Government of the Broadcasting Conference.

The Delegate from Cuba felt that it was possible to convene here in Atlantic City a High Frequency Broadcasting Conference. He shared the view point expressed by the Delegate of U.S.S.R. on the subject. He would therefore accept no compromise. He also believed that since the Plenipotentiary Conference is the supreme authority, it can give directives to other Conferences. Moreover, the Radio Conference should study all the preparatory problems of the High Frequency Broadcasting Conference. The Delegate from Cuba strongly supported proposal 1, of the "Important Notice", namely that the Radio Conference be convened on August 15th (or a later date, in August or September, 1947) with a complete and autonomous agenda. He said that it was for this purpose that we were invited to Atlantic City.

He asked that proposal 1 be put to the vote. If rejected, then we should begin a preparatory work within the Radio Conference which has the necessary power to submit recommendations.

The Delegate from Lebanon made a series of proposals likely to expedite the work of the Atlantic City Conferences. Moreover, he supported the proposals of Egypt and of the United States to limit the work of the High Frequency Broadcasting Conference.

The Delegation from Belgium had heard with great interest the new proposal made at the beginning of the meeting by the Honorable Delegate of the United States of America. It had already reached its opinion before the meeting of the Heads of the Delegations on August 1, and the discussions that took place during that meeting only strengthened it in its position.

We have been able to observe, he said, that the indisputable lack of preparation for the Radio Conference and the Plenipotentiary Conference, due to the undue haste in the meeting of these Conferences, has created great difficulties and serious delays in the work of these two Conferences.

Now, the High Frequency Broadcasting Conference has not been prepared at all in any practical way if one takes into consideration the very great difficulties of the problems it will have to deal with. We therefore considered long ago that it was not possible to hold at Atlantic City a High Frequency Radio Conference with a complete program.

Moreover, under the present conditions, since, practically, it is impossible to contemplate putting new frequencies into force before another three years, we therefore feel that it would be perfectly useless at present to prepare a plan for the assignment of broadcasting frequencies which would be entirely out of date when it could be applied.

However, as many experts who are especially competent in short wave matters are at present gathered in Atlantic City, the Belgium Delegation believes that it would be very desirable to discuss and to establish the basic principles which shall guide the work of a future High Frequency Broadcasting Conference to be held, for instance, at the end of 1948.

As to the dates, we would be in favor of a first Plenary Meeting on about August 25. We believe in three weeks it should be possible to end the work of this preliminary Conference, and we agree on that point with the proposal of the United Kingdom and of Denmark.

As to the declaration of the Honorable Delegate from France, I believe it necessary to make the following remarks:

It is true that according to a statement made last Saturday, 31 experts are to come to Atlantic City for the High Frequency Broadcasting Conference. But it is also true that there is a possibility these experts will not come. Moreover, it is nearly certain that the Heads of the Delegations of the High Frequency Broadcasting Conference are present here, and that they can therefore decide to cable to their countries either to have those experts come, or to stop them from coming.

We can, I believe, consider that for the great majority of countries, the Head of the Delegation of the High Frequency Broadcasting Conference is the same as for one of the other two Conferences. As far as we are concerned we believe that the High Frequency Broadcasting Conference is, in fact, and can only be considered as a Conference subordinate to the Plenipotentiary Conference. I wish to give an example: The Radio Conference wishes to create an International Frequency Registration Center. If the Plenipotentiary Conference should decide to reject the adoption of this measure - and we know very well that this will not be the case - it has full powers to do so because of its plenipotentiary character. If that is so, I see no juridical obstacle preventing the Plenipotentiary Conference, in Plenary Meeting, to limit the scope of the work of the High Frequency Broadcasting Conference.

The Delegate from Bielorussia considered it indispensable to proceed with the assignment of high frequencies, and to convene the Broadcasting Conference, provided with a complete agenda, to make collaboration possible in establishing the new frequency list. For his part, he supported

the proposal concerning the immediate formation of a working group to prepare for this Conference. As for the question of procedure, he shared the opinion expressed by the representative of the United Nations: namely, that the agenda for the Broadcasting Conference could not be set up at this point.

Since many delegations have referred to the question of the autonomy of the High Frequency Broadcasting Conference to be held here in Atlantic City, the Delegation from China deems it necessary, first and foremost for the present Plenary Session of the Plenipotentiary Conference to decide on the nature and status of the High Frequency Broadcasting Conference. The premise to such a decision is whether the High Frequency Broadcasting Conference should come under the aegis of our Union. In our opinion, it should. For, if it were not, the outcome would be new and unsurmountable chaos in the telecommunication field. And as a member of the I.T.U., it is just inconceivable that there should be any other telecommunication conference besides the I.T.U. Conferences.

If we accept this premise, which I think we would, since all of us present are members of I.T.U., then the High Frequency Broadcasting Conference should be in the nature of a Special Administrative Conference of I.T.U. The delegates of different delegations may have plenipotentiary powers from their respective governments in attending the High Frequency Broadcasting Conference but that conference can not be a Plenipotentiary Conference. There cannot be two kinds of Plenipotentiary Conferences in our Union either in a legal point of view or in a practical point of view. Just imagine what would be the outcome if after we have spent more than three months to decide upon the frequency allocations, the High Frequency Broadcasting Conference of a Plenipotentiary status should decide to work on frequencies outside the broadcasting bands which our Radio Administrative Conference have decided upon. Shall we undermine the achievements of our Radio Administrative Conference which are wrought up in a hard way?

Mr. Chairman, in order to clear up any doubt in the minds of delegations here and to facilitate further discussions, the Delegation of China now propose a resolution that the High Frequency Broadcasting Conference to be held in Atlantic City be a special Administrative Conference of the I.T.U.

The Greek Delegation agreed with the viewpoint presented by the United States, and strongly supported their plans for limiting the agenda of the Broadcasting Conference and for setting a definite date for terminating the work of the three Conferences. The Greek Delegation could not contemplate the possibility of an independent and autonomous High Frequency Broadcasting Conference and organization, without any connection with the I.T.U.

We should, he added, make it clear that we have no authority from our government to conclude any agreement concerning an organization which does not fall within the framework of the I.T.U. Every reason, whether legal or de facto, requires that the High Frequency Broadcasting Conference should depend upon the Plenipotentiary Telecommunications Conference; and these same reasons urge that a broadcasting agency, of any composition whatever, should be compulsorily dependent upon the principal body of the I.T.U., and should comply with the technical decisions made by the Radio Conference.

In short, the Greek Delegation supported the proposal of the United States as a whole.

The Delegate from Argentina wished to explain the viewpoint of his Delegation. Broadcasting, he said, was a service which depended upon telecommunications; it was intended for the general public. It was not logical, therefore, to consider the I.T.U. as an independent entity. We are of the opinion that telecommunications constitute a whole, and we consider that the I.T.U. has full jurisdiction, and every right, over broadcasting. Such being the case, the Argentine Delegation approved the position assumed by the U.S.S.R., the United States and the United Kingdom.

Furthermore, the Argentine Delegate proposed that the High Frequency Broadcasting Conference be carried out in two stages: the first Conference, of a preparatory nature, would take place in Atlantic City at the date set by the present Assembly; the second, which would complete the work of the first, would be convened by the inviting government of the present Conferences, and would meet at a date and at a place to be decided upon by the said Government.

As to the opening date of the Preparatory Conference, the speaker believed that it should be left to the inviting government to arrange, at its own convenience, for some date, between August 15 and September 15, dependent upon the progress made by the two other Conferences. At its first Plenary Session, the Preparatory Conference might appoint a committee in charge of the method for studying recommendations submitted to it, and a technical committee to deal with questions of a technical nature. The Delegate from the Argentine also approved the idea of forming a working group before the opening of this Conference, a group in charge of preparing unofficially the details pertaining to the third Conference.

The Chairman stated that several questions had been raised. First, there is the legal aspect of the problem on which there are two opposing opinions: shall the High Frequency Broadcasting Conference be a Plenipotentiary Conference, with the right to decide its agenda, or shall it be an Administrative Conference, such as the Radio Conference? In the latter case, it could receive directives from

the Plenipotentiary Conference relating to its agenda. Viewed from another legal aspect, the present Conference, after having given directives, could present recommendations to the inviting Government and to the Broadcasting Conference. China has submitted a resolution which might throw light on this question. The Chairman added that he deemed appropriate to learn the views of members present at the Meeting on the subject of the legal powers possessed by the Assembly. Moreover, he thought it necessary to be informed as to what would constitute the activities of the High Frequency Broadcasting Conference.

The Delegate from Cuba proposed that a vote be taken.

Mr. Laffay, Head of the French Delegation, made the following statement:

"I do not wish to prolong these debates, but I am convinced that we have arrived at H hour, when the competence of the various committees must be defined. I have the distinct impression that something is puzzling us. What is that something? In my opinion, it is that in each of our minds we feel the need for establishing bonds between broadcasting, which is in the process of evolution as an institution, and the I.T.U., which already exists as an institution. Hence you may conclude that the Plenipotentiary Conference, which all agree to be a sovereign organ, should be informed of the problem, and furnish directives to the third Conference. This, in my opinion, is poor reasoning. First and foremost, do not lose sight of the fact that we are here working under the auspices of the Madrid Convention, and that nothing in this Convention endows Plenipotentiary Conferences with the power to set dates, establish agendas, or to terminate the closing dates of Administrative Conferences. In our present status, complete autonomy for these different Conferences exists, and this may be easily understood. They have neither the same composition nor the same functions. How should matters be brought before the Plenipotentiary Conference? The method strikes me as being very simple. The I.T.U., and broadcasting, very obviously, have one point of common interest: the problem of frequencies. This is solved in the first stage at the Radio Conference. Then, the Broadcasting Conference is obliged to take up another problem, the assignment of frequencies, which is proper to it.

The value of Administrative Conference autonomy is a certainty. We of the Plenipotentiary Conference are not capable of deliberating on the allocations to be made by the Broadcasting Conference, except when the delegations are common to both Conferences. Nevertheless, with respect to broadcasting, this organization can be incorporated in the I.T.U., in a certain way; but it is possible that broadcasting at the same time feels the need of having its own organization to deal with its own peculiar problems, and perhaps, as well, regional or continental organizations.

There is, therefore, no present need for the Plenipotentiary Conference to outline the directives for the Broadcasting Conference, the more so since from a purely legal point of view, we have among us delegates whose powers equal our own.

Let us not become confused, let us not involve the responsibility of the Plenipotentiary Conference in a field foreign to it. Let us make no recommendations to the government of the United States. This government has called a Conference, and it has sufficient authority to postpone it or not as it sees fit, and speaking for myself, I shall not hide the fact that I am moved by reasons of courtesy to say that we have no right to recommend to a Government such as that of the United States to make such and such arrangements.

I shall say no more on this subject. The French Delegation is absolutely convinced that we need assume no responsibility in this field, that the Broadcasting Conference has sufficient power to enjoy complete autonomy, and may I add, that for the moment, the I.T.U. is not concerned.

The Delegate from Guatemala was of the opinion that the Plenipotentiary Conference had sufficient authority to decide about the fate of the High Frequency Broadcasting Conference. But, the latter should be given complete freedom of action, which does not mean that it is not to accept directives.

The Chairman, before proceeding to a vote, asked the Delegation from China to repeat its resolution. In addition, he asked the Delegation from the United States to express its views on this resolution, as well as on the recommendations which will be eventually submitted to the inviting Government.

The Delegate from China submitted the following resolution to the Assembly:

"That the High Frequency Broadcasting Conference to be held in Atlantic City be a special Administrative Conference of the I.T.U."

The Delegation from the United States was now of the opinion that the High Frequency Broadcasting Conference should be an Administrative Conference. However, it realized that the Plenipotentiary Conference, which also has the right to submit recommendations to the Inviting Government, is the one to make the decision in this matter.

The Chairman then put the resolution of China to a vote by roll call. The Delegates who were of the opinion that the present Conference had the right to give directives to the coming Broadcasting Conference were requested to vote "yes". A negative vote would mean that the power of the Plenipotentiary Conference should be limited to the giving of recommendations.

The resolution of China was accepted by 5 votes against 9. Eleven delegations were absent.

Voted for: Afghanistan; Union of South Africa and the mandated territory of South-West Africa; Argentina; Australia; Austria; Belgium; Belgian Congo and territories under mandate of Ruanda Urundi; Burma; Brazil; Canada; Chile; China; Colombia; Cuba; Denmark; Dominican Republic; Egypt; El Salvador; Ecuador; United States of America; Territories of the United States; Ethiopia; Finland; United Kingdom of Great Britain and Northern Ireland; the Colonies, Protectorates, Overseas Territories and Territories under Sovereignty or Mandate of Great Britain; Southern Rhodesia; Greece; Guatemala; Honduras; India; Iraq; Iran; Ireland; Iceland; Italy; Lebanon; Luxembourg; Mexico; Nicaragua; Norway; New Zealand; Panama; Netherlands; Netherlands Indies; Peru; Philippines; Portuguese Colonies; Siam; Sweden; Switzerland; Czechoslovakia; Turkey; Ukraine; U.S.S.R.; Uruguay; Venezuela and Yugoslavia.

Voted against: Bielorussia; Vatican City; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and Tunisia; Haiti; Monaco; Poland and Portugal.

Absent: Albania; Saudi Arabia; Bolivia; Bulgaria; Costa Rica; Hungary; Liberia; Paraguay; Roumania; Syria and Yemen.

Abstentions: none.

The Chairman then submitted to the Assembly the proposal presented by the Delegation from Cuba which is identical to proposal I mentioned in the fourth paragraph of the present minutes.

This proposal was rejected by a roll call vote, 49 votes against 11. There were 6 abstentions; 11 delegations were absent.

Voted for: Bielorussia; Canada; Colombia; Cuba; Dominican Republic; Ecuador; Mexico; Peru; Poland; U.S.S.R. and Yugoslavia.

Voted against: Afghanistan; Union of South Africa and the Mandated territory of South-West Africa; Argentina; Australia; Austria; Belgium; Belgian Congo and Territories under mandate of Ruanda Urundi; Burma; Brazil; Chile; China; Denmark; Egypt; United States of America; Territories of the United States; Ethiopia; Finland; Colonies, Protectorates and Overseas Territories under French Mandate; United Kingdom of Great Britain and Northern Ireland; Colonies, Protectorates, Overseas Territories and Territories under Sovereignty or Mandate of Great Britain; Southern Rhodesia; Greece; Honduras; India; Iraq; Iran; Ireland; Iceland; Italy; Lebanon; Luxembourg; Monaco; Nicaragua; Norway; New Zealand; Panama; Netherlands; Netherlands Indies; Philippines; Portugal; Portuguese Colonies; Siam; Sweden; Switzerland; Czechoslovakia; Turkey; Ukraine; Uruguay and Venezuela.

Abstentions: Vatican City; El Salvador; France; French Protectorates of Morocco and Tunisia; Guatemala; Haiti,

Absent: Albania; Saudi Arabia; Bolivia; Bulgaria; Costa Rica; Hungary; Liberia; Paraguay; Roumania; Syria; and Yemen.

The Chairman asked the Assembly to come to a decision on the proposal of the Delegation from the United States. This proposal was accepted by a roll call vote of 56 votes against 3. There were 7 abstentions; 11 delegations were absent.

Voted for: Afghanistan; Union of South Africa and mandated territory of Southwest Africa; Argentina; Australia; Austria; Belgium; Belgian Congo and territories under Mandate of Ruanda Urundi; Burma; Brazil; Canada; Chile; China; Denmark; Dominican Republic; Egypt; El Salvador; Ecuador; United States of America; Territories of the United States; Ethiopia; Finland; United Kingdom of Great Britain and Northern Ireland; Colonies, Protectorates, Overseas Territories and Territories under Sovereignty or Mandate of Great Britain; Southern Rhodesia; Greece; Guatemala; Haiti; Mexico; Monaco; Nicaragua; Norway; New Zealand; Netherlands; Netherlands Indies; Philippines; Portugal; Portuguese Colonies; Siam; Sweden; Switzerland; Czechoslovakia; Turkey; Ukraine; U.S.S.R.; Uruguay; Venezuela and Yugoslavia.

Voted against: Colombia; Cuba; and Peru.

Abstentions: Bielorussia; Vatican City; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and Tunisia; Panama and Poland.

Absent: Albania; Saudi Arabia; Bolivia; Bulgaria; Costa Rica; Hungary; Liberia; Paraguay; Rumania; Syria and Yemen.

The Irish Delegation proposed as the first item on the agenda of the High Frequency Broadcasting Conference the following:

"The Conference shall give thorough consideration to every decision or recommendation of the Plenipotentiary Conference as well as every recommendation of the Broadcasting Conference which may be of interest to it."

This proposal was adopted.

After a discussion in which the Delegations from Egypt, the United Kingdom and the Chairman took part, the Assembly was called upon to decide whether it wished that the opening date of the High Frequency Broadcasting Conference be fixed on August 15 or 26.

The result of the roll call vote was as follows:

41 delegations favored the date, August 15;

23 delegations, August 26;

Abstentions: 2; Absent: 11.

For August 15: Argentina; Australia; Austria; Belgian Congo and Mandated Territories of Ruanda Urundi; Bielorussia; Burma; Brazil; Canada; China; Vatican City; Denmark; Egypt; United States of America; Territories of the United States; ~~Ethiopia~~; Finland; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and Tunisia; Haiti; Iraq; Iran; Iceland; Lebanon; Luxembourg; Monaco; Norway; Netherlands Indies; Peru; Philippines; Poland; Portugal; Portuguese Colonies; Siam; Switzerland; Czechoslovakia; Ukraine; U.S.S.R.; Uruguay; Venezuela and Yugoslavia.

For August 26: Afghanistan; Union of South Africa; and the mandated territory of Southwest Africa; Chile; Dominican Republic, El Salvador, Ecuador; United Kingdom of Great Britain and Northern Ireland; Colonies, Protectorates, Overseas Territories and Territories under Sovereignty or Mandate of Great Britain; Southern Rhodesia; Greece; Guatemala; Honduras; India; Ireland; Italy; Mexico; Nicaragua; New Zealand; Panama; Netherlands; Sweden and Turkey.

Abstentions: Colombia and Cuba.

Absent: Albania; Saudi Arabia; Bolivia; Bulgaria; Costa Rica; Hungary; Liberia; Paraguay; Roumania; Syria and Yemen.

The Chairman stipulated the meeting of Heads of Delegations should take place on August 15 and the first Plenary Assembly, the opening Meeting, on August 16. It was agreed that until August 26, date

of the second Plenary Assembly, there would only be meetings of a Working Group, and that September 28 would be considered as the closing date of these Conferences.

The Delegate from the U.S.S.R. proposed that the contemplated Working Group be formed, and that it should immediately begin its work to prepare for the Broadcasting Conference. It would be composed of delegates of all the countries who desired to participate therein.

The Belgian Delegation pointed out that it would not have sufficient personnel to take part in the Working Group.

The proposal of the U.S.S.R., put to vote by roll call, was rejected by 32 votes against 20. There were 13 abstentions and 12 delegations were absent. Voting in Favor: Australia; Bielorussia; Canada; China; Vatican City; Egypt; Ethiopia; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and Tunisia; Iraq; Italy; Monaco; Poland; Portugal; Portuguese Colonies; Czechoslovakia; Ukraine; U.S.S.R. and Yugoslavia.

Voting Against: Union of South Africa and the territory under mandate of Southwest Africa; Argentina; Belgium; Burma; Brazil; Chile; Colombia; Denmark; Dominican Republic; Ecuador; United States of America; Territories of the United States; United Kingdom of Great Britain and Northern Ireland; Colonies, Protectorates, Overseas Territories and Territories under sovereignty or mandate of Great Britain; Southern Rhodesia; Greece; Honduras; India; Ireland; Iceland; Mexico; Nicaragua; Norway; New Zealand; Panama; Netherlands; Netherlands Indies; Peru; Sweden; Switzerland; Turkey and Uruguay.

Abstentions: Afghanistan; Austria; Belgian Congo and Mandated Territories of Ruanda Urundi; Cuba; El Salvador; Finland; Guatemala; Haiti; Iran; Lebanon; Philippines; Siam and Venezuela.

Absent: Albania; Saudi Arabia; Bolivia; Bulgaria; Costa Rica; Hungary; Liberia; Luxembourg; Paraguay; Rumania; Syria and Yemen.

The Chairman stated that the preparatory work would take place after the opening meeting of August 16. The Heads of Delegations would meet on August 15 at 3:30 P.M.

He reminded the meeting that during the discussion which had just taken place, the Delegate from Denmark had expressed the opinion that the proposal of the United States went into too great detail in stipulating that the agenda should contain questions of procedure and of programs, and that he felt that it was desirable to give the Broadcasting Conference complete liberty on this subject.

The Delegation from the United States accepted this viewpoint, which was ratified by the Assembly.

The Delegation from Argentina recalled that he had proposed a slight amendment to the United States proposal. We are all agreed, he said, that the High Frequency Broadcasting Conference should be subdivided into two stages: A preparatory stage and a complementary stage. The first stage will begin on August 15. We hope to arrange the second stage which will be under the jurisdiction, under the authority of the inviting government. This Government will be in charge of fixing the date and place of the next conference. Consequently two stages of the same conference are in question.

The Delegate from the United States replied that his Government would certainly be most happy to convene this second conference, but felt it advisable to postpone the decision to be made on this matter.

The Chairman was of the opinion that this question should be left to the consideration of the Broadcasting Conference.

The Argentine Delegation expressed its approval.

The Delegate from Portugal proposed to amend paragraph (b) of number 2 of the directives appearing in Document No. 200 TR-E/586 R-E, a document included in the proposal of the United States with the amendments therein included. The new wording of this paragraph would be as follows:

- (b) Will give preliminary consideration of how economy of high frequency broadcasting frequencies might be secured by different methods;

By a vote by show of hands, this amendment was rejected by 15 votes against 12.

The Delegate from Lebanon pointed out that the United States had asked that the duties of the Broadcasting Conference be limited to preparatory work. It would then be incumbent upon this same Conference before the end of its work to indicate the place and date of the next broadcasting conference.

The Chairman replied that this question would be examined by the Broadcasting Conference.

Upon request by the Delegate from the United Kingdom, the Assembly agreed to replace in paragraph (a) of number 2 of Document No. 200 TR-E/686 R-E, the words "frequency requirements" by "total frequency requirements."

Mr. Meyer (France) acknowledged that Document No. 200 TR-E/686 R-E was the document for general directives and that the Plenary Assembly of August 16 would have the right to consider suggestions filed or to be filed from now on until that date.

The Chairman replied that the Plenipotentiary Conference had given sufficiently detailed directives to the Broadcasting Conference. The latter could therefore examine proposals which fitted in the framework of these directives.

Mr. Meyer (France) asked whether all the documents already filed or to be filed would be used in as far as they were not inconsistent with those which had been then adopted.

In view of the directives amended by this Assembly, the Chairman felt that the proposals already made should be restudied, in order to permit drawing up modified proposals consistent with the directives.

Mr. Meyer (France) then agreed that the documents filed could serve again and that the delegations would have the right to make proposals for definitive agreements.

The Chairman announced that the Delegate of the Outer Mongolian Peoples Republic had requested authorization to make a statement before this Assembly.

This request was seconded by the Delegation from the U.S.S.R., and as no objection had been raised, the Chairman recognized the Delegate from the Mongolian People's Republic who read the following speech:

"Mr. Chairman, Gentlemen:

Excuse me for asking to be recognized, but I am forced to do so in view of the rapid development of communication facilities, and especially of radiocommunication, in the Mongolian People's Republic during the years of its independent existence, this Republic is highly interested in the work of all the Telecommunications, Radio and High Frequency Conferences as well as the Plenipotentiary Conference, taking place in Atlantic City. Although the last Plenary Assembly rejected, for no good reason, the request of the Mongolian People's Republic to participate in the work of the Plenipotentiary Conference, the Delegation from the Mongolian People's Republic requests the Plenary Assembly of the Plenipotentiary Conference for authorization to take part in its work at least in a consultative capacity, without vote."

In view of the lateness of the hour, the Chairman thought that it would be desirable to postpone the study of this question.

The Delegate from the Mongolian People's Republic agreed.

The meeting was adjourned at 3 o'clock.

Secretaries General:	Secretaries:	Read:
L. Mulatier	H. Egli	Chairman:
Gerald C. Gross	H. Voutaz	Charles R. Denny.

ANNEX

Note: This text sets forth an agreed schedule for and a directive to the High Frequency Broadcasting Conference of Atlantic City, as determined by the Fourth Plenary Session of the International Telecommunications Conference. The text is based on a proposal presented by the United States Delegation which incorporated a joint proposal of Denmark and the United Kingdom (Document Nos. 200 TR-E, 686 R-E) with amendments proposed by the Delegation of Egypt, Ireland, and other delegations.

1. The High Frequency Broadcasting Conference to be held in Atlantic City is an administrative conference of the International Telecommunications Union. It shall give full consideration to decisions and recommendations of the International Telecommunications Conference and the International Radio Conference on matters relating to the work of the High Frequency Broadcasting Conference.

2. The High Frequency Broadcasting Conference shall convene with an opening Plenary Session on August 16, 1947, following a meeting of Heads of Delegations to such Conference, on August 15, 1947. At this opening Plenary Session, the Conference shall create a Credentials Committee and a Working Group. The Working Group shall, between August 16 and August 26, plan the work of the High Frequency Broadcasting Conference of Atlantic City, and shall present to the Second Plenary Session of such Conference to be held on August 26, 1947, proposals for a limited agenda within the framework of the directive below, together with proposals for committee structure and related preliminary matters.

3. The High Frequency Broadcasting Conference of Atlantic City shall devote itself primarily to the formulation of engineering principles which would underlie a frequency plan to be prepared in the future, and shall plan in detail the agenda and preparations for the next High Frequency Broadcasting Conference. Matters relating to High Frequency Broadcasting organization should be considered by the Atlantic City International Telecommunications Conference, instead of being initially considered by the Atlantic City High Frequency Broadcasting Conference.

4. Specifically, the Atlantic City High Frequency Broadcasting Conference shall:

- (a) give preliminary consideration to the total frequency requirements of all countries for high frequency broadcasting services in relation to the bands which will become available under the Atlantic City frequency allocation plan for high frequency broadcasting;
- (b) give preliminary consideration to the question of how economy of high frequency broadcasting frequencies might be secured by the use of radio relays and wire lines in association with local broadcasting networks, or by the use of recordings;
- (c) formulate the broad engineering principles on which a new frequency assignment plan for high frequency broadcasting services should be based;
- (d) consider the question of preparing a draft frequency assignment plan for use as a working basis by the next International High Frequency Broadcasting Conference;
- (e) in the light of the conclusions reached in respect of (a) to (d) above,
 - (1) determine what action should be taken in advance of the next International Broadcasting Conference;
 - (2) draw up an agenda for that Conference;
 - (3) establish the date and place of that Conference;

5. High frequency broadcasting proposals already distributed by the Conference Secretariat shall be considered by the High Frequency Broadcasting Conference only to the extent that they deal with matters coming within the framework of the foregoing directive to the High Frequency Broadcasting Conference. Outstanding proposals should be revised so as to present only those matters coming within such framework.

6. The High Frequency Broadcasting Conference of Atlantic City shall not remain in session beyond September 28, 1947, which has been fixed as the final date on which departures from Atlantic City may be planned by all delegations to the Atlantic City Telecommunications Conferences.

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9 August 1947

Minutes of the Fifth Plenary Meeting
August 8, 1947

The meeting was called to order at 9:15 P.M., by Mr. Charles R. Denny, Chairman.

The Chairman announced that this Plenary Meeting had been called to study the recommendations of Committee D (Document 227 TR-E) on the subject of the Draft Agreement to be used as the basis of the negotiations that will take place between the I.T.U. and the United Nations.

The Chairman proposed that the Assembly agree to examine paragraph by paragraph, the provisions of the Draft Agreement prepared by that Committee.

Preamble.

The South African Delegate raised a question as to whether a passage had not been omitted from the Preamble. He understood that following the phrase "in consideration of the," the following should have been inserted: "obligations incumbent on the United Nations in accordance with the...."

The Delegate of the United States stated that the Committee had deliberately omitted the phrase as unnecessary.

The Delegate from South Africa had no objection to this, but pointed out that in view of the elimination, the text of the preamble should be corrected by adding the underlined words:

"and in consideration of the provisions of Article 15
of the Charter of the United Nations."

Without objection the change was approved.

There were no comments with respect to Article I.

With respect to Article II, the Canadian Delegation believed that the question of the I.T.U. - U.N. Agreement and the question of membership in the Union are inseparably bound together.

"You will recall," the Delegate said, "that at the Congress of the Universal Postal Union, recently held in Paris, the clause on membership was dropped from the original draft agreement. The United Nations, however, only accepted the deletion of this Article after they were given specific assurances that suitable provisions on membership would be included in the Postal Convention, and the United Nations' approval of the Agreement was conditional on such provisions being included in the Convention. It is therefore extremely unlikely that the United Nations would accept the present Agreement with I.T.U. in which there is no clause on membership, unless they were given similar assurances on this point.

The Canadian Delegation feels very strongly that the question of membership should be dealt with by suitable provisions either in the present agreement or in the International Telecommunications Convention itself.

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If a suitable article on membership is not included in the present Agreement with the United Nations, the only alternative solution which would be acceptable to the Canadian Delegation would be that specific conditions be made in the Convention that new membership be determined as follows:

1. New membership, not necessarily including the right to vote, should, upon application, be conferred upon the following:
 - (a) All members of the United Nations.
 - (b) Non-members of the United Nations admitted by a two-thirds vote.
2. The right to vote should only be granted to members who have complete control over their telecommunication services.
3. Membership should not be granted to states who have been specifically banned from membership in a specialized agency by a vote of censure of the United Nations General Assembly.

The Canadian Delegation feels very strongly that either a clause on membership in the present Agreement, or suitable provisions in the Convention should be adopted by this Conference. Moreover, since the question of membership is integrally bound to the agreement with the United Nations, the Canadian Delegation will not be able to give its final approval to this Agreement until such time as a decision has been taken to embody its alternative proposal in the I.T.U. Convention."

The Canadian Delegation wished to have its statement inserted in the minutes.

The Chairman stated that it would be done.

In connection with Article III, paragraph I, the Delegate from Belgium made the following statement:

"I have spoken in Committee D of all the deep sympathy of Belgium for the United Nations, which is not purely in word but on the contrary in deed as the role of Belgium in the United Nations will demonstrate as well as the fact that its present Prime Minister, Mr. Paul Henri Spaak is the first Chairman of the General Assembly.

But in regard to the I.T.U., the position of Belgium is based upon the primary consideration that our Union is an essentially technical and administrative body and that, as a result, international politics must continue to be excluded from its discussions.

Belgium is favorable to our Union being connected with the United Nations, but under the formal stipulation that the complete independence of the Union should be maintained.

The I.T.U. is an organization which has existed for 80 years and has given brilliant proof of its ability; it is of primary interest to all countries and must be preserved from any schisms.

With these considerations in mind, the Delegation from Belgium, in Committee D, expressed its opposition to the presence of representatives of the United Nations in the purely technical bodies of the Union, the International Frequency Registration Board and the various International Consultative Committees.

Let it be well understood; it is in this case, a question of representatives of the United Nations in the capacity of an international political organization.

But if, as is very probable, the Conference should decide to consider the United Nations, from another point of view, as the operator of a telecommunications network, we should, of course, agree to admit "the United Nations operator" on the same footing as the other operators.

I realize that the Working Group has been careful to say that the United Nations might be invited ... but we are well aware that this "possibility" will speedily become a custom.

There is one point especially which we consider extremely dangerous. It is the fact that the proposed text permits inviting the United Nations to the International Consultative Committees "and to other meetings."

This clearly opens the door to the intrusion of the United Nations in the Administrative Council, that is to say, in the very management of the Union.

The Delegation from Australia has submitted to the Working Group a text which allowed the admission of the United Nations to the Administrative Council.

This text was not adopted, but it became evident from the discussion that the possibility of an invitation to the United Nations by the Administrative Council was contemplated.

I repeat that this means the danger of the intrusion of international politics in our Union and the danger of causing schisms in our organization.

I should like, Mr. Chairman, to ask the Plenary Assembly to discuss this question."

The Delegate from India, speaking in his capacity as Chairman of Subcommittee D, said he did not believe that the apprehensions of the Belgian Delegate were entirely justified, and that he thought he could say that the majority of the committee members shared his viewpoint. He called attention to the fact that the directives suggested by Committee D stipulated that the Negotiating Committee shall make every effort to obtain guarantees of independent status for the I.T.U. similar to those obtained by the U.P.U. in its negotiations with the U.N. As a matter of fact, it was perfectly apparent from the minutes of the negotiations which took place between the U.P.U. and the United Nations that the latter recognized the complete autonomy of the U.P.U. as a specialized agency. It might, perhaps, be possible to obtain a similar assurance in this case if the Plenary Assembly deemed it advisable. "It is our intention to use to the utmost all that the United Nations and their agencies have to offer to increase the efficiency of the I.T.U. In return, we should put at their disposal all the documents and all our resources which may be of service or of interest to them. What we are seeking is full collaboration. As for the danger foreseen by the Belgian Delegate in the fact that the United Nations may be invited to attend meetings of the International Consultative Committees and other meetings convened by the Union, the Chairman of Committee D thinks that this question is left to the discretion of the Union itself. It is, furthermore, a matter of reciprocity."

The Chairman said he hoped that the minutes of this session would fully reflect the opinions expressed both by the Delegate from Belgium and by the Chairman of Committee D, to the satisfaction of the Delegate from Belgium.

The Assembly approved.

The Delegate from South Africa said he shared some of the apprehensions expressed by the Belgian Delegation. He pointed out that the exclusion of Spain from this conference, for instance, had been caused by political reasons, influenced by the rulings of the United Nations. Now, this exclusion might give rise to serious consequences for telecommunication services when the time came to apply the new provisions of the Convention and the Regulations.

Thus, in agreement with the Belgian delegation, the Delegate from South Africa thought that the Committee entrusted with negotiations should endeavor to maintain the technical independence of the I.T.U. In conclusion, he proposed that the Delegate from Belgium, who had made himself the ardent champion of our independence, should be nominated to take part in the Negotiating Committee.

The Chairman announced that the statement which has just been made would be entered in the minutes, so that the Negotiating Committee might be officially informed thereon.

The proposal for including Belgium in the Negotiating Committee would be examined shortly.

Articles IV, V, and VI did not arouse any comment.

Article VII

The Delegate from Canada made the following statement:

"The Canadian Delegation believes that for members of the United Nations there should be no conflict between the obligations of the United Nations Charter and other obligations into which these countries may have entered. There should not be conflict between a country as a member of the United Nations and the same country as a member of the I.T.U. I would therefore suggest that paragraph 1 of Article 7 be amended in such a way that

the two sets of obligations would be read as one. This could be accomplished by inserting after the word 'provisions' in line 3 of paragraph 1, the words 'of the Charter of the United Nations' so that the paragraph would read as follows:

"The Union agrees to co-operate with, and to give assistance to, the principal and subsidiary organs of the United Nations so far as is consistent with the provisions of the Charter of the United Nations and of the International Telecommunications Convention and without prejudice to the sovereign position of individual members of the Union who are not members of the United Nations."

Paragraph 2 of this Article clearly recognizes that for members of the United Nations in cases of conflict between the obligations under the Charter and the obligations under the Convention, the obligation under the Charter shall prevail. In order therefore, that paragraph 1 shall be consistent with paragraph 2 it is essential that the first paragraph be amended in such a way that obligations under the Charter and obligations under the Convention be read as one.

In case there should be any objection to the Canadian amendment on the ground that it would affect the position of the members of the I.T.U. who are not members of the U.N., I should like to point out that their position is amply safeguarded by the phrase at the end of paragraph 1, which reads, "without prejudice to the sovereign position of individual members of the Union who are not members of the U.N.O." While the Canadian Delegation will abide by the position of this assembly on this question, we would strongly urge that paragraph 1 be amended to make the obligations of the Charter and the obligations of the Convention read as one."

The Delegate from Uruguay spoke as follows:

"In order to clarify the scope of Article VII of the draft agreement, the Delegation from Uruguay proposed to insert in the final portion a detailed reference to Article 41 of the Charter of the United Nations, expressing the paragraph in the following words:

"As far as members of the United Nations are concerned, the Union acknowledges that, in conformity with the provisions of the Article 103 of the Charter, no provision of the International Telecommunications Conference Convention or of the agreements related thereto can be invoked to be a bar to or to limit in any way whatsoever the fulfillment by any State of its obligations towards the United Nations, or the adoption of the measures to which reference is made in Article 41 of the Charter."

Article VII of the draft agreement acknowledges that, as far as members of the United Nations are concerned, their obligations to the Charter prevail over those of the Telecommunications Convention, and that the latter cannot prevent the execution of the provisions of the Charter.

Uruguay, as a member of both organizations, wishes to make its situation in the future clear in regard to the fulfillment of her obligations on a question as important as the coercive and preventative action provided in Article 41, which should be clearly defined by a reference to this precise text. It must not be subject to a general provision such as that set forth in Article VII, which could raise problems of interpretation based on the legal nature of the provisions of the Charter as to its primary authority in relation to the International Telecommunications Convention.

In substance, we desire to avoid that in future, if a member of the U.N. calls upon the Security Council for a possible decision by virtue of the provisions of Article 41, against another State which is not party to the U.N., the latter cannot appeal to the provisions of the Convention to demand the application thereof.

It is only for the purpose of clarifying Article VII on so delicate a point that we take the liberty of suggesting this addition to the text of this article and that we ask the Chair to submit it to the consideration of the Assembly."

The Delegate from Lebanon said that he preferred the text as submitted, without the proposed amendments.

The Delegate from India, in his capacity as Chairman of Subcommittee of Committee D, reported that his Subcommittee had not deemed it expedient to insert a reference to the Charter of the United Nations, as the Delegate from Canada had proposed, inasmuch as no mention thereof is made in the corresponding article in the draft agreement between the U.P.U. and the U.N., which served as a basis for the work of the Subcommittee.

The Delegate from Argentina supported the Chairman of the Subcommittee by pointing out that the said Subcommittee had felt that, in general, it was unnecessary to refer to the Charter of the United Nations, because all the obligations of the Union, as an international body were determined by its own Convention.

The Chairman put the amendment proposed by the Canadian Delegation to a vote by a show of hands.

The amendment was rejected.

The Delegate from Belgium stated that he could not accept the amendment proposed by the Delegation from Uruguay; which had already encountered almost unanimous opposition by the Committee. Mention of Article 41 of the United Nations Charter would furnish grounds for the belief that it was desirable to call particular attention to this article of a political nature; this would constitute a danger for the Union.

The Delegations from Argentina, the United States and the United Kingdom concurred in thinking that any reference in this article to the United Nations Charter was superfluous.

Put to a vote, the amendment proposed by Uruguay was rejected by a show of hands.

Article VIII. The Belgian Delegate was anxious to explain to the Plenary Assembly his reasons for requesting, in the Committee meeting, the addition of the words:

"... taking into account the specific conditions of their employment, in particular the location of their functions." In fact, he said, without this addition, Article VIII could mean that the United Nations Organization, whose seat is in the United States, and the Telecommunications Union, whose seat could be, as up to now, in Switzerland, should pay the same salaries to officials who are living under different economic conditions. Now, this was certainly not the idea of those who drafted this article. On the other hand, it is also possible, and even probable, that in the two organizations there may be employment of a quite different nature, for which a corresponding scale of salaries cannot be found.

The Chairman stated that these remarks would also be entered in the minutes.

Articles IX to XVII were adopted without remarks.

The Chairman stated that the draft agreement was adopted and that at present the members of the Negotiating Committee should be nominated. He gave the list of countries recommended by Committee D, to which Belgium would be added, in accordance with the proposal of South Africa, supported by the Egyptian Delegation.

Mr. Cortell, Head of the Belgian Delegation, wished to express his sincere thanks to the Delegates from South Africa and Egypt for the proposal which concerned him and for the compliments addressed to him. However, as the Belgian Delegation had only two members attending the Conference, he would not be able to leave to take part in the negotiations which were to take place at Lake Success. He proposed nominating in his stead Mr. Arboleda, Head of the Colombian Delegation, who took a very active part in Committee D when the draft agreement was studied.

This proposal was supported by the Delegations from Cuba and Argentina, and the Assembly approved this choice.

Colombia would therefore take part in the Negotiating Committee.

The Delegate from Colombia expressed thanks for the honour conferred upon his Delegation, and said he would endeavour to fulfill his task to the best of his ability.

The Chairman informed the Assembly that the directives recommended by Committee D had now to be approved (Document 227 TR-E, number 4).

The Delegate from the Vatican wished to draw attention to three points:

1. In our Union, no distinction shall be made between members and non-members of the United Nations;
2. The conditions laid down by the United Nations for membership in our Union cannot require the exclusion of members now parties to the Convention; they must bear exclusively upon the admission of new members. Article VII establishes the obligations of the present members of the Union;
3. The relationship between the I.T.U. and the U.N. must be such that the obligations of the U.N. cannot be imposed upon members of the I.T.U. who are not members of the former body.

The Delegate from the Vatican stressed the fact that his comments did not at all mean that he did not realize the duty to society incumbent on the United Nations. His only concern was to safeguard the non-political character of the Union and to ensure for the Vatican the possibility of being a member of the Union while avoiding any political rivalry.

The Chairman thanked the Delegate from the Vatican for his statement which would be mentioned in the minutes.

He believed that the draft agreement just approved took into account the views stated by the Delegate from the Vatican, since Article VII likewise said that the Union agreed to collaborate "as far as is consistent with the provisions of the Convention, without prejudice to the sovereign position of members of the Union who are not members of the United Nations."

Furthermore, a recommendation had been made to the Plenary Session that the Negotiating Committee be instructed to "make every possible effort with a view to maintenance of the clause: ... without prejudice to the sovereign rights of individual members of the Union who are not members of the United Nations Organization."

The Chairman added: "If, contrary to all expectations, agreement on this passage proved impossible, the Negotiating Committee would see that the report on this point was entered in the minutes of the negotiations."

The Delegate from Belgium pointed out that under a) of number 4 the Negotiating Committee was instructed to obtain for the I.T.U. guarantees of independent status similar to the guarantees obtained by the U.P.U. The word "similar" seemed too vague to him. Telecommunications are more important than the postal service from an international and political standpoint. He proposed replacing the word "similar" by the words "at least equivalent." Furthermore, he recalled that, at the last meeting of Committee D, he had pointed out that the Union should retain full independence, especially in regard to rates, and that the Committee had agreed to insert a recommendation to this effect. This meant that the negotiators should try to obtain all the desired guarantees so that this matter might remain under the exclusive jurisdiction of the I.T.U.

The Delegate from Lebanon deemed it unnecessary to add a recommendation of this nature, as the United Nations had never asked to take part in technical meetings nor did they wish to interfere in questions of rates. The United Nations only wished economic and social collaboration with the Union. Consequently he requested that the Chairman make a recommendation to the negotiators to hold no discussions on questions which had not been raised by the United Nations.

The Delegate from Argentina made the following statement:

"To guarantee the unity of action necessary to the Negotiating Committee, with reference to the United Nations, the Delegation from Argentina proposed the following procedure to reconcile any possible differences of opinion which might arise in connection with the terms of the draft or the scope of the instructions received:

"That such differences of opinion be submitted to study by the Plenary Assembly, the supreme organ of the Union."

The Chairman thought that everyone was agreed that the Negotiating Committee should have full jurisdiction to draw up the agreement under the directives received, but that it was likewise understood that the Committee would be entirely free to come before the Plenary Assembly again, if it deemed proper.

In regard to the second proposal of the Delegation from Belgium to insert a clause d) in the directives on the question of rates, the Delegates from Egypt, supported by the Delegate from the United Kingdom, was of the opinion that it would be sufficient to mention it in the minutes.

The Chairman then submitted to the vote by a show of hands the first proposal of the Delegation from Belgium, namely, replacing the word "similar" by the words "at least equivalent" under a) of number 4.

This proposal was adopted.

The Delegate from Belgium, after explaining again the reason for his fear of interference on the part of the U.N. or its specialized agencies in questions of I.T.U. rate-fixing, said that he agreed, in any case, to the suggestion of the Delegate from Egypt that the matter should be entered in the minutes.

The Delegate from Ireland wishing to reinforce the provision in the second paragraph of b) under number 4, proposed the following wording:

If, however, agreement on the maintenance of this passage proved impossible, the Negotiating Committee should press for a satisfactory alternative provision, and, in any case, make sure that the report of the discussions on this point be entered in the minutes of these negotiations.

Seconded by the Delegation from the United States, this proposal was adopted by a show of hands.

The directive recommended in Document 227 TR as amended, was approved by the Session.

The Chairman asked the delegations represented on the Negotiating Committee to name the persons who would take part in the negotiations.

The list of these delegates appears below:

Chairman: Sir Harold Shoobert (India);

Members: Dr. Mayo (Argentina, Mr. Mohamed Shoucry Hussein Bey Abaza* (Egypt); Mr. Jacques Meyer (France); Mr. Leon O'Broin (Ireland); Dr. Victor Neff (Switzerland); Mr. Nikelai Nikitin (U.S.S.R.); Mr. Harold W.A. Freese-Pennefather (United Kingdom); Mr. Harvey B. Otterman (United States of America); Colonel Milans (Uruguay); Mr. Carlos E. Arboleda (Colombia).

The Chairman proposed that, inasmuch as it was a question of a special mission of the Union, travelling expenses and actual expenses of subsistence of the members of the negotiating committee be reimbursed by the Bureau of the Union. It was estimated that the negotiation would be in progress for two days.

The Assembly concurred.

MISCELLANEOUS

The Chairman, after observing that the agenda had been covered, wished to submit a few minor matters to the consideration of the Assembly. First to be considered was the case of Curacao and Surinam. The question had been raised by Dr. van der Veen, Head of the Netherlands Indies Delegation. The Credentials Committee had not examined the credentials of Curacao and Surinam, because these countries were not enumerated in the list of Article 18 of the Internal Regulations of this Conference. The Head of the Netherlands Indies Delegation had suggested that Curacao and Surinam should be grouped together in this list with the Netherlands, in the two Conferences. This should not affect in any way voting rights, as a single vote could be assigned to the group: "Netherlands, Curacao and Surinam."

* Or an alternate,

Dr. van der Veen explained that if this procedure were admitted, the Credentials Committee could then examine the credentials of Curaçao and Surinam, who have long been members of the Union.

He said: "It is my understanding that the United States of America in its capacity as host country to the conference in inviting the members of the Union consulted only what Mr. Colt de Wolf in our first plenary session called "the parent countries," instead of all the members of the Union individually. On page 19 of document 57 TR we find the list F of members who were not directly consulted, but from whom or on whose behalf nevertheless replies were received. This list contains the names of Surinam and Curaçao. This is correct. Both territories in the American zone are members in good standing of the I.T.U. The territory of Surinam since 1925 and the territory of Curaçao even since 1910.

The Credentials Committee did not consider it within its terms of reference to examine the credentials of any member of the Union not included in the list of article 18 of the Internal Regulations. This article deals primarily with the voting rights of the members. At Madrid it had been agreed that certain countries, including the Netherlands, would receive one vote for the parent country and one or more for territories maintaining close ties with the parent country. In order to demonstrate the complete autonomy of its overseas territories, as laid down in the revised Constitution of the Netherlands of 1922, this country renounced its own use of this second vote in favor of the largest of its overseas territories, that is in favor of the Netherlands Indies. This, however, does not mean that the other two overseas territories of Surinam and of Curaçao had ceased to be members of the I.T.U., nor does it mean that they do not desire to have a voice in the proceedings of this conference.

At the present stage of our deliberations I do not think it would be advisable to make any statements on the voting rights of the members of the Union at future conferences. This question is connected with the future organization of the I.T.U. which will be decided upon at a later stage of our work. But I think it appropriate that the validity of the representation of Surinam and Curaçao should be established and that their names should be removed from annex 4 of document 107 TR. Neither the credentials of the Netherlands delegates, nor those of the Netherlands Indies delegation cover their representation. Conceding that at Madrid it was agreed that two votes only would be available to this group of four countries who in the very near future will be completely independent, except possibly for common ties to the Crown, I should like to suggest that for this Plenipotentiary Conference, as well as for the Radio Conference, and without prejudice to future arrangements, the names be added to the lists in the Internal Regulations in the following manner.

In article 18 of the Internal Regulations after "58. Netherlands" should be added, "and Surinam and Curaçao." This last addition could also be made after "59. Netherlands" in article

19 of the Internal Regulations of the Radio Conference. I understand that this is agreeable to the head of the Netherlands delegation. It would enable the Credentials Committee to examine the papers submitted for the territories mentioned. Since, however, the conditions prevailing in the Netherlands differ substantially from those prevailing in Surinam and Curaçao, especially with regard to the work in which the Radio Conference is engaged, this change does not mean that the delegations have been merged.

This procedure does not alter the voting structure of the two conferences, while it does recognize that two members in good standing of the I.T.U. can participate in the deliberations. I trust, therefore, that this procedure will be acceptable to you and to the conferences."

The Delegation from the Netherlands pointed out that its own credentials had been issued on the basis of the Madrid Convention and extended only over the Metropolitan area. Separate credentials had been established for Curaçao and Surinam. As far as the signature of Acts was concerned, the two delegations could affix it under the title of "Netherlands, Curaçao and Surinam."

On being consulted, the Assembly raised no objection. The lists of countries appearing in Article 19 of the Internal Regulations of the Radio Conference and in Article 18 of the Telecommunications Conference would be completed by replacing the wording "Netherlands" by "Netherlands, Curaçao and Surinam."

Another question raised by the Chair was the coordination of the work of Committee 3 of the Radio Conference and the work of Committee C of the Telecommunications Conference, on items relating to the future organization of the Union. As you know, said the Chairman, Committee 3 must examine various articles of the Radio Regulations which deal with the I.F.R.B., the C.C.I.R. and other bodies. The Telecommunications Conference is also interested in the questions of structure being studied by Committee C, which especially concerns the financial aspect. To facilitate coordination and to expedite the work, the Chairman suggested the following procedure: Committee 3, each time it has completed its work concerning a specified body, shall immediately submit the text of such organization to Committee C. Committee C will examine the texts and give priority to those which concern the I.F.R.B., which are particularly urgent and will be delivered by Committee 3 towards August 16th. When Committee C will in turn have completed its work, it will send the texts to the Drafting Committee of the Radio Conference, which will prepare them for a first reading in the Plenary Session of the said Conference. If Committee C deems advisable, it will come to an agreement with Committee 3. Finally, the Plenary Assembly of the Radio Conference will incorporate the texts in the Radio Regulations, and a Plenary Assembly of the Telecommunications Conference will examine the question of principle. A common Plenary Assembly might even be contemplated. Such a procedure would be applied to texts relating to the C.C.I.R.

The Chairman of Committee C said he felt this procedure to be judicious and entirely satisfactory. He was delighted to be able to announce that the important matter of the organization of the I.F.R.B. had already been taken under consideration by Committee C along lines similar to those followed by the Radio Conference. The above mentioned committee was agreed on the principle of the organization of the I.F.R.B. and it did not therefore appear necessary that a second Plenary Session make as detailed a study of the statutes of the I.F.R.B. as the Radio Conference had done.

The case of the C.C.I.R. was somewhat more complex, for the consensus of opinion seemed to be that all the Consultative Committees be organized on similar lines. It will therefore be advisable that Committee C examine in greater detail the questions pertaining to the C.C.I.R.

The Chairman thanked the Committee.

The Delegation from the United Kingdom concurred in the opinion of the two preceding speakers, and asked that the contemplated procedure be applied also to all similar questions with respect to organizational matters. The Chairman agreed.

The Secretary General then read a letter from the Hungarian Delegation, dated August 2, 1947, as follows:

"Mr. Chairman,

The three-year economic plan for final reconstruction of Hungary, which is being put into effect by the Hungarian Government, was initiated on August 1st. The Hungarian Delegation to the International Telecommunications Conferences at Atlantic City is also scheduled to participate in this reconstruction work in the field of Hungarian postal and telecommunications services, and will therefore be obliged to return to its country before the close of these Conferences.

Under these circumstances, on the basis of the provisions of § 2 of Article 18 of the Internal Regulations, I have the honour to inform you that with the consent of Mr. Krapka, Head of the Czechoslovak Delegation, I have authorized the Czechoslovak Delegation to vote by proxy for the Hungarian Delegation during the remainder of the International Radio and Telecommunications Conferences now being held in Atlantic City.

I should like to point out that this authorization does not relate to the signing of the Acts resulting from the deliberations of the Conferences.

At the same time, I take the liberty of informing you that the Hungarian Delegation most regretfully resigns from the Vice-Chairmanship of the Drafting Committee, which post was entrusted to it by the Plenary Assembly of the Plenipotentiary Conference. The Hungarian Delegation wishes to repeat that it is extremely grateful for the honour accorded its country by this assignment.

I take this opportunity to ask you, Mr. Chairman, to be good enough to handle the affairs of Hungary with consideration in the absence of its Delegation, which is forced to leave before the close of the Conference.

Thanking you most sincerely on behalf of my Delegation for the splendid reception and kind hospitality accorded to us, I beg to remain

Very sincerely yours,

O. Udvarhelyi
Director General of Posts
Head of the Hungarian Delegation
at the International Tele-
communications Conferences
at Atlantic City."

On behalf of the Conference the Chairman thanked the Hungarian Delegation for its participation in the Atlantic City Conference, and said that all the Delegations regretted the departure of the Delegation of this country. He said that he understood that the Acts would be signed on behalf of Hungary by the diplomatic representative of that country in the United States. Further, he asked for nominations for the vice-chairmanship now left vacant,

Mr. Laffay, Chairman of the Drafting Committee, suggested Czechoslovakia for this post.

The Head of the Czechoslovakian Delegation expressed his thanks but said he would have to decline the honour, because the Czechoslovakian Delegation comprised only three members, all of whom are exceedingly engrossed in their work.

The Egyptian Delegation then suggested Lebanon.

The Delegate from Lebanon, expressed his thanks, but said that he too was obliged to decline the honour, because he is the sole representative from Lebanon at this Conference.

Upon a proposal by the Delegation from the United States, the Delegation from the Argentine Republic consented to fill the post, and appointed Dr. Mayo as the new Vice-Chairman of the Drafting Committee.

The Chairman expressed his appreciation.

Proceeding to the question of the return of the Delegates to their respective countries, the Chair reminded the meeting that forms had been distributed a short time before for the convenience of delegates who might desire assistance, for example, in making reservations. Those interested and who had not yet filled out this form were requested to do so and to return them not later than August 12.

The Delegate from Lebanon expressed his apprehension with regard to the final closing date of the Conferences. He insisted that signing take place not later than September 15, as had been scheduled. Further, he said, in his opinion, that Chairmen of the different committees should be requested to expedite their work.

The Chairman said that he had already appealed to all concerned to do their utmost in this respect. He renewed his recommendations, asking the Delegates to be as brief as possible in their speeches in order that the Acts might be effectively signed on September 15.

The Head of the Belgian Delegation pointed out that certain Delegations were having difficulty in obtaining their exit visas.

The Chairman stated that Mr. Reginald Johnson would be at the disposal of the Delegates here in Atlantic City next week in order to facilitate their exit formalities.

The meeting was adjourned at 11:35 a.m.

Secretaries:

E. RUSILLON

A. AUBERSON

P. OULEVEY

H. VOUTAZ

The Secretary General

L. MULATIER

Gerald C. Gross

APPROVED Charles R Denny
Chairman

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 232 TR-E

August 9, 1947

Committee C

R E P O R T
of the Subcommittee on
Finances and Personnel
COMMITTEE C

5th Meeting
August 8, 1947

The Chairman, Mr. Abaza called the meeting to order
at 11:45 a.m.

The final draft proposal to be submitted to Committee C, which referred to the creation of a World Telecommunications Bank, was read. This draft proposal, which carried an account of comments made by members of the Subcommittee at its 4th meeting, was unanimously adopted.

The Chairman suggested that general discussion be resumed on the division of expenses of the Union among its members.

The Delegate from Chile had computed, for the year 1946, the percentages of the expenses of the Union borne by its various members according to the classes in which they were listed. The results of his calculations were as follows:

	Telegraph and telephone division	Radiocommuni- cations division
1st class.....	2.98.....	2.55
2nd class.....	2.38.....	2.04
3rd class.....	1.79.....	1.53
4th class.....	1.19.....	1.02
5th class.....	0.60.....	0.51
6th class.....	0.36.....	0.31

The Delegate from Belgium called to mind the fact that he had suggested substituting a method of classification based upon certain criteria, in place of the present system calling for free choice in the matter of classification by the various countries. Such criteria may be discovered among the statistics of the Bureau of the Union.

A series of grades of limited memberships might be adopted, if the criterion method were adopted. For example: one unit of such and such a value, 2 units of such and such a value, etc.....

The Delegate from Greece believed that any criteria which might be contemplated would be debatable.

He did not consider it advantageous for the Union, which has wide experience, to abandon its present procedure in order to adopt a system of percentages which would have to be established by each Plenipotentiary Conference, similar to those in use by the I.C.A.O. and the U.N. Furthermore, in the particular case of Greece, contribution percentages were actually as follows: the I.C.A.O.: 1.04; the Telegraph and Telephone Division of I.T.U.: 1.19; the Radiocommunications Division, 0.51. The system employed by the I.C.A.O. was, if anything, less favorable than that practiced by the Union. He considered it necessary to list a scale of contributions in the Convention, so that each member might know his indebtedness to the Union. On the other hand, because of the expected increase in expenses, it was necessary to increase the ratio between the lowest and the highest contribution, so that smaller countries might become eligible for membership. That was why Greece, in its proposal 155 TR (Document No. 55 TR-E), called for 8 classes, ranging from 1 to 30 units.

The Delegate from the United Kingdom agreed with the Delegate from Greece that registration of classes should continue to be included in the Convention. He did not consider comparison between the systems employed by the I.C.A.O. and the Union entirely logical. The system of the Union was an old one and had always worked well while that of the I.C.A.O. was of recent date, and appeared likely to entail considerable discussion and difficulty. Moreover, it would lead to more frequent apportionment. As to the number of classes, the Delegate announced his preference for 7, as is the case in the U.P.U., with contributions of smaller countries decreased.

The Director of the Bureau of the Union called the attention of the delegates to the report of April 5, 1947 of the I.C.A.O., which stated that the unit system appeared to be preferable to that of percentage, since it established a permanent link among the members which need not be broken every time there was a change in the number of members. Moreover, in a resolution of December 14, 1946, the United Nations had declared that, in view of the fact that the apportionment system appeared preferable to the percentage system, it became necessary to study the advantages and disadvantages of both methods.

The Delegate from India accepted the unit system as preferable to that of percentages; but he was concerned that, by leaving countries free to make their own choice in the matter of classification, unfair apportionment might result. Some countries have been known to change their classifications suddenly, without any material increase in telecommunications.

He believed that it would be advisable to adopt bases permitting the determination of the class of each country. Only Plenipotentiary Conferences could modify the classification. He therefore proposed a more thorough study of the proposal of Belgium.

The Delegate from France pointed out two questions:

- 1) Should classes be inscribed in the Convention, and if so, how many?
- 2) Under what conditions are the countries classified?

With reference to the first question, France suggested the inclusion of seven classes. An eighth class might be considered in case the Conference established associate members.

The Chairman remarked that the written proposals, with the exception of the proposal of Chile, were in favor of maintaining classes. On the other hand, the United States had amended its proposal, and had suggested that the contributions be fixed by the Plenary Assembly. The Chairman asked the Delegate from the United States whether he maintained his amendment.

The Delegate from the United States feared that the present system would lead to difficulties because of the increase of expenses on the part of the countries who wished to change their classification. Such changes which should be limited to one class, would cause an increase in expenses of other countries. The Delegate wanted a more flexible system which would permit the Plenary Assembly to effect an apportionment which would take into consideration, for instance, that certain countries had suffered more than others as a result of the war.

The Chairman referred again to the two questions of the Delegate of France which corresponded to the procedure considered by the Chairman at the end of the last meeting. A decision in favor of maintaining the classes would not prevent the Plenary Assembly from classifying certain countries in such categories as would tend to lighten their expenses, but this was a point which related to the second question. Let us first answer the first question: Do we or do we not propose the inscription of classes in the convention?

The Delegate from Italy pointed out that the system of percentages could not be put into operation until all the participating countries were known - that was one result. Similarly, the value of the unit was a result which evidently depended on the sum total to be paid, as well as the number of countries in each class. If some members changed classes and were registered in a lower class, the value of the unit would increase, which was purely a matter of mathematics. Italy, in conformity with its proposal 41 TR, was in favor of seven classes.

The Delegate from China wished to maintain a system of classes and add another class with a view to giving an advantage to the smaller countries.

The Chairman proposed that the following comment be included in the report of the meeting: "The advocates of the two theories aim essentially at lightening the financial burdens of the small countries."

The Subcommittee approved.

The Chairman asked the Delegates from the United States and Chile whether they were still opposed to the inscription of classes in the Convention.

The Delegate from the United States thought this difficult to answer because it seemed to him that the usefulness of this insertion was dependent on many elements and particularly on whether or not there would be a free distribution of countries among the various classes.

The Delegate from Chile was of the opinion that the system of classes would be dangerous. He gave the extreme example of a case where out of 75 countries only one would register in the first class, and 74 others in the last class.

The Delegate from Greece objected on the ground that one should never lose sight of the probability of each eventuality. As a rule, each country has the ambition to be included in the highest possible class, and therefore the example given by the Delegate from Chile did not seem conclusive to him.

The Chairman proposed that the Subcommittee adopt provisionally the principle of inscription of classes in the Convention. A further discussion would deal with the number of classes, and whether inscription in such classes would be free or not. The principle of inscription of classes in the Convention could be taken up again later, if necessary.

This proposal, supported by the Delegate from China, was adopted.

The Delegate from Canada submitted to the Delegates for consideration the following suggestion with a view to alleviating the burden of countries in difficult financial conditions, namely: One country could belong to several classes.

The meeting was closed at 1:15 p.m.

The Rapporteur:
H. Lacroze

The Chairman:
/s/S. H. Abaza

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August 9, 1947

Committee C

R E P O R T
of the Organization Committee of the Union
(Committee C)

8th Meeting, August 1st 1947.

1. The meeting was called to order at 3:30 p.m. under the Chairmanship of Mr. Alexander Fortoushenko (Soviet Union).

The Committee approved the agenda of the Meeting (Doc. No. 186 TR-E)..

2. Study of the Report of the 5th Meeting (Doc. No. 155 TR-E)

The Delegate from India pointed out that his statement which appeared under Item 3 of the Report had not been correctly presented. He read a text which would be published as a correction of Doc. No. 155 TR-E.

The Delegate from the United States of America pointed out that on page 2, § 3 of the English text there was an error in translation which should be corrected.

With these reservations, the report of the Fifth Meeting was adopted.

3. The Committee then proceeded to the second item on the agenda: "Study and approval of the terms of reference for the Working Group on the question of membership in the Union."

The Chairman pointed out that the question had been postponed at the request of the Delegate from the United Kingdom, and he asked that Delegate to explain his present point of view.

4. The Delegate from the United Kingdom stated that the various Delegations had had time to consider the different opinions expressed at the previous meeting, and that he was prepared to discuss the terms of reference for the Working Group.

He was under the impression that a general, if not unanimous agreement had now been reached on the principle supported by the United States of America, the Soviet Union and his own country in the matter of membership. This principle could be stated as follows: "Membership with the right to vote should be reserved to those countries generally recognized as sovereign and independent in their foreign relations." It would suffice to include this in the terms of reference for the Working Group.

The Delegation from the United Kingdom asserted that the Delegate from France was mistaken in claiming that the proposals contained in Document No. 9 TR-E would cause a schism in the Union. It pointed out that it is not reasonable to say that there would be a schism if the original list of members were slightly modified. There have always been members with the right to vote and members without vote. Moreover, under the terms of the Madrid Convention, each Conference had the right to name the countries which would or would not have the right to vote; to speak of a schism, was a distortion of the truth. It should be noted that the United Kingdom is a great colonial power, and it was only after thorough studies and mature consideration that it had decided to lay down the principle that membership with the right to vote be reserved for countries which were independent in their foreign relations.

The application of this principle might raise some difficulties insofar as the present members are concerned. In the case of new members, the question is less difficult; two criteria were proposed:

-That of the Soviet Union based on the idea of sovereignty, the application of which would be a delicate matter;

-That of the United States of America and of the United Kingdom based merely upon a vote of admission by a two-thirds majority, the application of which is very easy.

Therefore, the United Kingdom felt that the method which it proposed was preferable. However, it agreed to entrust the Working Group with the choice between the two criteria with the understanding that the Group would not deviate from the principle laid down that, the right of vote should be reserved only for countries which were independent in their foreign relations.

5. Reverting to the question of the original list of members with the right to vote, the Delegate from the United Kingdom asserted that he understood the opinion of several Delegations which did not wish to take away the right to vote - even for a relatively short period of time - from "more countries than it is possible to avoid without infringing on the principle" he had just stated. The United Kingdom had carefully studied the possibility of enlarging the list of the countries mentioned in Document No. 9 TR-E, while still respecting this principle. The principle could be applied with a certain flexibility: thus it was quite possible to accept in the list of members having a right to vote "some countries which will probably be independent in their foreign relations by the time the new Convention enters in force." However, it was a delicate question, and it would be preferable to discuss it thoroughly before the Committee before referring it to the Working Group.

For the time being, the United Kingdom believed that two countries could be added to the list in Document No. 9 TR-E: Burma and the Netherlands Indies. This list should therefore be completed accordingly. He did not exclude the possibility of supplementary additions, if these additions were considered logical in relation to the principle in question, to which the United Kingdom strongly adhered.

6. The Delegate from the United States of America supported the statement of the Delegate from the United Kingdom. In addition he stressed the point that here were two great colonial powers - the United States of America and the United Kingdom - which were ready to give up their colonial votes in favor of the principle which had just been advocated.

7. The Delegate from France asked that the question of the original list of members with the right to vote be first discussed in the Working Group.

8. The Delegate from the French Colonies wished to point out to the Committee that if the proposal of the United Kingdom, supported by the United States of America, were adopted, the territories of Overseas France would, in practice, be deprived of any representation in the I.T.U. The United Kingdom proposed to add the Netherlands Indies and Burma to the list of members with the right to vote because it was possible to foresee that these countries would be independent by the time that the new Convention came into force. It was not known what territories of the French Union would be independent at that time. However, it is known that these territories were united with the Mother Country, France, and that if they were deprived of their votes, they would not be represented before they enjoyed political independence. Under such conditions, there could be no doubt that the functioning of telecommunications might suffer.

9. The Chairman suggested deciding on the procedure to be followed in discussing this question of the composition of the Union.

After an indecisive vote by raising of hands, roll call vote was taken.

By 30 votes against 20 (20 absent, 5 abstentions), the Committee decided to adopt the procedure proposed by the United Kingdom:

a) The question of the original list of members of the Union would be discussed in the Committee;

b) The study of the conditions to be required from new members would be entrusted to the Working Group which would make a report to the Plenary Committee.

The terms of reference of the Working Group had still to be fixed.

10. The Chairman reminded the committee that there were four proposals for these terms of reference. (Documents Nos. 140 to 143 TR-E)

A long debate followed in which the Delegates from the Belgian Congo, Cuba, Egypt, Guatemala, and the United Kingdom took part.

Finally, the Committee decided to adopt as terms of reference for the Working Group § 8 b) and c) of the proposal of the Soviet Union. (Doc. No. 141 TR-E) completed by the:

- a) Items 2 and 4 of the proposal of Guatemala (Doc. No. 143 TR-E);
- b) The proposal of Cuba (Doc. No. 142 TR-E) amended to include references both to the Madrid Convention and to the Moscow draft;
- c) A provision proposed by the Delegate from Egypt that the Working Group take into consideration the case of Member Countries, which would, in the future, be divided into two independent and separate countries.

During the discussions, the Delegate from the United Kingdom acknowledged that the text proposed by the Soviet Union included, in fact, the principle that new voting members of the Union must be countries generally recognized as independent in their foreign relations.

11. In regard to the study of the original list of Member Countries of the Union, a study which, as has just been decided, must be continued by the Committee itself, the Chairman proposed the following procedure: all delegations wishing to submit a list should transmit their proposals to the Chairman as soon as possible.

Adopted.

12. The committee then turned to the third item on the agenda: "Study of the terms of reference for the Working Group on the question of the structure of the Union in accordance with the list of questions appearing in Doc. No. 189 TR-E."

The Chairman stated that long discussions had already been held on the structure of the Union, and that all the Delegations seemed sufficiently informed on this subject. He therefore proposed that the Committee should give concrete directives to the Working Group, adopting a definite position on the questions enumerated in Doc. No. 189 TR-E. The simplest and clearest procedure would be to put the different questions successively to the vote.

Adopted.

13. Item 1 of Document No. 189 TR-E (interval between plenipotentiary conferences).

After a short discussion in which the Delegates from China, Egypt, Greece, and Portugal took part, the Committee replied in the affirmative to the following question:

"Is it agreed that the Plenipotentiary Conference should meet once every five years?"

During the discussion it was specified:

- a) That this was only a question of a decision of principle subject to subsequent revision;
- b) That the Working Group itself would study the future purposes of the Plenipotentiary Conferences.

14. Item 2 of Document No. 189 TR-E. (Simultaneous Convocation of Administrative and Plenipotentiary Conferences).

The Delegate from Belgium felt that the text was somewhat inflexible. It was quite possible that the Plenipotentiary and Administrative Conferences could not meet at the same time and in the same place. Moreover, he pointed out that there might be some objections to bringing an Administrative Conference to a close before or at the same time as the end of the Plenipotentiary Conference. As an example, he noted that if this system had been applied, the present Radio Conference would be based on the Madrid Convention and not on the decisions of the Plenipotentiary Conference of Atlantic City. Hence, it could neither modify the structure of the C.C.I.R. nor create the C.I.E.F.

The Delegate from the Netherlands supported this viewpoint.

The Delegate from Italy also agreed on this point and proposed including in the text the expression "in general" which would give greater latitude.

The Delegate from the United States of America suggested the word "normally."

The Delegate from Guatemala felt that a distinction should be drawn between ordinary-or normal-conferences and extraordinary conferences. Provision might be made for plenipotentiary conferences every five years and for administrative conferences, in the same place and at the same date. But, in addition, provision should be made for the possibility of conveying:

- a) Extraordinary plenipotentiary conferences when at least 20 members requested it;
- b) Extraordinary administrative conferences when at least 20 members agreed to fix the date and the place thereof.

In this manner the texts would be sufficiently flexible to meet all situations.

The Delegate from Cuba thought that the method adopted for the Atlantic City Conferences was very satisfactory.

The Committee therefore replied in the affirmative to item 2 drafted as follows:

"Is it agreed that, normally, administrative conferences be convened at the same time and in the same place as plenipotentiary conferences with a view to the revision of the corresponding regulations?"

It was agreed that the Working Group would take into account the opinions just expressed on this subject, especially in regard to extraordinary conferences. Furthermore, as the Delegate from the Belgian Congo suggested, at the close of the discussion, the Working Group was asked to consider whether there might not be some physical impossibility in convening the plenipotentiary conference and three administrative conferences simultaneously.

15. Item 3 of Document No. 189 TR-E (Creation of an Administrative Council).

The Chairman asked if there were any general remarks to be made on this particularly important item.

16. The Delegate from China made the following statement:

"The Delegation from China was one of the advocates of the establishment of an Administrative Council in our Union during the Moscow Conference. However, it has no prejudice. We have listened very carefully to all arguments, pro and con, regarding this subject in the present conference. We concur with many delegates here who warned us all that the organization of our Union must not be top-heavy in order to be economical. We also noticed during our previous meeting the main arguments against the set-up of an Administrative Council. These arguments can be summarized as follows:

- 1) There is no need of any Administrative Council;
- 2) As the Plenipotentiary Conference has the supreme power, no Administrative Council can replace it;
- 3) The Administrative Council will overlap the present Bureau; and
- 4) The present Bureau did good work.

During the last few days, we have had occasion to reconsider the desirability of the set-up of an Administrative Council in the light of opposing views. Here are briefly some of our viewpoints.

Firstly, to clarify, we can see no provision either in Moscow Document or in any proposal with regard to the authority of the Administrative Council envisaged that will encroach upon the supreme power of the Plenipotentiary Conference. The Plenipotentiary Conference shall delegate to the Administrative Council such authority as it deems fit and necessary to carry on efficiently the work of the Union between Conferences, and the Administrative Council shall act accordingly, and no more. We, in the present Conference, are free to define such authority in the new convention.

Secondly, it is also clear in the Moscow Documents and various proposals that the Administrative Council as envisaged will replace the present Bureau instead of co-existing with it. There can be no overlapping. In this, we are by no means undervaluing the good work of the present Bureau. Many delegations, including those that strongly advocate the Administrative Council, spoke very lightly of the present Bureau. We all recognize that the

present Bureau has done its best under the provisions of the Madrid Convention. And perhaps, we all agree that our Bureau could have accomplished more, had the Madrid Convention delegated more power to it.

Now, here is the point. In order that our Union may function more efficiently to cope with the ever-increasing complexities of International Telecommunications, we need a Bureau empowered with more authority and charged with more responsibility. To this end, we think, we can not go very far, if the Bureau should be organized on the present basis. We need more representation in the organization and we need more democratic spirit in it. That is why we need some such organization as an Administrative Council with many member-states elected and represented in it.

"Mr. Chairman, I apologize for being somewhat lengthy in my statement. But my statement will be incomplete if I leave out one point. I refer to the question of economy. The establishment of an Administrative Council will necessarily improve additional expenditures on our Union. Nevertheless, such additional expenditures will not be as excessive as they may appear to us. We have to have some constantly working unit such as the present Bureau and pay for it. We can still limit the size of such a working unit, making it as small as consistent with its task. The salaries of most representatives of the member-states of the Administrative Council can be paid by their respective governments, as suggested in various proposals. If we keep in sight of what can be accomplished for our Union by the establishment of a strong and powerful Administrative Council, we believe that the additional expenditures incurred will be insignificant."

17. The Delegate from Portugal reminded the Committee that he had twice expressed his doubts of the usefulness of the Administrative Council. He did not oppose this idea in principle, but he wanted some explanations. However, until now, no delegation replied to the arguments which he had presented. He repeated them:

1. The Administrative Council did not seem warranted by its functions: these functions were limited, and the Council would meet only once a year.

2. The Continuity of the Union was insured through the Consultative Committees; and the C.C.I.F., especially, had demonstrated how active these Committees could be in the intervals between Conferences.

3. In case of disturbances in international politics, the Administrative Council, as head of the Union, would be prevented from functioning; hence all activities of the Union would be suspended.

He added two further arguments:

4. The accounts of the Union were at present audited from day to day by the Swiss Government, and, a posteriori, by the Conferences. The Administrative Council, in its annual meeting, could only make a very cursory audit of the past budget and approve the future budget. In this case there would be no checking of accounts from day to day. This would constitute a great hiatus, because reliable documents, verified by the Swiss government would not be available as they were at the present time.

Under these conditions, it would be necessary either to maintain the status quo, in which case an Administrative Council would not be needed; or it would be necessary to create an Administrative Council, but with a Bureau as provided by the Moscow draft.

5. A similar question was raised at the Twelfth Congress of the Universal Postal Union. After discussion, it was finally decided:

- a) to retain the original text of article 24, paragraph 1 which provided that "a central bureau operating in Berne, under the name of Bureau of the Universal Postal Union, and placed under the high surveillance of the Swiss Government shall serve as a liaison organ...etc."

- b) To create an Executive and Liaison Committee entrusted with the task of studying improvements to be made in the International Postal Services, and technical questions of all types which may be of interest to the U.P.U.; moreover, this Committee shall prepare proposals to be submitted to future Congresses.

Hence, the role of the Executive and Liaison Committee would be important, but this would be the case because there were no Consultative Committees in the U.P.U.

In the case of the I.T.U., the situation is completely different, and the Portuguese Delegation continued to believe that the Administrative Council as now contemplated, was not necessary.

18. The Chairman suggested ending the general discussion and putting the question to the vote to decide whether or not an Administrative Council should be created

This was approved by all the Delegates.

The Committee therefore proceeded to a vote by roll call on the question:

"Is it necessary to create an Administrative Council composed of 15 members?"

The result of the vote was as follows:

Yes:	33
No:	14
Abstentions:	4
Absent:	21

The Chairman pointed out that more than a two-thirds majority had expressed its decision in favor of the creation of an Administrative Council.

19. The Delegate from Greece pointed out that all the Delegations had not agreed on the figure 15 and suggested that fixing the number of members should be left to the discretion of the Working Group.

The Delegate from the Netherlands supported this suggestion by referring to the discussions to which fixing the number of members of the I.F.R.B. by the Radio Conference gave rise.

The Delegate from Argentina proposed the number 12, because its divisibility made it convenient in fixing the quorum for different types of voting.

Finally, the Committee agreed that the question should be left to the initiative of the Working Group, the figure 15 being given merely as a guide.

It was further decided that the Working Group should study in detail the powers of the Administrative Council.

20. Item 4 of Document 189 TR-E (Creation of the I.F.R.B.)

The Chairman stated that it was indispensable that the Plenipotentiary Conference approve the creation of the I.F.R.B., the statutes were being prepared by the Radio Conference.

The Committee, without discussion, approved the principle of the creation of this organization.

Under these conditions the Working Group must provide for setting up the I.F.R.B. in accordance with the statutes drawn up by the Radio Conference.

The Delegate from Egypt put the following question: "When the Working Group has made a decision, will it send its draft to the Subcommittee of Finances and Personnel to enable the Subcommittee evaluate the financial implications."

The Chairman proposed ending the work for the day.

The meeting was adjourned at 6:20 p.m.

Rapporteurs:

The Chairman:

J. PERSIN

A. FORTOUSHENKO

B. YOUROVSKI

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 234 TR-E
August 10, 1947

Committee C

INFORMAL BROADCASTING
CONFERENCE
PARIS, 1946

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Resume
presented by the Head of the Delegation
of the French Government at the informal
Broadcasting Conference
Paris

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195 TR-E

INFORMAL BROADCASTING CONFERENCE

Paris 1946

(Hotel Matignon, 28 and 29 October)

R e s u m e

- I. An informal conference of representatives of the Governments of the United States, Great-Britain, U.S.S.R. and France, who had attended the preliminary telecommunication conference at Moscow, was held at the Hotel Matignon on the 28th and 29th of October 1946. The conference was opened by an address delivered by Mr. Robert RICHET, Under Secretary of State at the Presidency of Council, in charge of information.
- II. Three sessions were held. By common agreement Mr. Francis Colt de Wolf, Chief of the US delegation, was appointed Chairman of the conference.
- III. In accordance with the Moscow recommendations the conference was chiefly concerned with the examination of the role on a world basis of world and regional broadcasting organizations whatever their present status. The conference was attended by the President of the International Broadcasting Organization recently created at Brussels.
- IV. The conference expressed the unanimous opinion that matters pertaining to high frequency broadcasting, whether of technical, cultural or legal nature, should be coordinated on a world scale.
- V. On the other hand it appeared that questions concerning long and medium wave broadcasting might be dealt with by regional organizations operating on a continental or on a partly continental basis.

VI. The United-States, French and USSR Delegations considered that a World high-frequency broadcasting organization should be studied at the Conference on high-frequency broadcasting which is to follow the Plenipotentiary Conference of the International Telecommunications Union. The British Delegation considered that the Plenipotentiary Conference should first be seized of the question. The British Delegation also expressed the view that on technical questions the responsibility of the proposed high-frequency broadcasting organization should be to the International Telecommunications Union, and on non-technical questions to the appropriate organ of the United Nations. On the other hand, the United States, French and USSR Delegations expressed the view that the proposed world high-frequency broadcasting organization should be concerned with the technical, cultural and legal aspects of high-frequency broadcasting.

VII. It was also suggested that the existing regional organizations should be invited to attend the various international conferences, in accordance with the usual procedure of international telecommunication meetings.

VIII. Meanwhile, and in order to save time, governments and regional organizations interested may study the question of a world high frequency broadcasting organization.

IX. The conference expressed the opinion that the conclusions of the sessions should be published by the Bureau of the International Telecommunications Union (U.I.T.). The French Delegation undertake to forward the documents to the Bureau.

August 10, 1947

Committee C

United States of America
Summary
of High Frequency Broadcasting Regulations

Introduction

196 TR-E

The number of high frequency broadcasting transmitters has increased at an unprecedented and unforeseen rate since the Cairo Conference of 1938. This increase, due to the expanded wartime use of broadcasting, came at a time when the other radio services were also expanding. In the United States the number of high frequency transmitters tripled between 1942 and 1945.

The amount of frequency space allocated at Cairo for broadcasting in the high frequency bands in no way provides for the increased number of high frequency broadcasting stations. The International Radio Conference scheduled to be held at Rome in 1942, which presumably would have adjusted the problem of derogation, was never held on account of the war. The number of derogations in the operation of high frequency transmitters increased by leaps and bounds.

The main purpose of the international telecommunications conferences is to bring order out of the chaos now existing in the frequency spectrum, and to provide the plans for the optimum use of allocated bands by the respective services.

The definition proposed by the United States for high frequency broadcasting is as follows:

"High frequency broadcasting is the broadcasting service carried on in those bands between 3 and 30 Mc.

which are allocated exclusively to the broadcasting service".

Tropical Broadcasting

The special problem of that portion of tropical broadcasting operating within shared bands is not included within the scope of the attached High Frequency Broadcasting Regulations. The United States, not having a tropical broadcasting problem, did not undertake to include in its frequency allocation proposals any space for that service. It did include in its radio proposals the following statement:

"Since the United States has no requirement for tropical broadcasting, it has not included a specific provision for this service in its table of frequency allocations. Recognizing, however, that certain countries have repeatedly expressed a need for this service for domestic broadcasting, particularly in the American Region, it is recommended that the appropriate committee of the Conference consider the proposals of the delegations concerned with this problem in the light of their essential needs with the objective that the necessary stations be given suitable frequency assignments shared with other services within that portion of the spectrum between 3,000 kc and 5,000 kc on a sound technical basis which will avoid mutual interference between the broadcasting service and the other services concerned".

The United States is sympathetic to the needs of those states which by reason of climatic and geographic conditions require broadcasting in high frequency bands for their own localized services and is prepared to assist them to whatever extent may be appropriate and feasible.

Need for High Frequency Plan

For other types of broadcasting in the high frequency bands between 3 and 30 Mc, the United States recognizes that there are both theoretical and practical viewpoints involved.

The interest of the majority of nations of the world in high frequency broadcasting depends upon the extent to which they desire to make known their fundamental concepts of government and the measures which they deem essential to the preservation of world peace.

It is to be assumed that some nations will propose an augmented frequency allocation on the part of the International Radio Administrative Conference in order that the requirements of all may be satisfied. Other nations may not be interested in world-wide broadcasting, but only in transmissions to specific areas or regions of the world.

Theoretically, the United States believes that high frequency broadcasting should be designed fundamentally for the free flow of information, in order to insure an adequate and accurate understanding among the peoples of the world.

When other states join in accepting this concept of public service, the United States will be prepared to implement this policy. However, as long as other nations use the instrumentality of high frequency broadcasting for nationalistic purposes, the United States must necessarily follow suit and make known its way of life and its foreign policy.

Conflict in the use of frequencies must be prevented and a definite plan, fair to all, must be adopted. The maximum limits will have been set by the International Radio Conference before the High Frequency Broadcasting Administrative Conference convenes. The method of distribution of those frequencies, their use and regulation, is for the High Frequency Broadcasting Administrative Conference to decide. Upon the wisdom of its decision and the unanimity of its support by the nations of the world depends the future of high frequency broadcasting.

The first step in that regulation must relate to the best possible use of the frequency space made available. This involves the highest quality of engineering. It demands the most exacting of engineering standards. Consequently, the United States proposals recognize three classes of transmitters. They are:

Class A - For long-distance coverage, mainly inter-continental, with a minimum of transmitter power of 200 kW peak and with a directional antenna with certain minimum requirements.

Class B - Medium distance, mainly continental, with a minimum transmitter power of 200 kW peak with no minimum antenna requirements of gain or directivity.

Class C - Short distance, mainly local, with a maximum transmitter power of 40 kW peak and no minimum antenna requirements.

There appear to be too many broadcasting stations operating between 2 and 26 megacycles. It is estimated that if each of the existing transmitters were assigned frequencies ideal for broadcasting purposes throughout the world, from one-third to one-half of the spectrum within those limits would be required. This would entail a serious limitation upon the important services of direct point-to-point, aeronautical, maritime mobile and amateur, to say nothing of other services which are making increasing and well-substantiated demands upon the spectrum. Consequently, it is imperative that the High Frequency Broadcasting Administrative Conference find some means of reducing the total number of active transmitters in the world (The United States is prepared to reduce its number), of reducing the number of hours of operation of each transmitter (the United States is willing to negotiate an equitable plan for this reduction), of operating transmitters simultaneously on the same frequency wherever possible (a project which the United States will be glad to join) and of reducing the band width of emission (the United States is prepared to discuss a 9 kc channeling plan). Acceptance by the United States of any or all of these suggestions is, of course, predicated upon their acceptance by the other states..

The number of broadcasting stations which can be accommodated within a given frequency space is dependent upon the extent to which that space is utilized. Therefore, planned utilization is necessary, and minimum service standards must be established and observed. There is no disposition to limit any state in the proper use of the available frequencies. It is imperative that those frequencies shall be used continually, as their technical characteristics permit, and that no element of this important resource shall remain idle or inadequately applied. Therefore, one of the basic principles laid down in the United States proposals is that the right to continued occupancy of a frequency will depend upon its utilization and that if a frequency is not adequately used, its assignment shall be considered void and it shall be available for re-assignment elsewhere.

The urgent need for a frequency sharing plan is recognized in § 1 of Article 15 of the United States Proposals for the High Frequency Broadcasting Regulations which reads as follows:

"The States party to these Regulations agree that for high frequency broadcasting to continue to function, a world-wide frequency assignment plan embracing certain basic principles, including standards of good engineering, time-sharing, minimum service requirements, and the most effective use of frequencies in accordance with the terms of their assignment, must be promulgated and put into practice".

Need for Organization

The formulation of an effective high frequency broadcasting plan from the technical standpoint is only slightly more important than the organizational function by which the plan is maintained and operated. The effort to effectuate such a plan would be of little value if there were no means of coordination and regulation by a disinterested group -- disinterested, that is, so far as national aspirations or rivalries are concerned.

It is accordingly proposed that there be set up a High Frequency Broadcasting Board composed of three Directors, all of different nationalities, elected by quadrennial high frequency broadcasting conferences and qualified for candidacy by technical or practical experience in the broadcasting art, who shall serve as custodians of an international public trust and not as representatives of their respective states. Such a Board shall make continuing studies to determine the efficacy of the frequency assignment plan, with the concurrence of the states directly affected, propose and put into effect necessary changes therein, insure the adequate use of frequencies, appropriately study and analyze high frequency monitoring reports and propose standards of good engineering practice. On the non-technical side, the Board shall conduct research looking toward the free flow of information by high frequency broadcasting, disseminate information about programs (having nothing, however, to do with program content), facilitate the exchange of programs and propose an international code of ethics for high frequency broadcasting. These are the outstanding functions of the Board.

The most important of the technical functions would be to make the frequency assignment plan work. Frequent adjustments in the plan will be necessary, particularly with regard to the frequencies used in different seasons of the year.

While the Board would not have any power to make changes in the plan except with the concurrence of the states directly affected, it would nevertheless need to give constant attention to the way in which the plan was working and propose adjustments to the interested states when necessary. In the event of major obstacles to effecting such adjustments, the Board would propose to the Administrative Council of the International Telecommunications Union the convening of an Administrative High Frequency Broadcasting Conference of limited agenda for that purpose. The Board might also serve as a medium for requests to use specific frequencies for special occasions and should be able, through the information made available to it, to grant special requests under such circumstances.

The other technical functions proposed for the Board are self-evident. They consist in large part of gathering information and making studies for the purpose of encouraging the adoption of standards and practices which will result in more effective transmission and reception of high frequency broadcasts. It would do this either in the form of proposals to the Administrative High Frequency Broadcasting Conference or through publications prepared under its direction.

The non-technical functions are designed to facilitate the use of high frequency broadcasting as a medium for the exchange of information and programs. The Board would serve as a center for making arrangements for the exchange of broadcasts and program material. Although these functions are new to the I.T.U., it is nevertheless considered that they can best be dealt with by the same body concerned with technical high frequency broadcast problems.

Some of the non-technical functions are closely related to the work of other international organizations, notably U.N.E.S.C.O. and U.N. This is particularly true of the proposal that the Board conduct research and studies on measures to facilitate the free flow of information. However, both U.N.E.S.C.O. and U.N. (through its Subcommittee on the Freedom of Information) will be concerned with the general aspects of freedom of information. The Administrative Broadcasting Conference and the Board would be concerned only with the unique aspects of this question as applied to high frequency broadcasting. Moreover, a knowledge of the technical problems involved is important in dealing with this kind of question, which has many ramifications.

Some of the Board's functions are administrative in character. Others are to direct studies and research with a view to making proposals for action by member governments, which would in most instances consider such proposals at the Broadcasting Conference. The Board would thus be a focal center and a spark plug for initiating consideration of all high frequency broadcasting problems.

The proposal that the Board consist of three directors whose salaries would be included in the expenses of the Board is based on the concept that it should be independent of any national government. Likewise, the functions assigned to the Board are such that it must have more authority than the Secretariat of the I.T.U. The size of the Board has been limited primarily for budgetary reasons. A large part of its work will consist of directing and reviewing the work of the staff which will serve it.

General Principles

The right of free expression is a fundamental precept of American democracy. The First Amendment to the Constitution of the United States guarantees the right of free expression to our people, and the history of the United States is marked by efforts to secure this right to all peoples of the world. The first of Wilson's Fourteen Points provided for freedom of expression. The first of Roosevelt's Four Freedoms proclaimed in his message to Congress in January 1941, called for "freedom of speech and expression -- everywhere in the world".

Freedom of information, as an element of post-war international policy, has come more and more to be taken for granted. The major political parties included freedom of information in their 1944 platforms. In a concurrent Resolution introduced by the Chairman of the Foreign Relations Committee of the Senate and passed in 1944, the Congress expressed its belief in "the world-wide right of interchange of news. . . . without discrimination" and added that "this right should be protected by international compact".

The United States has further emphasized its interest in world-wide freedom of information through its adherence to U.N.E.S.C.O., whose charter and program call for the removal of barriers to the free flow of information; by its activities in connection with the Commission on Human Rights; by its enthusiastic participation in the work of the U.N. Sub-

Commission on Freedom of Information and the Press; and by its support in the U.N. Assembly of the Philippine Resolution calling for a U.N. Conference on Freedom of Information.

The term "Freedom of Information" refers essentially to freedom of speech and of the press, extended to all media of mass communication, including radio and films, and projected on an international basis. As interpreted in practice by the Department of State it involves two concepts: (1) the removal of barriers to the free flow of information within and between countries; (2) the affirmative stimulation of cultural interchange between countries.

CHAPTER IV of the proposed HF BROADCASTING REGULATIONS provides both for the removal of barriers to the free flow of HF broadcasts and for an affirmative stimulation of cultural interchange between countries.

Freedom to listen to the high frequency broadcasts is recognized in § 2 of Article 10. The principle of the interchange of news, information and entertainment among the peoples of the world by means of radio is affirmed in § 1 of Article 10. Promoting the exchange of broadcasts, of manuscripts and other radio material is called for in Articles 11 and 12, while Articles 13 and 14 provide for exchange of personnel and the use of collateral media to build audiences.

Standards of Good Engineering

In preparing any plan for the equitable sharing of frequencies (or time on frequencies) among the nations of the world consideration must be given to certain basic economies. Safeguards must be established to insure that usable frequencies will not be allowed to stand idle during any part of the day when they could be effectively utilized.

Conversely, safeguards must be established to insure that frequencies will not be employed under conditions when they can not be effectively utilized. Any such ineffective utilization is not only waste, but what is more important, the ineffective use of a frequency may impair the legitimate use of other frequencies by other nations.

In establishing the above-mentioned safeguards, the problem can be attacked in two ways, i.e.; from the standpoint of the transmitter and from the standpoint of the receiver.

In the attached draft Regulations the United States proposes standards of good engineering practice and also proposes certain minimum service standards which include both angles of attack on the problem.

The proposed articles on standards of good engineering and minimum service are not intended to be complete, but are suggested as starting points for the proposed High Frequency Broadcasting Board in following its directive to work up proposals on these subjects and submit them to the High Frequency Broadcasting Conferences.

Conferences

The high frequency broadcasting art is not static. The demands for more programming and for the development of its facilities for service are constantly increasing in scope and urgency. Consequently, it is proposed that once every four years there shall be held an International High Frequency Broadcasting Conference. If 15 or more members so propose, a new time and place for an Administrative Conference may be fixed consistent with the majority view expressed by the members. However, to meet urgent requirements which may arise between quadrennial conferences, administrative conferences with limited agenda may be convened for the consideration of a limited number of urgent problems which may require immediate attention. It is believed that this schedule of conferences is not too exacting and that the best interests of high frequency broadcasting throughout the world require as a minimum this much direction and control by member states.

All of the United States proposals have been gathered into one set of High Frequency Broadcasting Regulations which it is hoped may meet with favorable consideration by the nations of the world and may, in whatever form they are adopted, receive the wholehearted support of the participating governments in order that this great medium of the dissemination of knowledge may more effectively express the aspirations and the hopes of the peoples of the earth and the best interests of the peace for which humanity generally longs.

It must be evident to all concerned that just as the development of a frequency plan for high frequency broadcasting must await the decisions of the Radio Conference to determine the spectrum space available for this service, so the high frequency broadcasting organization, with its regulations, its conferences, its plan, and its Board must, as a telecommunications

service, fall within the overall framework of the International Telegraph Union. It is imperative that there shall be for telecommunications some central agency. That agency has since 1858 been the International Telegraph Union, and since 1932 the International Telecommunications Union. The United States proposals laid down by the International Telecommunications Convention, supplement that Convention. ("It is the intent of these Regulations to be in conformity with the Radio Regulations. Accordingly, wherever applicable, provisions of the Radio Regulations shall govern".)

It is believed that the establishment of a high frequency broadcasting organization within the framework of the I.T.U. will result in efficiency, facilitate the coordination of other services engaged in international telecommunications and effect material savings through good administration. Article 1 of the Regulations provides that they shall be subject to the procedure as set forth in Articles 14 and 16 of the United States proposals for revision of the International Telecommunications Convention.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 236 TR-E

August 10, 1947

Committee C

Great Britain

197 TR-E Establishment of an
International Consultative
Committee for Broadcasting.

1. The need for international co-operation in the operation of broadcasting services has long been apparent and a number of regional organizations have done valuable work in investigating problems of a regional character. These regional bodies have, however, generally confined their attention to broadcasting matters which have been the concern of their own region, and there has been little or no coordination on a fully international scale.

2. For the reasons advanced in Document No. 13R, and in the statement made by the United Kingdom delegate to the 15th Meeting of Subcommittee A of Committee 3 on the 11th July (Document No. 559 R); the United Kingdom considers that the time has come for the establishment of a world-wide organization, as an integral part of the I.T.U., to coordinate the requirements of the broadcasting services on a fully international basis. This view is strengthened by proposals which have been made by other countries for the establishment of some form of organization to regulate international broadcasting services.

3. While there may be some arguments in favour of separate organizations to deal in detachment with the conduct of high-frequency and medium and low-frequency broadcasting services, there is a wide range of technical problems relating to all types of broadcasting which, in the opinion of the United Kingdom, are proper to be studied on a world wide basis. There is also a number of related non-technical matters which might equally profitably be studied on a world wide basis.

4. It is not the United Kingdom proposal that the suggested International Consultative Committee for Broadcasting should in any way take over the functions of International or Regional Radio Conferences (which would continue to draw up Regulations and conclude international Agreements on frequency assignments to broadcasting services

and stations) because these must remain as at present, the functions of Governments. The proposed organization would act only in an advisory capacity, in a manner similar to that in which the other Consultative Committees of the Union perform their duties.

5. Subject to the outcome of the discussions of the Radio and Plenipotentiary Conferences, the United Kingdom favours the creation of a special International Consultative Committee for Broadcasting. Such an international committee would be organized on similar lines to, and would have a status equal to the existing Consultative Committees. Unlike the existing Consultative Committees, however, special provision would be made for regional committees for the study of problems of purely regional concern.

6. Since such an organization will have a bearing on proposals now being considered by the Plenipotentiary Conference for the revised structure of the Union, it seems appropriate that the terms of reference of the proposed International Consultative Committee for Broadcasting should be the subject of a recommendation to the Plenipotentiary Conference from the present Radio Conference. The United Kingdom therefore proposes, for the consideration of the present Conference, the following terms of reference:-

"The International Consultative Committee for Broadcasting shall

- (1) study and draw up recommendations on
 - (a) technical questions relating specifically to the field of broadcasting; and
 - (b) methods of international transmission and exchange of programme matter;
- (2) prepare provisional plans for the allocation and use of frequencies for high-frequency broadcasting services for consideration by International Radio Conferences.
- (3) through its regional committees, prepare provisional plans for the allocation and use of frequencies for medium and low

frequency broadcasting services for consideration by Regional Broadcasting Conferences.

- (4) advise other international organizations on non-technical matters relating to broadcasting, which depend for their solution on technical considerations."

7. In putting forward this proposal the United Kingdom is of the opinion that the International Consultative Committee for Broadcasting should normally confine its studies to technical broadcasting questions falling within the ambit of the I.T.U. and that such non-technical matters as programme content should, initially at any rate, be left for consideration by the United Nations and its sub-organs and other specialized agencies. Nevertheless, it is considered that the latter organizations may find it desirable at times to seek expert advice on broadcasting questions from the I.T.U. which would be given through the International Consultative Committee for Broadcasting, for example, on the technical considerations involved both in proposals relating to the exchange of programmes, and in other projects for furtherance of the educational, social and cultural aspects of broadcasting.

8. The United Kingdom considers that

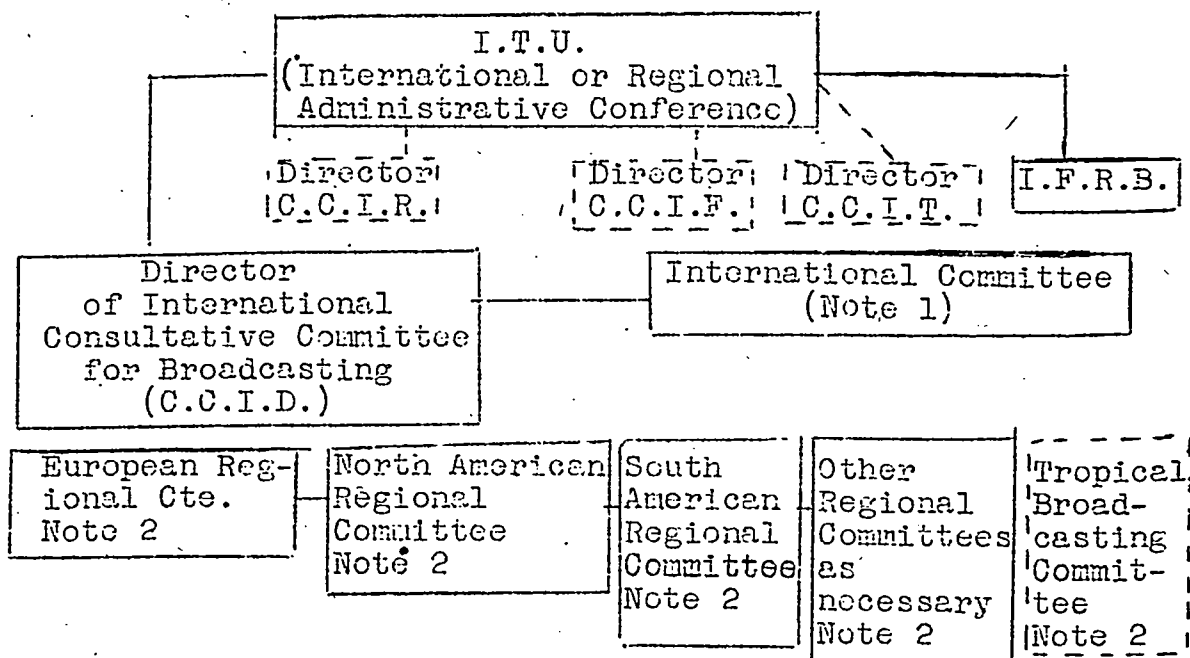
- (i) the International Consultative Committee for Broadcasting should be composed of experts from such of the following as have declared their desire to take part in its work and have undertaken to contribute to the general expenses of its meetings:-
 - (a) Administrations of Governments;
 - (b) Broadcast Operating Agencies recognized by the respective governments.
- (ii) Further, International Organizations which are concerned with aspects of the Broadcasting service may be admitted to participation in the work of the Committee in an advisory capacity.
- (iii) Further, associations of manufacturers engaged in the production of broadcasting equipment, recognized by the respective Governments, might be invited to attend meetings of the Committee.

9. As regards the structure of the International Consultative Committee for Broadcasting, the United Kingdom

has it in mind that there should be an international committee for the study of broadcasting problems of a world-wide character. In addition there should be a number of regional committees, each of which should conform to the principles laid down by the I.T.U. for the conduct of business of the main international committee. Each of these regional committees would make recommendations within its own authority on matters affecting its own region. Provision would, however, be made through the international committee for coordination between one region and another on inter-regional and world-wide matters. Existing regional broadcasting organizations which so desire might be extended to become regional committees, subject to their conforming with the general principles laid down for other I.T.U. committees.

10. It is proposed that the International Consultative Committee should have a permanent Director, who would be provided with a small specialized secretariat and would be responsible for the coordination of the work of the Committee. The Director would preside over the International committee. Each regional committee would elect its own Chairman and would be autonomous in matters falling entirely within the province of its own region.

11. The structure which the United Kingdom has in mind is shown diagrammatically below.



Note 1:- The International Committee would advise the International Radio Conference and High-Frequency Broadcasting Conference on broadcasting matters of world-wide concern, including proposals for frequency assignments for high-frequency broadcasting services. The International Committee might be composed of representatives nominated by the various Regional Committees.

Note 2:- The Regional Committees would advise Regional Administrative Broadcasting Conferences on matters falling within the province of each region, including frequency assignments under a Regional Arrangement.

12. It is envisaged that the International Committee would meet in Plenary Session at least once every two years and that the Regional Committees would meet as frequently as necessary for the conduct of their business. All Committees would be empowered to set up study groups (Committees of Reporters) to study particular problems.

13. It may be found desirable to set up, under the International Committee and under the Regional Committees, special panels to consider juridical questions, such as copyright, in matters affecting the interchange of programmes between one country and another (see paragraph 6 (4) above).

14. The United Kingdom envisages that each Regional Committee would arrange for suitable monitoring facilities and would be prepared to effect and record frequency measurements of broadcasting stations and other measurements relating to the efficient conduct of broadcasting services within its own region; regions would combine in making frequency and other observations on an inter-regional basis and the services of their monitoring stations would also be available to the International Committee for any observations which might be desirable in connection with the regulation of international high-frequency services or the investigation of problems relating thereto.

15. The United Kingdom, before submitting this proposal for the creation of an additional consultative committee, took into account the existence of the C.C.I.R. and examined the question as to whether it would not be possible for that Committee to undertake the necessary work of coordination in the broadcasting service. The United Kingdom rejected this arrangement for the following reasons:-

(i) The C.C.I.R., with the advent of the I.F.R.B.

(and the problems which that Board will be submitting for consideration and recommendation), the development of radiolocation and other major technical developments, will be very heavily occupied in the consideration of problems relating to technical advancement and the operation of new types of radio services without concerning itself with the problems appertaining to the broadcasting service, many of which will be of peculiar interest to that service, for example:-

- (a) Collection and publication of monitoring data for broadcasting services.
- (b) Preparation of frequency assignment proposals for broadcasting services.
- (c) The frequency characteristics of broadcast transmitters and receivers and the consequent frequency separation necessary between broadcasting stations.
- (d) Broadcasting antennae characteristics and design.
- (e) Performance of broadcast receivers.
- (f) Coordination with C.C.I.F. on technical questions relating to the relaying of broadcast programmes (sound and vision).
- (g) Possibilities of standardization, e.g. in frequency modulation broadcasting systems (frequency of deviation for full modulation, low frequency pre-emphasis, etc.) and in television services (definition, synchronization, sense of modulation, etc.)
- (h) Studies and interchange of information on such subjects as Control Room apparatus, high-fidelity recording apparatus, microphone technique, and studio acoustics.

- (ii) The C.C.I.R. has not, in the past, dealt with preliminary plans for frequency assignments. The United Kingdom is of the opinion that, so far as the broadcasting service is concerned, preliminary planning of frequency assignments should be undertaken by the new International Consultative Committee for Broadcasting and by its regional committees, as appropriate.
- (iii) The coordination with the United Nations is likely to be much closer in regard to broadcasting than in the case of other services.
- (iv) The C.C.I.R. is not suited to deal with questions outside the radiotechnical field such as the non-technical questions with which the proposed international Consultative Committee for Broadcasting may be called upon to consider. (See paragraphs (6 (4) and 13 above.)

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August 10, 1947

Committee C

109 TR E

F R A N C E

PRINCIPLES FOR THE INTERNATIONAL
ORGANIZATION OF BROADCASTING

I. Role of the I.T.U.

1. The I.T.U. shall be the organization qualified to apply the decisions of international, administrative and plenipotentiary conferences, especially in regard to the distribution of frequency bands.
2. The C.C.I.T., C.C.I.F. and the C.C.I.R. shall divide between them the regulation of telecommunications technical standards in regard to broadcasting (1), which may have recourse to each of the three committees for each of the corresponding techniques.
3. The C.I.E.F. shall be the organ in charge of recording and checking broadcasting frequencies in the interval between administrative and plenipotentiary conferences.

II. The role of Broadcasters

Broadcasters must come to an agreement on a double role consisting of:

- 1) coordinating among themselves the special aspects of broadcasting as a whole;
 - a) in liaison with the I.T.U., the technical aspects as a whole;

(1) : The word "broadcasting", in the wider signification now given it by the Radio Conference, includes television among others.

- b) in liaison with the U.N. or any of its specialized organizations, the cultural, juridical, administrative and informative aspects as a whole;
- 2) undertaking any studies and experiments pertaining to the aspects enumerated in 1), paragraphs a) and b).

This double role shall be carried on:

- A) for medium and long waves, by regional groups of broadcasters whether the juridical form of these bodies is public, private or joint. There shall be only one such organ for each region. However, their constitution may vary from one region to another to take into account the modalities suited to each continent or part of continent.
- B) for short waves, by a federation (1) of existing or future regional organs. This general organization may, even on subjects pertaining to short waves, have recourse to studies carried out by the aforesaid regional organs.

III. Conferences for the assignment of broadcasting frequencies.

Frequency assignment to broadcasting stations in the bands allocated by administrative and plenipotentiary conferences, shall be entrusted to other plenipotentiary conferences:

- A) regional, for medium and long waves.
- B) world-wide, for short waves.

The regional broadcasting organs provided for in II. A), shall be admitted as experts to the conferences referred to in III. A), and shall eventually proceed to prepare for them.

(1) The world "federation" is purposely used because of its wide significance which permits the inclusion of all kinds of association modalities.

The federation provided for in II. B), shall play the same role for the conferences referred to in III. B).

While this federation is being formed, the I.T.U. shall be entrusted with this role for the third conference at Atlantic City. It shall also be in charge of studying the formation of the federation mentioned above.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

Document No. 238 TR-E

August 10, 1947

Committee E

MINUTES
of the
Convention Committee

(Committee E)

8th Meeting
August 6, 1947

1. The Chairman opened the meeting at 10:15 A.M.
2. Agenda Item 1.

- (i) The Minutes of the 5th Meeting (167 TR) were adopted without amendment.
- (ii) The Minutes of the 6th Meeting (202 TR) were adopted subject to the insertion of text missing from the end of paragraph 1 of the French version only.
- (iii) As only the French version of the Minutes of the 7th Meeting (204 TR) was available, this item was deferred.

3. Agenda Item 2.

Second stage discussion of Article 32.

Madrid Convention "Monetary Unit"

(Documents No. 55, 102, 115 and 174 TR)

The Chairman proposed that the meeting should, as agreed at the Seventh Meeting (Doc. 204 TR), proceed to the discussion of proposals in the order of their divergence from the status quo.

- viz: (a) proposal of Greece
(b) proposals of Canada and India.
(c) proposals of U.S. and U.K.

4. The delegate of Greece explained that in order to expedite the work he was prepared to withdraw his proposal and would support any other intermediate proposals in line with the Greek views.

(See statement in Annex 1.)

5. The delegate of Lebanon proposed that since there were a number of contradictory proposals, the Meeting should follow what he stated was the normal procedure, namely, to vote immediately whether or not to retain the status quo.

The Chairman ruled the proposal out of order since the same suggestion had been made by the delegate of Belgium at the Seventh Meeting and had been rejected by a majority vote.

The delegate of Belgium intervened on a point of procedure. He considered that the proposal by the delegate of Lebanon differed from his own proposal which had been rejected by vote at the previous meetings. He understood the present proposal to be, not to close the discussion and vote immediately on the issue of maintaining the status quo, but to discuss, instead of the amendments to Art. 32 proposed by the U.S., U.K., Canada and India, merely whether or not to maintain the status quo and then to vote on that issue.

The delegate of Sweden asked whether, if the original procedure, namely to discuss the proposals before the meeting, were adhered to it would not be possible and indeed necessary to discuss at the same time the issue of maintaining the status quo.

The Chairman agreed with the delegate of Sweden and put to the meeting from the chair the motion that the procedure decided upon at the 7th Meeting be adhered to. After a show of hands, the delegate from Belgium proposed a roll call and this was taken with the following result:

<u>27 for</u>	<u>18 against</u>	<u>5 abstentions</u>	<u>Absent</u>
S. Africa	Albania		Afghani-
Australia	Argentina		stan
Burma	Austria		Saudi
	Belgium		Arabia
	Belgian Congo		
	Bielorussia		

<u>For</u>	<u>Against</u>	<u>Abstentions</u>	<u>Absent</u>
Brazil		Fr. Colonies	Bolivia
Canada		Morocco and	Bulgaria
China	Vatican City	Tunis	Chile
Cuba	Denmark	Italy	Colombia
El Salvador	France	Philippines	Costa Rica
U.S.A.	Lebanon	Turkey	Dominican
Territories	Portugal		Republic
of U.S.A.	Siam		Egypt
Ethiopia	Sweden		Ecuador
U. K.	Switzerland		Finland
British Colonies	Ukraine		Haiti
S. Rhodesia	Uruguay		Hondorus
Greece	Yugoslavia		Hungary
Guatemala	Czechoslovakia		Iceland
India			Liberia
Iraq			Luxembourg
Iran			Monaco
Ireland			Nicaragua
Mexico			Panama
Norway			Paraguay . . .
New Zealand			Peru
Netherlands			Poland
Netherlands			Portuguese
East Indies			Colonies
U.S.S.R.			Roumania
Venezuela			Syria
			Yemen

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6. Canadian proposal

The Canadian delegate stated that his proposal No. 170 TR (Doc. No. 115 TR) envisaged a monetary unit which would meet the coefficient requirements of the currencies in the world at this time in the same way that the gold franc did when it was adopted. He proceeded to enlarge upon the Canadian point of view.

(See statement in Annex 2).

7. Indian proposal

The delegate of India drew attention to his country's proposals which were contained in Doc. No. 174 TR (Proposal No. 186 TR). He said that he had carefully studied the minutes of the Fifth Meeting and had been impressed with the fact that the large majority of delegates regarded the present system as unsatisfactory. He pointed out that 58 out of the 70 nations at the 1938 Cairo Administrative Conference had reserved against the Regulations made under Art. 32. He cited as an example of the present chaotic conditions the India-China radio circuit on which India lost money owing to the rupee/gold franc valuation, though operating costs had not risen in India.

Most countries had agreed to devalue their currencies in all other international transactions; why therefore were some of them seeking to preserve the status quo in telecommunications? India had proposed that the monetary unit be modified if 20 or more countries varied the gold content of their currencies by more than 2%. To meet the views of those who might fear that this would lead to too many changes, India was prepared to alter "shall be modified" to "may be modified" and to propose that the monetary unit should not be varied without a 2/3 majority vote in favour in the Plenary Assembly.

8. The delegate of the Belgian Congo spoke in support of the status quo. The adoption of a monetary unit with a lower gold content

or a modern currency would lead to an artificial reduction in rates and would sacrifice those who had observed the regulations under Art. 32. He firmly supported the retention of the status quo and considered that the question of rates should be referred to the Administrative Conference where it belongs. He agreed that meanwhile special arrangements with suitable safeguards could continue under Article 13 of the Convention.

(See statement in Annex 3).

9. The delegate of Italy stated that he would prefer to retain Article 32 as it now stands. With regard to the reference made by the delegate of India to the reservations made at Cairo, these had only been made for protection against the U.K. reservations. Costs of operation had increased in Italy and the Canadian proposal would involve a 35% decrease in rates and Italy would be forced to seek a remedy at the next Telephone and Telegraph Administrative Conferences.

(See statement in Annex 4).

10. The delegate of Czechoslovakia thought that devaluation of the monetary unit as suggested by Canada and India would lead to a 30% reduction in international rates which would force a reduction in internal rates to which his Government could not agree. The present situation was not the fault of the gold franc which he wished to preserve.

(See statement in Annex 5).

11. The delegate of France reviewed the proposals made, analysed in detail the causes of the present difficulties and stated that he wished to maintain the status quo.

(See statement in Annex 6 - to follow).

12. The delegate of the U.S.S.R. said that the Monetary Unit had been discussed at the Moscow five power meeting when France and the U.S.S.R. had supported the retention of the status quo, but nevertheless the Soviet Union had felt it necessary to make a careful study of the Monetary Unit. They felt that, taking into account regional

conditions, the Canadian and Indian proposals would lead to difficulties in the settlement of accounts. The Soviet Union wished to preserve the monetary unit as in Article 32.

13. The delegate of Denmark considered that the purpose of Art. 32 was merely to provide a basic means of fixing rates and that it had nothing to do with the level of rates. Therefore the question to be asked was whether Art. 32 had fulfilled its object; was it possible to fix rates by applying it? It undoubtedly was. The general feeling was that the cheapest economical rates should be levied but the level of rates had no connection with Art. 32. and the Conference could only discuss means of ensuring that the right level was reached; no one could say what this should be. The elements forming the rates could be varied, but this had nothing to do with Art. 32. and was a matter for discussion in Administrative Conferences.

The C.C.I.T. had already begun to study the question of rate levels. The inequality of rates was due to the way in which the equivalents were calculated. The remedy was to fix rates against the purchasing power of currency but this could not be done where one country only acted as the agent of another. The only way to remedy the position was by special arrangements and his proposal was that discussion should be limited to the question whether or not Art. 32 had served its purpose, which was to provide a fixed basis, and that the question of the level of rates should be left to the C.C.I.T.

14. The delegate of New Zealand said that he had no quarrel with the gold franc as an accounting unit in the absence of special arrangements... The concern of New Zealand was the value of the gold franc in relation to New Zealand currency. The New Zealand Administration had abandoned gold franc accounting by adopting special arrangements wherever possible, as they found that when the former was applied external rates became prohibitively high.

As regards the Bermuda Agreement, to which the French delegate had referred, New Zealand was a party to it and had found it very satisfactory.

He questioned the practical effect of the proposals to devalue the gold franc, which might be satisfactory as regards radio coast and mobile station charges, but not as regards international telephone and telegraph rates. He suggested that if it were decided not to maintain the gold franc at its present value, a working group should be set up to study the effects of any other recommendations.

15. The delegate of Belgium did not agree with those who maintained that the gold franc made rates too high. He went on to explain why and said that Belgium supported the maintenance of the status quo.

(See statement in Annex 7)

16. The delegate of the United States stated that the U.S. proposal was designed to recognize the propriety of special arrangements and the U.S. contemplated that in the absence of such arrangements, Article 32 should apply.

(See statement in Annex 8)

17. The Chairman asked permission of the Committee to speak as the United Kingdom representative. Speaking as the representative of the United Kingdom, he outlined the U.K. views, which he said were closely parallel to those of the United States. The U.K. agreed that the gold franc in its present form must be retained in the Convention to be signed at Atlantic City but at the same time considered that the widespread existing special arrangements at present made under Art. 13 ought to be specifically recognized by an amplification of Art. 32.

(See statement in Annex 8)

18. The delegate of the Argentine said that he was ready to support any change which would improve the methods of fixing rates, but such a change must be in order to secure an improved monetary unit and not through special arrangements or privileges or by the revision of rates by incorrect methods. His country supported the retention of Article 32 as it stood and would also support any proposal for rationalising the rate question.

(See statement in Annex 9)

19. The delegate of Lebanon pointed out that countries which had devalued their exchange rates vis a vis the gold franc had lost thereby and he thought that the best way for them to restore the position was to return to the gold franc.

20. The Chairman adjourned the meeting at 1.15 p.m. stating that the following had requested the floor at the next meeting to discuss Art. 32:-

China
Mexico
Netherlands
India
Ukraine
France

Rapporteurs: A.G. David
H. Lerognon

Chairman: H. Townshend

Annex I

Greece

Mr. Chairman,

In view of the fact that the Greek proposal has been described as the most extreme with respect to the status quo, I shall endeavor to justify it briefly.

The reasons which lead us to advocate this proposal have already been explained in sufficient detail: the traditional monetary unit--the gold franc--can no longer serve as the gold standard because of the monetary upsets of the last twenty years. Because of this, a sort of chaos has resulted with respect to the application of the monetary unit in the tariff system and Telecommunications accounting especially in connection with:

1. equality of taxes in both directions,
2. the fixing of precise equivalents of the gold franc in the national currencies of various countries for the levying of taxes and,
3. the liquidation of accounts.

We are not prejudiced against the gold franc, quite on the contrary, because it formerly served as a basis for the monetary system of my country. But since the time when the gold franc served as a basis for the Latin Monetary Union, great changes have occurred, and a standard which at that time was perfect, has today become a false one, and the functioning of the telecommunications tariff system requires many special arrangements.

Since this existing situation can no longer be re-adjusted on the same basis, and since the difference is becoming increasingly greater between the coefficient measuring the rise in value of gold, which furthermore is not the same in all countries--and the indices of the cost of living which exert a more direct influence on tariffs, we have thought that by adopting a true currency as a unit, which would be indicated by its stability and its expansive capacity, and for this reason would already have much more important relations and connections with the monetary systems of several countries; we would then achieve the elimination of certain disadvantages which are apparent at present.

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However it is clear that the adoption of such a solution is premature at least.

For this reason, and with a view to saving the time of the committee, the Greek Delegation is willing to study and accept any other intermediary solution of the problem, particularly those proposed by Canada and India, which could remedy disadvantages of the existing situation.

Annex 2

CANADA

Mr. Chairman, I have listened with great interest and much profit to the various Delegates who have expressed their views with respect to the monetary unit.

The Canadian Delegation is inclined to agree with the Honourable Delegates of the Belgian Congo, France, China, Belgium and Sweden, that it is not advisable to adopt as a monetary unit, the currency of any country because of its susceptibility to fluctuation.

The Honourable Delegates of France and the Argentine Republic have suggested very emphatically that the existing rate differentials should be adjusted, by the countries concerned reducing their International rates in gold francs. We have no argument with this view, but thirteen years have elapsed since the United States, which we understand was the last country to depart from the gold standard, devaluated its currency in its relation to gold, and so far as the Canadian Delegation is aware, no country has made any corresponding adjustment of its rates in francs and centimes published through the International Bureau at Berne. It should be quite evident, therefore, that a solution to our problem will not be effected by way of individual action. In our opinion, the only alternative is concerted action, as suggested in the Canadian proposal.

Furthermore, the Honourable Delegate of France has stated that the monetary unit is in no way responsible for the present situation. The Canadian Delegation agrees also with this view but we very strongly suggest that the monetary unit can be very conveniently, and economically, used as the correcting factor, insofar as this Conference has jurisdiction in the matter.

The present monetary unit was adopted many years ago, because it met the coefficient requirements of the currencies of the world at that time. What we need now is a monetary unit which is the nearest to the same relation to the currencies of today as the present monetary unit was to the currencies as they existed at the time of its inception, instead of trying to fit our respective currencies to an antiquated monetary unit, or to circumvent it by endeavouring to make special arrangements. In fact, we now have, in our Department at Ottawa, a request from New Zealand for a

special arrangement for the settlement of our respective traffic accounts. The Canadian Proposal, however, provides precisely the arrangement advocated by the New Zealand Administration except that the latter also includes the preparation of accounts in Canadian dollars instead of in gold francs. Furthermore, the Bermuda agreement, which has been referred to by the Honourable Delegates of the United States and France, parallels the Canadian proposal insofar as the settlement of accounts are concerned. It will be appreciated, therefore, that the adoption of the Canadian proposal would, to a large extent, eliminate the need for special arrangements under Article 29, para. 2, of the Radiocommunication Regulations.

The Canadian Delegation, therefore, supports the view that there should be only one monetary unit, and that a gold franc would be as satisfactory as anything else.

We think we should be practical, and careful, in dealing with this matter, and that we should face the facts which, in our opinion, strongly suggest that a modification of the present monetary unit is the most practicable, and economical method of adjustment.

Some of these facts, as we see them, are:

1. This Committee, and Committee C, have already gone on record as favouring the establishment of rates for telecommunication services at levels as low as possible.
2. Collection rates based on the present gold franc are very high, and definitely tend to discourage the use of telecommunication facilities.
3. Because of 2 above, the collection charges in most of the countries of the Union are either not collected, or only partially collected, on the basis of the gold franc, and the situation is rapidly developing into two distinct tariffs:
 - (a) A local currency tariff for all national traffic and, in most creditor countries, for outbound international traffic;
 - (b) The international tariff in gold francs and centimes for incoming international traffic, and for the basis of settlement of international accounts of debtor countries;

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with an ever widening differential in favour of the former, i.e., tariff (a).

We very respectfully beg to suggest, Mr. Chairman, that this is not in accord with the spirit of true unionism, or with the desires of the members of the I.T.U.

4. A monetary unit was designed to serve currencies, not currencies to serve a monetary unit. In other words, a monetary unit is to factual currencies what an axe or a saw is to a woodsman, or fishing tackle to a fisherman.
5. If something is not done about the monetary unit by this Conference, the regulations issued under Article 32 of the Convention will rapidly become the exception rather than the rule.

Finally, Mr. Chairman, I would refer to the opening remarks of Monsieur Lahaye, the honourable delegate of France on July 26, as reported in Annex 6 of Doc. 167 TR, and I quote:

"It is a real paradox that the representative of a country which does not produce gold and whose gold reserves are insignificant at present should be the one to defend the gold standard in this committee against the attacks of the United Kingdom and of the United States."

I submit, Mr. Chairman, that similarly it is a real paradox that the representative of a country, which finds the present monetary unit an exceedingly profitable one, is not only supporting, but is advocating, a change which would result in an annual financial loss to his country of several thousands of dollars in premium revenue, the most of which is derived from payments made to us by the countries whose delegates are advocating the status quo, and which would realize a financial saving corresponding to Canada's loss if the Canadian proposal is adopted. In other words, Mr. Chairman, Canada is advocating a reduction in the gold content of the present monetary unit which would result in a financial loss to Canada of several thousands of dollars annually, and a corresponding financial gain to some of the countries whose Delegates appear to be opposing our proposal. We have appreciated that many of the debtor countries are, for obvious reasons, those who are the least able to pay at the present time, and as previously stated, it is the opinion of the Canadian Delegation that an adjustment can only be effected by concerted action, and to this end the Canadian proposal has been submitted.

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ANNEX 3,

BELGIAN CONGO

It is evident from the discussions which have taken place since the meeting of July 26, that the acceptance of a monetary unit of a reduced gold content or the adoption of currencies in use will constitute, in fact, an artificial and at times a unilateral reduction of tariffs, in which those who have kept the gold standard up to the present would be sacrificed.

This reduction in tariffs at the present is difficult to justify because of the general rise in prices and salaries, in rates as a result of the necessity of improving considerably existing equipment in order to bring them up to the standards set by the present conference, and perhaps also rates which will result from the development of the organizations of the I.T.C.

Consequently, the Belgian Congo strongly favors the status quo and proposes the following:

1. To keep Article 32 of the present Convention.
2. To recommend a reduction in tariffs in gold -- to the administrative Conferences, taking into account the cost price of operations.
3. To authorize special agreements within the limits of Article 13 of the Madrid Convention, without permitting these agreements to be prejudicial to the interests of those who adhere strictly to the gold franc, by providing measures to prevent fraud and unfair competition.

Annex 4

Italy

The Italian Delegation, concerning the statements made by the honorable Delegate from the Indies, wishes to state that:

1. It is not exact that 57 countries at the Cairo Conference stated that they were opposed to the gold franc as defined in Article 32 of the Madrid Convention. Actually, at the Cairo Conference many countries made a reservation with respect to number 170 of Article 26 (Composition of the Tariff) and as regards Article 31 (Fixing of monetary equivalents) of the Telegraph Regulations, but this reservation was only made after the United Kingdom had made the same reservation, and with a purpose of not being in an inferior position to the United Kingdom. However, the greater number of the 57 countries have not made use of this reservation, and Italy has always maintained the equivalent of the gold franc in Italian liras, corresponding as near as possible to the actual exchange.

2. The proposals of Canada and the Indies to reduce the amount of gold in the gold franc would only be a reduction of about 50% of the value of the elementary rates established in the Telegraph, Telephone and Radio Regulations.

This reduction could not be accepted by countries, where, as in Italy, the costs of operations have enormously increased since the War and where present elementary rates are not even sufficient to cover these costs because the larger part of international telegraph traffic is made up of telegrams at a reduced rate (LC, and especially NLT and DLT).

In these conditions, the Italian Delegation requests the maintenance of Article 32 as it appears in the Madrid Convention. In any case, the question of fixing elementary rates falls within the competency of the next Administrative Telegraph and Telephone Conference.

Annex 5 -

Czechoslovakia

The Delegation from Czechoslovakia has already expressed its viewpoint during our first discussion. I should like to add a few remarks only:

1. The devaluation of the gold franc by 40% in accordance with the proposal of Canada and India would signify a considerable lowering of international telegraph and telephone rates. The rates with the neighboring countries of Czechoslovakia would in this case be generally lower than those in the internal service, and consequently Czechoslovakia would also have to reduce its internal rates. This is something our country, which during the war suffered great losses in its telecommunications installations, could not support.

2. It is true that Czechoslovakia -- like other countries, has made reservations with respect to Article 31 of the Telegraph Regulations and the corresponding Article of the Telephone Regulations; however, she has not put these reservations into practice. On the contrary, the Czechoslovakian administration has very carefully observed the provisions of these articles concerning the equivalent of the gold franc.

3. If we find that the situation in connection with the monetary unit difficult and even chaotic, the trouble does not lie with the monetary unit, but is the result of having Regulations where provisions are not observed by certain countries.

For this reason, the Delegation from Czechoslovakia regrets that it cannot support the proposals of Canada and India; it is in favor of the maintenance of the gold franc.

Annex 7

Belgium

The Delegation from Belgium has studied attentively the Canadian proposal, and we note with interest its opinion that it is not desirable to adopt as a standard the currency of any country whatsoever, and that on the contrary it is desirable to adopt a gold standard.

But the honorable Delegate from Canada, in addition to the United States and the United Kingdom, blame the gold franc with having the effect of maintaining rates which are too high, in opposition to the expressed recommendation of Committee 3 which desires reduced rates.

Perhaps I shall repeat certain arguments already expressed by several delegates, but I wish to define clearly the position of Belgium.

I think, Gentlemen, that we are confusing this matter.

The reduction of the gold content of the monetary unit would have the effect of lowering all tariffs. We have two remarks to make on this subject:

1. I myself agree in principle to the adoption of reduced rates in the public interest, but only if the real cost of a normal operation is taken into account. It is rather amusing to note that we wish indirectly to reduce tariffs, whereas just during these last few days here in the United States international telegraph tariffs have been increased on the order of 25%.
2. The question of tariffs does not concern the Plenipotentiary Conference, but rather the Administrative Telegraph and Telephone Conference.

Let us observe the separation of powers and let the Administrative Conference deal with the question of the regulation of tariffs by taking into account all the facts which are in the possession of the Delegations, which facts we do not have at our disposal here and which could lead us into grave errors if

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we were to take any decisions regarding tariffs.

The Plenipotentiary Conference has the sole right of fixing the monetary unit which must, as the Honorable Delegate from France has so clearly and brilliantly demonstrated, serve only as a universal unit, for the fixing of tariffs and the regulation of accounts.

But once again, let us not try to reduce tariffs by indirect and veiled methods. Let us leave the matter of tariffs to the competent authority of the Administrative Conference.

I repeat that reason and experience demand that we should maintain the status quo, that is to say the gold franc as defined in the Madrid Convention.

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Annex 8

United States of America

The affirmative position of the United States is set forth in Annex 4 of the minutes of the Fifth Meeting of Committee E (Document 167 TR). The proposal of the United States has two aspects:

- a. Specific recognition of the propriety of special arrangements between or among operating agencies where mutually agreed upon, with respect to the monetary unit.
- b. In the absence of such special arrangements, application of the present gold franc provided for in Article 32 of the Madrid Convention.

Thus the United States urges retention of the status quo in all respects, with an editorial change which would make it clear that special arrangements in this field are permitted.

The United States position with respect to the proposals of certain other delegations is as follows:

Canada and India. The proposals of these delegations, if adopted, would have the effect of devaluing the existing monetary unit by as much as 41 percent. Such a standard monetary unit would have no greater value, as a monetary unit, than the existing gold franc. It would not make easier the mechanics of settlement of accounts or statement of rates.

The only effect it would have is to create a substantial and artificial reduction of all existing gold franc rates which, in many cases, would not be economically justified. As a countermeasure, it might be necessary for many administrations to raise the amount of the gold franc rate to overcome the effect of the devaluation of the unit in which the rates are expressed.

An additional complication arises in the proposal of India which provides for the modification of the gold content of the proposed unit if the gold equivalent of the currencies of 20 or more member countries varies by more than a given percentage. It does

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not appear how, or to what degree the gold content of the unit would be modified, or what the relationship would be between this modification and the possibly varying fluctuations in gold equivalent of each of a large number of national currencies. Because of the many countries involved, this aspect of the Indian proposal appears to be unworkable in its present form.

In summary, the United States believes:

1. The proposals of Canada and India would not result in a more useful monetary unit, but would simply provide a device for reducing all gold franc rates. The Plenipotentiary Conference should not concern itself with rate levels, but should confine itself so far as Article 32 is concerned, to the establishment of a monetary unit which can best be used for the settlement of accounts and the statement of rates.

2. Rate adjustments should take into account the economic circumstances involved in the level of each particular rate under discussion. An arbitrary horizontal rate decrease, by devaluation of the monetary unit, does not permit such consideration.

3. The matter of the level of rates is bound up with the classifications of messages and ratios of charges for the various classifications. These matters will be reviewed at the Administrative Conferences and the question of any desirable adjustments of gold franc rates should be taken up simultaneously.

4. The trend of world prices, both in terms of gold and in terms of paper currencies, has been upward for several years, a factor which militates against an indiscriminate reduction at this time in all rates.

5. In recent years, numerous reductions in the gold franc rates have been effected between the United States and other countries. It would not be economically feasible at this time to reduce further many of these rates in the manner and to the extent envisaged in the Canadian and Indian proposals. No uniform horizontal reduction in rates in terms of gold would be satisfactory to the United States.

United Kingdom. The United Kingdom, like the United States, proposes retention of the status quo, but unlike the United States, it desires to give specific recognition, in the Convention, to a particular multilateral special arrangement which has been developed for telegraph communications among the countries of the British Commonwealth, the United States, and certain other countries.

The United States believes that Article 32 of the Convention should make clear that special arrangements mutually agreed upon between the interested operating agencies are permitted but that the generality of this principle might be weakened if one particular type of special arrangement now in force were selected for specific recognition. So long as special arrangements are clearly provided for, it is neither necessary nor desirable to select one of the existing special arrangements for particular mention.

The proposal of the United Kingdom could give rise to an impression that administrations are limited to a choice between only two types of monetary units -- the existing gold franc or the dollar-sterling basis. There might be objection to the general adoption of a dollar-sterling basis, as the sole alternative to the gold franc, as between countries which do not use the dollar or the pound sterling as their national currencies.

It should be pointed out that the proposal of the United States would appear to meet the objective of the United Kingdom, to the extent that the specific recognition of special arrangements would include permission to use the dollar-sterling basis as one of the possible special arrangements, where mutually agreed upon.

ANNEX 9

ARGENTINA

The Argentine delegation confirms all the points of its statement dated July 26, 1947, as contained in Document 167 TR-E (Annex 7).

We understand that the monetary unit must be capable of meeting the requirements imposed by the exchange of international telecommunications; if and when such unit does not achieve this purpose, it is necessary to look for a new one which in a fair and equitable manner, will take into consideration the interests of all concerned.

Argentina has already expressed in its cited statement that it would be inclined to support any change which would lead to a better fixing of tariffs; but we believe it necessary to state once more, in clear and plain terms, that any such change should only seek to establish a more stable unit, more useful and convenient to all; but never to try, by indirect or disguised means, to create conditions which may entail privileges, unilateral compensations or tariff revisions at a place and through channels which may not be appropriate.

We understand that so far the gold standard has not hampered the solution of problems affecting some countries and, consequently, one cannot nor should not make it responsible for such difficulties, nor should we attempt to internationalize the deficit of certain enterprises by means of decisions prejudicial to the others. We have met here to negotiate in loyal and sincere terms. We shall participate in every international meeting which may advocate the revision of tariffs, so that we may lend mutual assistance, but without creating unjust and inconvenient burdens applicable only to one part of the members of the Union.

Without wishing to repeat here the arguments in favor of maintaining the gold franc, exactly as it appears in the Madrid Convention, we wish to state that, so far as Argentina is concerned, the domestic tariffs represent a form of improvement which seeks, above all, the establishment of efficient service, the State paying the deficits between the actual costs and the amounts paid by the user; this is not the case in the international services, where there exists a competitive system and where speed and safety in the transmission of messages, outbalance in a decisive manner, the actual price charged for the service. If the application of the tariff leaves more or less ample margins in

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favor of one country and in detriment of another, such a condition must be remedied and reduced to the proper level, leaving always the minimum margin to allow for the free play of competition and efficiency, which principles are not inflexible; but in no way can it be accepted that all this may be achieved through the indirect method of altering the monetary unit which is an ideal equivalent for the settling of accounts.

In conclusion, the Argentine Delegation is in favor of maintaining Article 32 of the Madrid Convention in its present form, and henceforth it agrees to support everything done at the proper place and time to readjust the tariffs, which is an entirely different question.

UNITED KINGDOM

The Chairman asked permission of the Committee to speak as the United Kingdom representative. Speaking in this capacity, he said that he had already set out the reasons which prompted the United Kingdom proposals and they were to be found in Annex 9 of Document 167 TR. The United Kingdom could not support the proposals of Canada or of India because they considered that it would be impossible at present to frame any monetary unit which could be universally adopted because monetary conditions - a matter outside the control of the ITU - were unfavourable. The ITU must take the existing monetary policy of its members and the existing facts of the monetary situation as data.

The U.K. would regard the retention in the new Convention of Article 32 as it stands as an unrealistic act, involving failure to recognise the facts of the situation in the telecommunications world. The case for the status quo had been very clearly stated by the delegate of France; and he observed that Mr. Laffay, in spite of his unqualified enthusiasm for gold as an invariable standard - an enthusiasm which the U.K. could not share - had informed the Committee that it was his intention at the next Administrative Conference to put forward what appeared to be a very complicated proposal for varying equivalents.

There are two points of fact on which he ventured to correct the delegate of France. They both alluded to the Bermuda Agreement. In the first place, this was not a bilateral agreement between two countries, but was a multilateral agreement between eight countries, having four different national currencies. In the second place, the Bermuda Agreement was of course in accordance with the Bretton Woods Agreement.

He was glad to see that Mr. Laffay agreed with the U.K. views that the gold franc is not working well at present. Mr. Laffay's view is that this is no fault of the gold franc, but the fault of the large majority of members of the Union who have contracted out of the relative regulations and do not in fact apply those regulations in many of those relations. This is a matter of opinion, but again he wished to make one correction of fact; it is not the case, as Mr. Laffay states, that operating agencies of the U.K. are losing money. It was generally agreed that the object of letting down the monetary unit in the Convention is to enable the administrative Conference of the ITU to agree to workable regulations

in regard to rates. Throughout the last 15 years, Article 32 had failed to achieve this object. Indeed, from the outset the large majority of the countries who were members of the ITU had had to contract out of Article 32 by means of special arrangements under Article 13. It seemed to the U.K. that this was strong prima facie evidence that there was something wrong with Article 32. He appreciated that Mr. Laffay and others who wished to retain the article in its present form hoped that the next Administrative Conference would be able to put things right. The U.K. considered that the new Convention should recognise the facts as they stood and had stood for the past 15 years, and should not be based on hopes of early and substantial improvement being effected. The delegate from the U.K. expressed the hope that the U.K. proposals and those of the U.S. would not in any way prejudice the position of the minority of the members of the ITU who found themselves able to apply the regulations framed under the existing article; it merely recognised the fact that the large majority of member countries were in a different position. Whether or not Mr. Laffay was right in being so hopeful that it would be possible to get rid of the special arrangements in the field of rates at the next Administration Conference, it seemed to the U.K. that refusing to recognise the existence of such an arrangement in the Article dealing with the monetary unit would not help. Nor would the proper recognition of such special arrangements in any way alter their disappearance, but Mr. Laffay's hopes may prove to be justified.

On these grounds the U.K. felt definitely that Article 32 should be amplified to provide for the fact of these special arrangements.

As regards the difference between U.K. and U.S. proposal, which both met this point, the U.K. proposed that the Convention should recognise specifically one particular set of special arrangements, namely, those entered into by eight countries bearing on the Bermuda Agreement. He pointed out that the benefits of this agreement were not confined to the eight countries who signed it; notification should be made through the National Bureau that any other countries who wished to join in the special arrangements in question could do so, so far as the U.K. was concerned. He failed to understand why the delegates of France appeared to consider that this offer was disadvantageous to the countries for whom it was made; those who did not wish to accept it need not and would not do so. The experience of the U.K. - and of other countries - who had adopted it, was satisfactory.

He appealed to the Committee to face the facts of the situation and not to perpetuate in the new Convention an article which was in fact not being generally applied.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 239 TR-E

August 11, 1947

Committee E

REPORT
of the
Convention Committee (Committee E)

9th Meeting
August 7th, 1947

1. The Chairman opened the meeting at 3:45 p.m. He explained that the simultaneous speech apparatus was out of order and said that speeches would have to be translated consecutively into French, English and Spanish.

2. Agenda 1 ter. 1.

The Minutes of the 7th Meeting (204 TR) were approved subject to the following amendment:

Para. 2 sub-para. 2. delete from "have" in third line to "calls" in fifth line and insert "rank for establishment in front of private lightning calls"

3. Agenda 1 ter. 3. (a)

Article 22. Madrid Convention - "Telecommunication as a public service"

The Chairman stated that Art. 21 of Doc. No. 2 TR, a U.S. proposal bearing on Art. 22 was still under discussion § § 1, 2 and 3 had been dealt with and § § 4 and 5 would now be taken. He asked the U.S. delegate to explain these paragraphs.

4. The U.S. delegate stated that in countries where the government and private owners both operated public services, the government sometimes adopted the practice of charging less than it would permit the private companies to charge thereby diverting traffic from the latter. § 4. was designed to prevent such unfair discrimination.

As regards § 5. they had in mind a problem which was peculiar to the U.S. but which might be paralleled in other countries with competitive communications systems. They had found that when U.S. companies competed abroad

- for the right to carry traffic between a foreign country and the U.S., the government of the foreign country in some cases discriminated between the carriers, and the U.S. wanted to prevent such discrimination.
5. The delegate of Cuba believed that § § 4 and 5 dealt with two quite different problems and at his suggestion the Committee agreed to deal first with § 4. He went on to say that in his opinion § 4. would derogate from the sovereign rights of countries in domestic telecommunication matters. Cuba believed that telecommunication should be a public service run by the State for the benefit of the people. If the State permitted private companies to operate it might nevertheless wish to foster state-owned communications and therefore to discriminate against the private companies in favour of the latter. Cuba was opposed to the insertion of any paragraph in the Convention which would compel a government to enforce in its territories the same rates for both government and private companies.
 6. The delegate of the United States inquired whether the delegate of Cuba envisaged that such a differential in rates as between government concerns and private companies would apply to international circuits, for example U.S.-Cuba. /Note. 20 para 14 below/
 7. The delegate of Italy drew attention to Art. 2 § 3 of the Madrid Convention. Under this paragraph countries which have not signed the Telegraph Regulations are not bound by them. Rates, the subject of the U.S. proposal were properly dealt with in the Regulations and not in the Convention.
 8. The delegate of the U.S. said that the U.S. might at some future date sign the Regulations if principles of the nature of that which prompted their proposal were included in the Convention. He cited Article 36 Madrid Convention as an example of such a principle. They wanted principles aimed against discriminatory practices to be written into the Convention.

9. The delegates of Guatemala and Portugal agreed with the principle underlying the U.S. proposal but considered that the paragraph suggested would constitute an intrusion upon state sovereignty as stated by the delegate of Cuba.

The delegate of Portugal also agreed with the view expressed by the delegate of Italy.

10. The delegate of the U.S. stated that they were not wedded to the exact text of their proposal and were prepared to amend the opening phrase to read "that contracting governments agree to take all measures possible with a view to ensuring....."

11. The Chairman suggested that the discussion should proceed on the basis of the principle involved and not of the exact text. He had formed the impression from the discussion that there was widespread agreement with the broad principle but that the insertion of a paragraph in the Convention in the terms of the United States drafts, was not supported.

12. The delegate of Greece said that his Administration, which had a monopoly of telecommunication, desired to be able to choose to which private companies they would grant concessions. He could accept a paragraph containing a general principle but not one based on a particular example.

13. The delegate of the Argentine said

(i) that his government could not agree to include obligations in the Convention contrary to their domestic law.

- (ii) private Companies in the Argentine operated on a temporary basis by government concession and received equal treatment. The only obligation to the companies were those contained in the concessions.
- (iii) the Argentine could not, therefore, agree to the insertion in the Convention of anything which would imply an undertaking contrary to the concessions already granted.
- (iv) the Argentine has not discriminated against any Company but could do so against one which engaged in activities prejudicial to the State operated services. They could not bind themselves by international agreements which would limit their powers in this respect.

/See statement in Annex to these Minutes/

14. The delegate of Cuba stated, in reply to the question of the delegate of the United States (see paragraph 6- above), that the question of rates on incoming traffic, should be left to the Administration concerned. He drew attention to Article 24 s 2 of the Madrid Convention which gave the state the right to stop communication in certain cases and said that here was a paragraph permitting the most extreme form of discrimination. Cuba would like to see the entire Convention rewritten so as to limit the powers of member states to pass internal laws interfering with telecommunications.
15. The delegate of France felt that the subject matter of this paragraph, which dealt with what was purely a tariff matter, should be covered in the Regulations.
16. The delegate of the U.K. expressed doubts whether the Article as drafted could not in fact be made to operate against the principles which the U.S. were upholding.
17. The delegate of India thought the paragraph as at present worded was complicated and might well hamper the development of telecommunication services. He suggested that the matter be put to a vote.

18. The delegate of the United States stated that he was prepared to withdraw the paragraph upon the understanding that the U.S. might submit a further proposal before the Committee had finished discussion of Article 22 Madrid Convention.
19. The Committee agreed to accept the withdrawal of the U.S. proposal as stated above.
20. The Chairman adjourned the meeting at 6.30 p.m.

Rapporteur:

A.G. DAVID

Chairman:

H. TOWNSEND

(239 TR-E)

ANNEX

ARGENTINE

Mr. Chairman:

I apologize for insisting in my previous Statement, which is now made in English, due to the fact that the translation of same was not exact. Some of the words I used gave the fundamental basis of our position but in the translation these words were substituted by others which made my statement appear hollow and lacking in sense.

I will be brief: --

- 1) The Argentine cannot agree to include in the Convention obligations which are contrary to its Constitution such as paragraph 4 under discussion.
- 2) Private companies in any country operate on a temporary (precarious) basis and by delegation of the government. These companies receive equal treatment.
- 3) The companies operate with temporary permits which can be terminated in 24 hours, if such a course should be considered necessary by the Government. In such cases the corresponding obligation are fixed and nothing else.
- 4) The Argentine cannot, therefore, establish anything which will imply any undertaking contrary to the concessions it has already granted.
- 5) Finally, the Argentine has not discriminated against between the companies, but it could do so if the services of an operating agency in the country should engage in activities which would tend to lower the prestige of the State-operated services, or such as would displace the transit services of the telecommunications, or a veiled dumping. It is logical that in those cases the State would proceed as the circumstance so arising, dictates, and cannot be tied by international agreements which are of a limiting nature as regards its own free decision and contrary to its will. This is a sovereign principle which it has defended despite such an attitude having created difficult situations.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 240 TR-E

August 11, 1947

Committee E

AGENDA

for the
TENTH meeting of COMMITTEE E (Convention Committee)
to be held on Tuesday August 12th
in the Trellis Room (Ritz) at 3:30 p.m.

-
1. Approval of the minutes of the Seventh Meeting (204 TR), the Eighth Meeting (238 TR-E) and of the Ninth Meeting (239 TR-E).
 2. Continuation of, and if possible conclusion of second stage discussion on ARTICLE 32 Madrid Convention, "Monetary Unit."
 3. (If time permits) Item 3 of Agenda of Eighth and Ninth Meetings (206 TR)
 4. NOTES on state of work

See Item 4 206 TR

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

1947

Document No. 241 TR-E

August 12, 1947

Committee C

Chairman
Subcommittee 1 of
Committee C.
(Finance and Personnel)

Note.

For the use of members of the Subcommittee
To serve as basis of Discussion on the
Organization of the I.T.U.

Preamble.

1) It is difficult at the moment to fix in a
definite manner the organization of the Union.

However, to expedite the work of the Sub-
committee in advance of definite decisions on
the subject, this note is prepared to serve as
a basis for consideration.

2) The terms of reference to the working group
of Committee C, as they appear in Document 189 TR
and in accordance with the decisions of Committee
C have been taken as basis to the present note.

3) When the working group has finished its work,
the Committee C will take action on their recom-
mendations. The working group will communicate
as and when they take decisions on the items
referred to them, these recommendations to sub-
committee 1, so as the financial aspect may be
presented if possible together with the recom-
mendations of the Working Group to Committee C.

4) It is therefore necessary that subcommittee 1
urge their work to keep pace with the working
group.

5) The present note deals item by item as they
appear in Document 189 TR referred to above.

6) Item 1 - Plenipotentiary Conferences.

It is required to calculate the expenditure of Plenipotentiary Conferences. This is extraordinary expenses - the Chair proposes as basis of estimation the actual figures presented by the B.U.I.T., in different localities.

7) Item 2 - Administrative Conferences.

Same as in (6).

8) Item 3 - The proposed Administrative Council.

For the time being the number proposed is 15 unpaid members. However consideration must be given to the expenditure incurred by the travelling expenses and also for travelling allowances during the session which is proposed to be once a year. To be added to this, the Secretariat expenses etc.

9) Item 4 - The proposed I.F.R.B.

The number proposed is 11 paid members, in permanence between two full plenipotentiary Conferences. The pay and additional allowances and Secretarial section should be estimated, taking for basis of estimation the current practice of different existing organizations and different localities.

10) Item 5 - The Consultative Committees.

There are at present three Consultative Committees namely C.C.I.F., C.C.I.R. and C.C.I.T. It is proposed to create a Director to each of these Committees. His pay will be borne by the Union.

11) Item 6 - The proposed Secretary General of the Union.

The Secretary General is the head of the Administrative machinery. It is proposed that he shall have assistant Secretary Generals to assist him in running the

Administration. The Secretariat will comprise: -

- a) All the main items as now undertaken by the B.U.I.T.
- b) The sections created with the I.F.R.B. and for its functioning.
- c) The three Secretariat Divisions of the Consultative Committees, and any other machinery which is considered necessary to meet the new organization.

11a) Item 7 - Specialized Secretariat of Consultative Committees.

A proposal is made that this may be composed of 5 persons for each Committee.

12) Item 8 - The proposed Bureau of the Union.

This question is still under discussion whether the bureau should be formed from the President and Vice-Presidents of the Council in which case assignment for their pay shall be estimated, or, whether the Bureau should be formed from the High officials of the Union; the matter has not yet been settled.

Proposals.

- 13) The chair proposes to first consider the Secretariat establishment. There are two points to be taken care of: -

- a) The establishment based on the conception as laid down above.
- b) The establishment based on the possibility of retaining the present B.U.I.T. with reorganization to meet the new needs.

- 14) For these purposes, the chair proposes to discuss and comment on the organization draft which will shortly appear. The effort made by the Chair to produce this draft is to enable the subcommittee to clarify and make up their mind when a definite decision is made. It is not a proposal. It is only an attempt to formulate a conception which could be discussed and in the light of discussions, a definite proposal could be made.
- 15) It is understood that the task of this subcommittee cannot be the preparation of a budget in detail. This is, in the opinion of the chair, a Secretary General's first function on his nomination. However some approximation of expenditure should be produced by the subcommittee for Committee C in accordance with our terms of reference.
- 16) It is necessary meantime to draw the attention that, for the Secretary General to propose a budget, he should be guided by budgetary basis agreed by the Plenipotentiary Conference. This basis should deal with: -
 - 1) Staff regulations.
 - 2) Recruitments.
 - 3) Promotion.
 - 4) Scale of pay and Grading.
 - 5) Allowances and Travelling expenses, leaves, etc.
 - 6) Provident Funds (Pension, indemnities, etc., etc.)

and all relevant matters, which would not be possible for this Committee to approach.

- 17) However, it may be necessary for the subcommittee to recommend measures to be taken to fill the gap between the end of the conference and final establishment of a budget. There are some bodies which are required to function immediately (I.F.R.B., additions to Secretariat, reorganization, etc.) and which need additional funds. The subcommittee should prepare itself to propose a solution if this is so desired.
- 18) The chair will be only too pleased to receive any concrete proposals from the members of the Subcommittee with view of conducting the work of the Subcommittee in the most efficient manner possible, and in the limited time in front of it.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 242 TR-E

August 12, 1947.

Committee F

Report of the
General Regulations Committee
(Committee F)

Tenth Meeting
August 8, 1947

The Chairman opened the meeting at 12 o'clock by submitting for the approval of the Committee the report of the last meeting, Document 203 TR-E. This report was approved.

Mr. Popovic, Chairman of the Working Group, then gave a few explanations concerning the activity of this group, which has resulted in the publication of Document 207 TR-E. He explained in particular that the Working Group had again taken up the question of the decision taken by the Committee in its meeting of July 31, which stated that any reference to admission should be crossed out of Article 2 and entered in Article 3. The Working Group proposed adopting provisionally an Article 2 entitled, "Invitation and Admission to Plenipotentiary Conferences," and an Article 2 bis entitled "Invitation and Admission to Administrative Conferences."

The Chairman thanked the Working Group for its efforts and opened discussion on Article 2 of Document 207.

An exchange of views took place concerning the definition of the term "delegation" as proposed by the Working Group. The Committee finally decided to approve as a whole Article 2, as entered in Document 207 TR-E, paragraphs 5 and 6 being subject to reservation. In addition, the Committee approved provisionally the definition of the term "delegation" amended as follows by the Delegation from the United States: "....and other private enterprises interested in the telecommunications field, and which are recognized as such by their respective governments."

The Delegate from Canada thought, in regard to referring paragraphs 5 and 6 to Committee D, that this Committee had broken up without having discussed this question.

The Chairman had not referred these paragraphs to Committee D, but had simply asked the Chairman of that Committee, in a letter dated August 1, to let him know when the agreement with the United Nations had been reached. Doubtless a reply would not be received until after the negotiating Committees had met.

The Chairman then proceeded to the study of Article 2 Bis.

§ 1: Approved.

§ 2: The Delegate from the United States suggested crossing out in line 6 of the English text the word "operating" so as not to anticipate the decisions of Committee C concerning the American proposal 17 TR; Document No. 2 TR-E (Articles No. 5 and 6).

A lengthy exchange of views took place concerning the participation of organizations of any kind in international conferences. Basically, the proposal of the United States tends to make a distinction between societies, associations or other organizations who are only interested in the problems presented by telecommunications, and those groups which operate in installations serving telecommunications.

As an agreement was not reached concerning the proposal of the United States, the Chairman proceeded to paragraphs 4 and 6 which were successively approved.

§ 7: Will be referred to the Drafting Group of Committee F to work out complete language in Art. 2 bis to compare with paras. 4, 5 and 6 of Art. 2.

The Chairman, summing up the discussion relative to Article 2 bis, stated that an agreement was reached with regard to paragraphs 1, 4 and 6. A recurring fundamental difference of opinion exists with respect to paragraphs 2, 3 and 5. The Delegates from the United States and the United Kingdom were requested to consult with the Secretary-General of the C.C.I.F in order to find a formula likely to satisfy all the parties concerned. It seemed that it should not be too difficult to reach an agreement. Finally, paragraph 7 was referred to the Drafting Group.

No further request was made for the floor and the meeting was adjourned at 1:30 P.M.

The rapporteur:.

WOLF

The Chairman:

MOCKLI

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE

ATLANTIC CITY

1947

Document No 243 TR-E

August 12, 1947

Committee F

Agenda
of the
Meeting of Wednesday, August 13
in the Trellis Room

- 1.- Approval of Reports of the 9th and 10th Meetings
(if they have been published).
- 2.- Study of Articles 24 to 28 of the Internal Regulations.
- 3.- Study of Articles 22, 22bis, and 23 of the Internal
Regulations.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
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Document No. 244 TR-E

August 13, 1947

Committee E

ADDITION TO DOCUMENT NO. 238 TR-E

ANNEX 6

F R A N C E

The Delegate from France stated that almost complete agreement existed within the Committee on the question of retaining the gold monetary standard. However, during the last few years, new principles have been introduced in the matter of rates. But, since the discussion of rates lies exclusively within the competence of administrative conferences concerned solely with the question of the monetary unit, the Delegate from France asked the Delegate from Greece whether he considered that a better standard than gold existed. He would be in agreement with the Greek proposal if it involved the gold dollar as defined by the Bretton Woods Agreements. In that case, the monetary unit would satisfy the same requirements as the gold franc.

Other Delegations (Belgium, the Belgian Congo, Canada, India, the United Kingdom, the United States) retain the gold standard.

The Delegate from France, in answering the Delegate from Canada, called attention to the fact that the example cited merely revealed that disparity in the charges collected is not to be imputed to the gold franc, but simply to the fact that because of the devaluation of the Canadian dollar, no account whatever was taken thereof in levying charges collected in Canada.

If we should adopt the Canadian proposal, we should be indirectly lowering the charge by about 50%, since the gold content of the monetary unit would be cut in half. If direct solution is desired, it would be preferable to lower the rate itself, rather than to modify the gold content of the monetary unit.



As for the Indian project, it would result in a 30% lowering of rates. This would be a still more serious matter, for if this proposal were followed, each time 20 countries agreed to modify the gold parity of their currency, a further lowering of rates would ensue, whatever the viewpoint of the other countries might be.

He observed that the reservations made at Cairo were due to an initial reservation by Great Britain and certain countries whose currency was linked with that of the pound. This situation resulted from the 40% devaluation of the pound sterling in 1931. But between 1931 and 1938, domestic prices in the United Kingdom had been subject to only slight variations, and it was, consequently, exceedingly difficult to justify in the eyes of the consumers of that country an increase in rates as expressed in their national currency. The trouble, therefore, was not with the gold franc but with the difficulty of applying the equivalent as prescribed in Article 31 of the Telegraph Regulations.

However, under such circumstances, the British Administration was obliged to pay terminal charges and transit charges in gold which brought the equivalent price in national currency to a higher figure than that collected from the senders.

The same situation prevailed in the United States.

Returning to the Bermuda Agreement.....

He said that he felt that this constituted the establishment of a very serious precedent which would make it possible to manipulate rates and charges on a fairly extensive scale. The question of rates and of the choice of currencies must not be settled as it had been in Bermuda by two, or a few countries, because this procedure makes it possible to evade the ruling with regard to equivalents and amounts to the practice of "dumping" in international telecommunications. Thus, for France, for instance, the above-mentioned fact, which is tantamount to lowering international telecommunications rates on messages leaving England, might give rise to the practice of routing traffic by telephone or by air via England for many destinations.

Situations of this sort cannot be allowed to arise without running the risk of causing great confusion.

Referring again to the case of rates with the United States, he said that the consequence of this agreement was to make the French consumer pay the top price, whereas the American consumer pays a lower rate.

This situation must stop. The question of the monetary unit, therefore, must be discussed here within the framework of international telecommunications. And the decision to be made must conform to the monetary policy of the originating countries of the Bretton Woods Agreement which provides for the return to the gold standard.

In conclusion, and for all the reasons enumerated above, his delegation would like to retain Article 32 of the Convention without modification.

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CORRECTIONS

A) In Document No. 145 TR-E:

Page 20, replace the present lines by the following:

§ 3.....Conference, and proposals to move the seat of the Union. In such cases.....

B) In Document No. 175 TR-E:

Page 6, Article 18, (continuation) under Number 58, read: .

58, Netherlands, Curacao and Surinam

Pages 6 and 7, Article 19, replace the present § 3 by the following:

§ 3. Exceptions to the above rule shall be made with respect to proposals to admit, suspend, or exclude a country (in connection with the list of countries in Article 18 entitled to participate and vote in the Conference) and proposals to move the seat of the Union. In such cases, a 2/3 majority of the positive and negative votes cast shall be required.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 246 TR-E

August 13, 1947

Committee C

199 TR

UNITED STATES OF AMERICA

PROPOSAL FOR A TRANSITIONAL ARRANGEMENT
FOR THE INTERNATIONAL TELECOMMUNICATIONS UNION

The Governments represented at the International Telecommunications Conference in Atlantic City,

Having this day signed the International Telecommunications Convention which shall replace the International Telecommunications Convention of Madrid of 1932, and

Having recognized that, pending the coming into force of the Convention signed this day, transitional arrangements are required, agree as follows:

1. There is hereby established a Provisional Administrative Council for the purpose of carrying on such functions as are listed in paragraph 6 below, with a view to effecting an orderly transition in the organizational arrangements of the Union.

2. The Council shall consist of one representative from each of the following Governments:

3. Each member of the Council shall have one vote and decisions shall be made by the majority of the members present and voting. The Council shall adopt its own rules of procedure.

4. The Council shall hold its first meeting in Atlantic City immediately after the conclusion of the International Telecommunications Conference for the purpose of selecting its officers and determining its next meeting, and shall be convened by the President of that Conference.

5. The Secretariat for the Council shall be provided by the Bureau of the Union, and any additional expenses incurred by the Bureau shall be borne by the members of the Union under the provisions of Article 17, paragraph 3 of the Madrid Convention. The Governments selected to be represented on the Provisional Administrative Council shall bear the travel and other expenses of their respective representatives.

6. The functions of the Council shall be:

(a) to convene the first session of the Plenipotentiary Conference of the International Telecommunications Union as soon as practicable after the entry into force of the International Telecommunications Convention of 1947 and, if possible, in conjunction with the Telegraph and Telephone Administrative Conferences to be held in Paris for the Special Radio Conference to be held in March, 1949;

(b) to convene, not later than March 1, 1949, and if possible before that date, a Special Radio Conference for the purpose of adopting the new International Frequency List as envisaged in the resolution of the Radio Administrative Conference of September _____, 1947;

(c) to prepare and submit to the signatories of the International Telecommunications Convention of Atlantic City, the provisional agenda for the First Session of the Plenipotentiary Conference and necessary documents relating thereto, including:

1) budget proposals for all the activities of the Union,

2) draft financial and staff regulations,

3) a proposed scale of contributions to the expenses of the Union.

d) to take all necessary preliminary steps or the transfer to the Secretariat of the Union of the functions and duties which have hitherto been performed by the Bureau of the

Union and the Government of Switzerland under the International Telecommunications Convention of Madrid;

(e) to take all necessary steps to enable the Union, under the International Telecommunications Convention of Atlantic City, to assume the assets and liabilities of the Union under the Convention of Madrid;

(f) to arrange for the representation of the Union at meetings of the United Nations and other international organizations when matters of concern to the Union are under consideration.

7. The Council shall meet either at the seat of the Bureau, or at such other place as it may determine.

8. The Provisional Administrative Council shall cease to function when the Administrative Council of the Union provided for under the Convention of Atlantic City shall have been elected by the Plenipotentiary Conference.

Reasons: The extensive modifications concerning the structure of the Union, which are now under consideration in Committee C, cannot come into effect until the new Convention enters into force. Many of these changes cannot come into effect until action is taken by the Plenipotentiary Conference, which cannot meet until after the Convention enters into force. The United States Delegation considers that thorough preparation is required for that conference, and that a responsible interim body is necessary to perform the type of function set forth in this draft. The precise functions of the proposed Provisional Administrative Council cannot be determined until the work of the present conference is further advanced. Accordingly, certain functions have been inserted in brackets.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 247 TR-E

August 13, 1947

Committee F

Report
of the General Regulations Committee
(Committee F)
Eleventh Meeting
August 9, 1947

The Chairman opened the meeting by recalling that two points on the agenda entered in Document No. 225 TR-E still had to be considered, that is:

- 3) Study of the "Texts" proposed by the Drafting Group, texts contained in Documents No. 194 TR-E.
- 4) Study of the "Compared Texts" of Articles 16 to 20 of the Internal Regulations, Document Nos. 157 to 161 TR-E.

To begin with, the Chairman wished the Committee to be informed of the work which had been accomplished by the special group formed the day before, and composed of the Delegate from the United States, the Delegate from the United Kingdom and the Secretary-General of the C.C.I.F.

The Secretary-General of the C.C.I.F. read the following report:

"Mr. Chairman, Gentlemen:

The special group appointed by Committee F yesterday proceeded this morning to an exchange of views concerning the draft text of Article 2 bis of the General Regulations found in Document No. 207 TR-E.

The group found that it was not only a question of drafting but also a question of substance.

The Group first suggested that in the later study of this question the following terminology should provisionally be used in order to clarify later discussions:

private operating agency: the detailed definition is given in Annex 2 of Document No. 9 TR-E; briefly stated, it is a national organization entrusted with ensuring a public telecommunications service, and recognized by its respective government.

private agency: this is a national group the members of which are interested in telecommunications, but which, in its capacity of an association is not entrusted with ensuring a public telecommunications service.

This terminology being provisionally accepted, the opinions of the Delegations from the United States and the United Kingdom differ (or occasionally agree) on the following points:

1. The Delegation from the United States considers that Committee F is not capable of dealing with the substance matter of Article 2 bis; Committee C must first decide upon the composition of Administrative Conferences, eventually taking into consideration the proposals of Committee 3 of the Radio Conference of Atlantic City.

The Delegation from Great Britain considers that, strictly speaking, this is true; but, to gain time it feels that Committee F should not wait for a decision of Committee C, a decision that may or may not be made.

2. The Delegation from the United States feels that private operating agencies and private agencies should be treated in the same way, and that neither should participate in an independent or autonomous manner in Administrative Conferences ("under their own steam"). Of course, both types of agencies should be represented in Administrative Conferences if their respective governments decided that this was advisable.

The Delegation from the United Kingdom points out that it is the tradition of the International Telecommunications Union to allow private operating agencies to assist at the Administrative Conferences in an independent or autonomous capacity; and, indeed, in the past private agencies have made in their own name - proposals for modifications of the Regulations when preparations were being made for former Administrative Conferences. It is, however, clear that the government which recognizes a private agency participating in an autonomous capacity at an Administrative Conference has full power to prescribe the behavior of the representative of this private agency in this Administrative Conference. The Delegation from the United Kingdom, on the other hand, feels that national private agencies

should not be admitted in an independent or autonomous capacity (under their own steam) to Administrative Conferences, although a government always has the right of including in its Delegation to an Administrative Conference an individual belonging to such a private association, either in the capacity of an advisor or even in the capacity of a governmental delegate.

3. The Delegations from the United States and the United Kingdom are in entire agreement on the following point: in no case may the representatives of private operating agencies or the representatives of private agencies exercise the right of independent vote. Only the delegate of a government (Head of the delegation of a country) votes and signs the Regulations studied at an Administrative Conference.

4. In Document No. 11 R-E of the Radio Conference of Atlantic City, pages 18 and 19 contain Proposals No. 579 R and 582 R of the Delegation from the United States, admitting to Administrative Conferences only "inter-governmental organizations" and not, generally speaking, "international organizations,"--this admission of inter-governmental organizations being moreover subject to the condition indicated in Draft Article 2 bis, paragraph 5 (c) of Document No. 207 TR-E.

The Delegation from the United Kingdom feels that these proposals from the United States could not be accepted in view of the decisions already made by the Economic and Social Council of the United Nations, in regard to recognition by this United Nations Organization of "Non-Governmental Organizations" (abbreviation, NGO) such, for instance, as the "International Chamber of Commerce."

The Delegate from the United Kingdom approved, without reservation, the report submitted by Mr. Valensi. He added that, as it had been impossible to come to an agreement with the United States on Articles 2 and 2 bis, this issue might have to be submitted to the Plenary Assembly in the form of a document.

In the opinion of the Delegate from Italy, the admission of private agencies to administrative conferences was not a tradition as Mr. Valensi had said. On the contrary, it derived from the provisions of Article 18, §4 of the Convention, and of Article 4 of the Internal Regulations of preceeding conferences. It would perhaps be wise to wait, before considering Articles 2 and 2 bis, until Committees C and D had come to a decision.

The Committee approved this suggestion.

The Chairman added that the two articles under consideration must momentarily remain pending for still other reasons: on the one hand, certain provisions depended upon the agreement to be made with the United Nations. On the other hand, the definition of the term "Delegation" has not yet been settled.

The Chairman then proceeded to the study of the texts proposed by the Drafting Group of Committee F for a series of Articles of the Internal Regulations (Document No. 194 TR-E).

After discussion, the Committee put these articles in the following form:

Article 5

First Session of the Plenary Assembly.

The first session of the Plenary Assembly shall be opened by a person appointed by the inviting government.

Article 6: Cross out the word "working."

Article 7: Cross out the word "working." Taking into account the "note" appended by the Drafting Group, Article 7 would read as follows:

"The Secretariat of the Conference shall be constituted at the first session of the Plenary Assembly, composed of the personnel of the secretariat of the Telecommunications Union and, if necessary, of personnel of the administration of the inviting government."

The Delegate from South Africa pointed out that the words "and shall be" before "composed" are lacking in the English version.

Article 8: Approved.

Article 9: Approved. The note was struck out.

Article 11: The English term "reporter-secretary" called forth criticism from the United States Delegate. After discussion, the article was approved in its French version. The attention of the Drafting Committee would be drawn to the difference of opinion existing between the United Kingdom, on the one hand, and the United

States on the other, in regard to the English version.

Article 12: The Delegate from the U.S.S.R. was of the opinion that the article should state in which languages the minutes would be written. At the end of the discussion, the Committee decided to refer Article 12 in its present form to the Drafting Committee, but with a stipulation in regard to § 1 as to future decisions of Committee C on languages.

Article 13 and Article 14: The words "and Subcommittees" were deleted from the title of Article 13.

§ § 1 and 2 of Article 13 were approved, as well as § § 1 and 2 of Article 14.

§ 3 of Article 13 would become § 3 of Article 14 in the following form: "Any final report must be approved by the Committee or Subcommittee concerned."

Paragraph 3 of Article 14 was approved and became paragraph 4 of Article 14.

Article 15: Approved.

The question of Article 12 was discussed a second time. The Committee maintained the opinion it had previously expressed, by sixteen votes against three.

The study of Document No. 194 TR was terminated and articles 5, 6, 7, 8, 9, 11, 13, 14 and 15 may now be sent to Committee G (Drafting Committee). Article 12 will be sent to the Committee, but with a remark concerning the proposal of the Delegate of the U.S.S.R. who wanted to have in this article a reference to the Article of the Convention which will set forth the languages to be used. (The revised texts of the articles to be submitted to Committee G are attached as Annex).

The Chairman then suggested proceeding to the study of certain definitions appearing in the Annex to Document No. 194 TR-E.

After an exchange of opinions, the Committee expressed by a majority its wish to have the number of definitions reduced to a strict minimum when it was a matter of identical terms, such as the terms delegate or delegations, representative and expert-observer, terms which have already appeared in Article 1 of the Moscow Document 5 ter. On the other hand, Committee F should not establish for

the General Regulations definitions different from the definitions made by Committee C for the Convention. To avoid useless work, Committee F should come to an understanding with Committee C to ascertain which of the definitions to be found both in the Convention and the General Regulations have already been considered.

The discussion closed at 6 p.m.

Rapporteurs:

Wolf
F. A. Trail

Chairman:

Mockli

Annex

Drafts prepared by Committee F
for further consideration by Committee G

Internal Regulations

Article 5

First Session of the Plenary Assembly

The first session of the Plenary Assembly shall be opened by a person appointed by the inviting government.

Article 6

Election of the Chairman and Vice-Chairmen

The chairman and the vice-chairmen of the Conference shall be elected at the first session of the Plenary Assembly of the Conference.

Article 7

Secretariat of the Conference

The Secretariat of the Conference shall be constituted at the first session of the Plenary Assembly and shall be composed of the personnel of the secretariat of the Telecommunications Union, and, if necessary, of personnel of the administration of the inviting government.

Article 8

Powers of the Chairman

§ 1. The Chairman shall open and close the sessions of the Plenary Assembly, direct the deliberations and announce the results of the voting.

§ 2. He shall also have the general direction of all the work of the Conference.

Article 9

Appointment of Committees

The Plenary Assembly may appoint committees to examine questions submitted for the consideration of the Conference. These committees may appoint subcommittees, which, in their turn, may appoint sub-subcommittees.

Article 11*

Chairmen, Vice-Chairmen and Reporters of the Committees

§ 1. The Chairman of the Conference shall submit for the approval of the Plenary Assembly the choice of the chairman, and of the vice-chairman or vice-chairmen of each committee.

§ 2. The Chairman of each committee shall propose to his committee the nomination of the reporters and the choice of the chairman, vice-chairmen, and reporters of the subcommittees of that committee.

Article 12**

Minutes of the Sessions of the Plenary Assembly

§ 1. The Minutes of the sessions of the Plenary Assembly shall be drawn up by the secretariat of the conference.

§ 2. (1) As a general rule, the minutes shall contain only the proposals and conclusions, with the chief reasons for them in concise terms.

(2) However, each delegate representative or observer shall have the right to require the insertion (either summarized or in full) in the minutes of any statement which he has made. In such case, he must himself supply its text to the Secretariat of the Conference within two hours after the end of such session. It is recommended that this right shall only be used with discretion.

Article 13

Reports of Committees

§ 1. (1) The debates of the committees and subcommittees shall be summarized, session by session, in reports in which shall be brought out the essential points of the discussion, the various opinions which are expressed and which it is desirable that the Plenary Assembly should know, and the proposals and conclusions which emerge.

(2) However, each delegate or representative or observer shall have the right to require the insertion (either summarized or in full) in the report of any statement which he has made. In such case, he must himself supply to the reporter the text to be inserted within two hours after the end of such session. It is recommended that this right shall only be used with discretion.

§ 2. If circumstances warrant the committees or subcommittees shall prepare at the end of their work a "final report" in which they shall recapitulate in concise terms the proposals and the conclusions which result from the studies which have been entrusted to them.

Article 14

Adoption of Minutes and Reports

§ 1. (1) As a general rule, at the beginning of each session of the Plenary Assembly (or of each session of a committee or of a subcommittee) the minutes (or the report) of the preceding session shall be read.

(2) However, the chairman may if he considers such procedure satisfactory, and if no objection is raised, merely ask if any members of the Plenary Assembly (or the committee or the subcommittee) have any remarks to make on the text of the minutes (or the report).

§ 2. The minutes (or the report) shall then be adopted or amended in accordance with the remarks which have been made and which have been approved by the Plenary Assembly (or by the committee or subcommittee).

§ 3. Any final report must be approved by the respective committees or subcommittees.

§ 4. (1) The minutes of the closing session of the Plenary Assembly shall be examined and approved by the Chairman of the Conference.

(2) The report of the last session of a committee or of a subcommittee shall be examined and approved by the chairman of such committee or subcommittee.

Article 15

Summons to Sessions

The sessions of the Plenary Assembly and the sessions of committees or of subcommittees shall be announced either by letter or by notice posted in the meeting place of the conference.

* Article 11. For the word "reporter" in Article 11, Committee F considered using the term "reporter-secretaries." There was a difference of opinion as to the desirability of using "reporter-secretaries." It shall be left to the Drafting Committee (Committee G) to make the final decision regarding this usage. (This question does not arise with regard to the French text).

** Article 12. The Moscow Document which was used as a basis of work by Committee F included a provision regarding the language in which the minutes are to be prepared. Committee F decided to adopt the text of Article 12 as shown here, but to refer it to the Drafting Committee (Committee G) with a note to the effect that Committee C is considering the whole question of languages and the inclusion of a stipulation regarding languages in this Article should be dependent upon the decisions of Committee C.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 248 TR-E

August 13, 1947

Committee C

AGENDA

of the 11th Meeting of Committee C

August 14, 1947, at 10 a.m.

Trellis Room (Ritz)

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- 1) Approval of the reports of the 6th, 7th and 8th meetings.
 - 2) Continuation of discussions on Article 7.
 - 3) Membership in the Union (First Article).
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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 249 TR-E

August 13, 1947

Committee D

Correction to
Minutes of Fifth Meeting
of Committee D

1. On page 5 of Doc. 185 TR-E the last paragraph on the page should read as follows (change is underlined)

"After a debate, the Chairman proposed that the Subcommittee be composed of Delegates from India, the United Kingdom, the United States, Argentina, Switzerland, Ireland, France, the U.S.S.R., and Egypt."

2. On page 5 of 185 TR-E certain changes are to be made in the paragraph referring to the remarks made by the Delegate from India. The paragraph should read as follows (changes are underscored):

"The Delegate from India pointed out that he had hoped to shorten the discussions by requesting the formation of a working group. This result had not been obtained, and he explained the reasons for the anxieties of the Delegates regarding the prolongation of the Conference and consequent heavy expenditure - anxieties which are probably shared by some Governments. However, a great majority of the Delegates favored Draft B. These must presumably have been working according to general directives from their Governments. According to these instructions, the relations must be established between the I.T.U. and the U.N. No difficulties have arisen between the U.N. and the organizations which had established this liaison. Apprehension of political implications was evident. Actually there was nothing wrong with politics in themselves in the Aristotelian sense. It was politicians themselves who were frequently bad. He suggested putting the question to a vote."

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

Document No. 250 TR-E

August 14, 1947

Atlantic City, N. J.
August 11, 1947

SWITZERLAND.

Suggestion

It is an established fact that during and after the Second World War, diplomatic missions operated and are still operating short wave transmitting stations for the exchange of correspondence with their own countries, without notifying the authorities of the country to which they are accredited.

A question has arisen as to whether this traffic is compatible with the legal provisions relating to international telecommunications.

The Cairo General Radio Regulations of 1938 stipulate in Article 3, paragraph 1, "No transmitting station may be established or operated by any person or by any enterprise whatever without a special license issued by the government of the country to which the station in question is subject." As diplomatic missions can hardly be considered "persons" or "any enterprise whatever" the article just quoted does not seem to apply in this case.

However, the Madrid International Telecommunications Convention(Art. 30 and Annex); as well as the General Radio Regulations(Art. 26, No. 653(5)), the Telegraph Regulations(Art. 87)and the Telephone Regulations(Art. 15), deal in specific terms with telegrams, radiotelegrams and government communications, granting certain privileges to this type of telecommunication. It follows that legislative bodies dealing with international telecommunications are of the opinion that governments and their foreign representatives should use the same means of telecommunication as the general public.

The fact that diplomatic missions exchange communications directly through their own stations is liable to be prejudicial to the interests of recognized Administrations and operating companies in charge of international telecommunication service. Moreover, this matter involves traffic routed beyond the boundaries of each country, and the problem as a whole cannot be settled by mere domestic legislation within the various countries; for example: in matters relating to the use of waves, general operational conditions, interference, etc.

Bearing these facts in mind, the Swiss Delegation takes the liberty of calling the attention of the Plenipotentiary Conference to this point, by specifically bringing up the following questions:

- a) Is it admissible in principle for accredited diplomatic missions to operate transmitting stations for the exchange of communications with their respective countries?
- b) If the answer is in the affirmative, what general and technical conditions should be required for the establishment and operation of such stations, for example, license from the government to which the mission is accredited, allocation of frequencies, and application of general rules of the international telecommunications service?

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 251 TR-E

August 14, 1947

Revision of the International
Convention on Safety of
life at Sea -- (1929)

FOREIGN OFFICE.
Londres
S.W.I.

10th July, 1947

Monsieur le Directeur du Bureau de l'Union
internationale des télécommunications, Berne

Sir,

At the first session of the Transport and Communications Commission of the United Nations the question of the co-ordination of activities in the fields of aviation, shipping and telecommunications concerning safety and rescue at sea and in the air was discussed. The Commission noted that the United Kingdom Government, under the provisions of Article 61 of the International Convention for the Safety of Life at Sea, 1929, intended to convoke a Conference in the spring of 1948 with a view to revising the Convention, and in its report to the Economic and Social Council suggested that prior to the meeting of this Conference a Committee of experts to be appointed by the International Civil Aviation Organisation, the International Telecommunications Union, the International Meteorological Organisation and the Provisional Maritime Consultative Council might be set up to prepare a factual Report describing existing measures for co-ordination of safety and rescue arrangements and, if possible, making recommendations based on the considered views of those agencies.

2. When this Report was considered by the Economic and Social Council on the 3rd March, 1947, the Council took note of the fact that the United Kingdom Government was prepared to convene a preparatory Committee of experts to consider the co-ordination of activities in the fields of aviation, shipping and telecommunications in regard to safety at sea and in the air.

3. In implementation of their undertakings to convene this Committee of experts, I am directed by Mr. Secretary Bevin on behalf of His Majesty's Government to extend an invitation to your organisation to nominate experts to serve on this Committee. In this connexion I am to state that it is understood that at their meeting in Paris on the 17th May, the Provisional Maritime Consultative Council considered this matter in anticipation of an invitation being received to appoint experts to represent them on the Committee, and they decided to nominate three representatives. It may, therefore, be considered desirable to nominate the same number to represent the International Telecommunications Union.

4. It is proposed that the Committee should meet in London as early as possible, but in view of the various International Conferences already arranged, it is not thought possible that this would be before September, 1947.

5. Mr. Bevin will be pleased to hear that your organisation will assist in this work and will be glad if the names of your experts can be submitted, together with any observations you may care to offer as to suitable dates.

I am, Sir, Your obedient Servant,

(signature)

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 252 TR-E

August 14, 1947

FOR INFORMATION

U N E S C O

The following paper is submitted for the information of delegates to define UNESCO's broad field of interest in the International Telecommunications Conferences.

- - -

In the words of its Constitution, the purpose of UNESCO is "to contribute to peace and security by promoting collaboration among the nations through education, science and culture. . . ."

One of the ways in which UNESCO will realize this purpose is, again in the words of its Constitution, "to collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image."

The importance of this was fully recognized by the delegates to the First UNESCO General Conference (Paris, November 1946). At this Conference a series of proposals was authorized for the employment by UNESCO of all the means of mass communication and for action by UNESCO to remove the obstacles in the way of their full and most effective employment. In the field of telecommunications these proposals may be enumerated as follows:-

- (a) The establishment of a world-wide network for radio broadcasting, and relations with U.N. in this respect.

(N.B. It was not suggested that UNESCO should embark immediately upon an undertaking of such scope and cost, but that UNESCO should undertake a study of the possibility and desirability of such an undertaking with a view to the presentation to the Second General Conference (Mexico City, November 1947) of a practicable plan of action.)

- (b) The appointing of a Programme Committee to study

the possibility of collecting material within UNESCO's sphere of interest for use on any national or international radio facilities that may become available to UNESCO.

NOTE:-Action on the aforementioned two subjects will be taken by a committee of experts drawn from 19 countries which is meeting in Paris from August 4 to August 9.

- (c) Technical Training Scheme. With the object of facilitating the pooling of experience, UNESCO should encourage, on the widest international basis, the exchange of instructors and trainees in this field with particular reference, in the first instance, to the training in technologically advanced countries of personnel drawn from the war-devastated and deficiency countries.

NOTE:-Action on this Scheme is already proceeding through an exchange of persons bureau and the provision of scholarships within Member States.

- (d) Exchange of radio material and techniques. In collaboration with the existing International Bodies, UNESCO should establish a clearing house of radio-information with the object of encouraging countries to reflect in their national broadcasting programmes the culture and achievements of other countries. To this end, UNESCO should collect information about programme techniques and new developments in broadcasting services throughout the world, in order to draw the attention of other countries to those ideas, or provide guidance on request.

NOTE:-Action in this field is in the planning stage.

Combined with these positive proposals for the development of existing channels of communication and the possible establishment of a new international system, there was also authorized a series of what might be called negative or curative proposals for the removal of the barriers obstructing the flow of communication:-

(e) Surveys on such subjects as:-

- i. International tariffs and special priorities for the transmission of press information.
- ii. The adequacy of international relay facilities by point-to-point transmission.
- iii. The administrative and political restrictions to the free flow of information, to be followed by the stimulation and possible initiation of international conventions to overcome these obstacles.

NOTE:-Work on the aforementioned surveys is proceeding within Member States.

Since the items listed under (e) are particularly within the province of the International Telecommunications Conferences, UNESCO would appreciate the opportunity of stating its objectives in their regard since they contain practical provisions, the adoption of which is required both by professionals and by users of information in all countries, while their application would greatly contribute to an increase in the dissemination of information.

In the first place UNESCO desires a reduction in international charges for the transmission of press information. High charges are prejudicial to the spread of information among nations. Not only because they necessarily result in curtailing the volume of information given, but also because they enforce a reduction of the sources of its dissemination. Because they favor rich countries at the expense of poor countries (since they require vast resources which can only be assembled by governments or powerful concentrations of private interests) these tariffs establish a dangerous inequality, and hence even put a heavy mortgage on freedom of information. The lower the tariffs are, each country will not only receive more news from foreign sources, but also, will have within itself more varied sources of information and expression of opinion. However, UNESCO feels convinced that as far as strictly technical and economic considerations are concerned, the increasingly general use of radio in telecommunications could permit, from now on, an appreciable reduction of the tariffs actually in force.

The press also desires that priorities be granted it in all countries, on a still more generous scale that is at

present the case for transmission of this information. Indeed, rapidity is not a luxury for the press, but an integral part of information. The word "news" is a sufficient indication of this. Information is not history; it exists entirely in the present. The administrative organization of the transmission of press messages must adapt itself to the rapidity which the operation of the press demands and which can be obtained by radio technique.

Similarly UNESCO favors the advantages offered by international relay facilities for point-to-point transmission. In this case it is a question not only of rapidity, but even more of accuracy and fidelity. Thanks to such transmission, reporting retains all the vividness of direct evidence, of immediate contact with the facts, observed and communicated in all the reality of their own environment. The evidence of the observer gains thereby in quality and in authority. It is, therefore, to be desired that all countries should grant increasingly ample facilities for such transmissions.

Generally speaking, and also in principle, UNESCO wishes that, in the revision of the Madrid Convention which constitutes one of the chief aims of the Telecommunications Conferences, the administrative and political restrictions to the free circulation of information be reduced to a minimum. The right to information is a fundamental right of modern man. It constitutes the condition of the normal functioning of democracy, and also of intellectual, scientific and technical progress.

If there is any instrument of transmission which will not submit to the closing of frontiers, it is certainly the radio. Moreover, it is a very poor calculation to invoke the exigencies of political security and social stability in order to justify restrictions upon the free information of nations. For, as a matter of fact, there is no more dangerous factor of insecurity and upheaval than the ignorance of the masses or their distrust where their opinions are concerned.

The most difficult and decisive of all the problems under consideration is that of the distribution of wave lengths between different services and countries. Although recent technical advances have appreciably increased the available means for the

transmission of signs and images; as well as the voice, the compass of waves remains limited, and therefore insufficient compared to the continually increasing requirements of communication between men. But since - if greater understanding between nations is to be effected - every nation should have the technical means to impart to the whole community of mankind the spiritual message of its own humanity which is commonly called its culture, UNESCO asks that, in the deliberations and final decisions on this subject, due importance should be given to cultural standards rather than to the standards of wealth and power.

It is precisely in order that nations may be united that they have been given these means of expression and of communication which you must divide among them. They must not forget this. And the time has perhaps come to declare, as a fundamental principle, that no country has a right of ownership over such and such waves which have been assigned to it, but that the ether is the property of all the people of the world. Universal recognition of this principle is required in order to remind everyone that the waves at their disposal must be utilized for the benefit of all, and, in the first place, for the promotion of international solidarity. In other words, the allocation of a wave length should not include the right to use it for any purpose whatever, but, on the contrary, it should impose obligations as to its use in relation to the whole human community.

For this purpose, UNESCO hopes that an international code of human solidarity of respect for the interdependency of cultures be considered in regard to the content of broadcasting programs. It is through converting national programs to an international conception and opening them to international interchange, as much as in building up a world network - international in its structure and operation - that it is fitting UNESCO believes to seek for the means of preserving for or of restoring to radio its true instrumental role. It is at least with this purpose in mind, that UNESCO has set to work to encourage and facilitate international program exchanges.

Finally, as part of its programme for increasing understanding by recommending action for the removal of barriers to the free flow of information, UNESCO believes that free flow pursued as an end in itself would lead to great inequalities in the dissemination of information. In an endeavor to correct this, UNESCO has already made a survey, through field enquirers, to discover the requirements of those countries, particularly in Europe and the Far East, where the war has caused serious loss of equipment

and personnel or where rehabilitation and reconstruction are affected by inadequate technical knowledge and facilities. These field enquirers examined the present needs for raw materials, equipment and trained technical personnel in each of the fields of film, radio and press. Their survey covered the supply of raw film stock, pulp and paper, film cameras and projectors; radio transmitting and receiving apparatus; printing machinery and type.

The countries covered by this survey are:-

France	Norway	China
Belgium	Denmark	The Philippines
Luxembourg	Poland	Yugoslavia
The Netherlands	Czechoslovakia	Greece

This survey will be presented to a Committee of Experts which will meet in Paris from August 25 to August 30 and whose task it will be to find ways and means of remedying the deficiencies.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 253 TR-E

August 14, 1947

Committee C

REPORT
of the Organization Committee
of the Union
(Committee C)
9th Meeting
August 7, 1947

1.- The meeting was called to order at 10 a.m. under the chairmanship of Mr. Alexander Fortoushenko (Soviet Union).

The Chairman proposed the continuation of the discussions relating to the terms of reference to be given to the Working Group that will be entrusted with the task of making recommendations on questions relating to the structure of the Union. He pointed out that, during the previous meeting, the Committee had decided on the four first items of Document No. 189 TR.

Adopted. ✓

2.- Item 5. of Document No. 189 TR - Chairmen or Directors of the C.C.I.

The Chairman explained that it was a question of knowing whether it was desired that a chairman or a permanent director be elected as head of each International Consultative Committee. In the affirmative, it would be necessary to choose the method of election, as three solutions might be considered:

- election by the Administrative Conference,
- election by the Plenary Assembly of the corresponding International Consultative Committee,
- nomination by the Administrative Council of the Union, the creation of which has been agreed to in principle at the preceding meeting.

After brief remarks by the Delegates from the United States of America, France, Lebanon, the United Kingdom, and Sweden, the Committee unanimously adopted the following resolution:

"The Committee is of the opinion that each International Consultative Committee must have at its head a director, holding office permanently and elected by the Plenary Assembly of the corresponding I.C.C."

3. The Delegate from Sweden, supported by the Delegate from the United Kingdom, wished to have it made clear whether the Director or a Representative of the inviting government would preside over all the meetings and the Plenary Assemblies of the International Consultative Committees.

The Chairman thought that the question had been settled: inasmuch as it had just been decided that the person placed at the head of each I.C.C. would have the title of director, the Plenary Assemblies would be under the chairmanship, not of the director, but of a representative of the inviting country.

4. The Delegate from China thought that it was necessary to fix the length of the term of office of the directors of the International Consultative Committees; he proposed that this term be limited to the period between two Administrative Conferences.

The Chairman pointed out that the Plenary Assemblies of the Consultative Committees did not necessarily coincide with the Administrative Conferences and that it would therefore be more logical to set a definitive term, for instance, five years.

The Chinese Delegate came over to this point of view.

5. The Delegate from the United Kingdom felt that some guarantee should be given to permanent officials such as the Directors of the International Consultative Committees. He proposed that they be elected for 5 years, "or until a new election is held." Furthermore, provision would have to be made for replacing them, if the need should arise.

The Delegate from the United States of America supported this proposal.

The Chairman requested the Committee to express its opinion on the proposals of China and the United Kingdom.

He proposed the following resolution which was adopted by the Committee by a show of hands.

"The term of office of the directors of the International Consultative Committees shall not be definitively fixed; the Plenary Assembly, if it deems it advisable, may re-elect them, or provide for their replacement."

6. Item 6 of Document No. 139 TR-E (Establishment of a post of Secretary General).

The Chairman did not consider it necessary to continue the discussion on this question. Since it was a very important question, he asked the Committee to proceed to a vote by roll call.

On the question "shall a post of Secretary General of the Union be established?" the results of the voting were as follows:

- for: 56, against: 0, abstention: 1, absent: 20.

The Delegate from France wished to call attention to the fact that, while he accepted the establishment of a post of Secretary General, he did so only under the condition that the present organization be replaced by an organization of the same type as that proposed by the Moscow Conference; otherwise, in his opinion, it would be necessary to reconsider the entire question.

The Chairman concluded that the Committee was agreed upon the establishment of a post of Secretary General.

The Committee then decided unanimously that the Secretary General should be appointed by the Administrative Council.

7. Item 7 of Document No. 139 TR-E (Specialized secretariats of the C.C.I.)

The Delegate from France made the two following comments:

1. While it is possible to fix the number of persons in the secretariat of the C.C.I.F. since it has been functioning for a long time and since its powers are well known, the same is not true of the other C.C.I.'s. The size of the secretariats of the latter, therefore, should not be fixed now, as there would be a risk of providing either too large or too small a staff.

2. The personnel of the specialized secretariats may only be subject to the directors of the C.C.I., and its relationship to the Secretary General is conceivable only with respect to its administrative statute, powers, etc.

The Chairman commented that figure 5 was only given as an indication, the Administrative Council reserving to itself the right to fix the exact number of members of each secretariat according to needs and budget possibilities. As to the personnel being attached to the General Secretariat, this is a question of detail to be examined by the working group.

The Delegate of Guatemala was in agreement with the point of view of the Delegate from France and asked that the working group not be bound by giving it any figure whatsoever. He therefore proposed to delete in item 7 of Document No. 189 TR-E the expression: "composed of about five persons."

Finally, the Chairman put the following question to the vote.

"Do we want each C.C.I. to have a specialized secretariat under the orders of the Director of the corresponding C.C.I., but in administrative relationship with the General Secretariat?"

The result of the vote by roll-call was as follows:
Yes. 57. No. 0. Abstentions. 2. Absent. 18.

8. Item 8 of Document 189 TR-E (Constitution of the Bureau of the Union).

The Chairman stated that the question was rather complicated and requested that the different delegates express their point of view on the matter.

9. The Delegate of the United Kingdom was in agreement with the general outline of the text of Item 8 of Document 189 TR, but he proposed that the wording be made clearer. By replacing the expression "constant¹⁾ coordinating of the activities of the Union" by "constant coordinating of the activities of the permanent agencies of the Union."
10. The Delegate of the United States of America pointed out that this proposal was a little different from the Moscow Draft which provided for an office of Executive Board of the Administrative Council.
 - 1). The word "constant" was omitted from the English text of 189 TR-E.

Here a meeting of permanent officials is proposed under the auspices of the Secretary General and not of the Administrative Council. This office would coordinate the activities of permanent agencies but would have nothing to do with the Administrative Council."

He approved the text of item 8 interpreted in this sense.

11. The Delegate of France understood from the interpretations which had just been given that the permanent bureau would be composed of the Secretary General and the directors of the technical committees. He was not at all in agreement on this point, because:

1. If as has been decided an administrative council were created the Bureau could only become the executive agency of this Council.
2. The Secretary General who would have an official status and the directors of the technical committees elected by the Plenary Assembly would not be qualified to carry out the orders of the Administrative Council which, designated by the Plenipotentiary Conference would have a definite mandate and its responsibility would devolve from the said Conference.

In the future organization, there would be a successive delegation of powers of the Plenipotentiary Conference to the Administrative Council, and then to the Bureau. Conversely, for accounts to be rendered. There would be the ascending chain from the Bureau to the Administrative Council and then to the Plenipotentiary Conference. It is impossible that an irresponsible official - the Secretary General - could obtain a delegation of authority from the Administrative Council which is composed of representatives of countries elected by the Plenipotentiary Conference. It is not possible either for the directors of technical committees. The Bureau must act, exercise its responsibility; but nobody seems ready to admit that the Secretary General and the directors of committee could exercise their responsibility.

At the request of the Chairman the Delegate of France continued his speech by explaining the French draft. He read the essential provisions relating to the subject in Document No. 14 TR-E, page 7:

"§ 10. In the interval of its sessions, the Bureau acts on behalf of the Administrative Council within the limits of the delegation accorded by the aforesaid Council.

§ 11. The Directors of the International Consultative Committees and the Chairman of the International Frequency Registration Committee take part compulsorily in the deliberations of the Administrative Council; they have no right of vote.. Between the meetings of the Council they may be called upon to give their opinion on all sorts of questions entering exclusively or jointly into the competence of their respective committees."

He added that the necessary coordination which was mentioned in item 8 of Doc. 189 TR-E can be accomplished, not in bringing together the Directors of the C.C.I. who are equal in title and the Secretary General of whom it is not known whether he will be of a lower or higher rank than the Directors, but by the Administrative Council which is considered to be at the very highest level of the administrative structure of the Union. The latter would have sufficient authority as it receives its mandate from the Plenipotentiary Conference which as is unanimously admitted, is the very highest authority.

12. The Delegate of Egypt recalled that the United States of American had proposed to delete the word "bureau.". He suggested that the wording of the second line of Item 8 be modified in order that it might read "a permanent coordination Committee."

13. The Delegate of the United States of America believed that the point of view of the Delegate of France was very logical. He noted that the new Agency was a combination of the Secretary General and of experts who will discuss coordination, and he was of the opinion that the statement of the Delegate of Egypt was very appropriate. He also thought that it would then be possible to consider the possibility of having a discussion relating to the constitution of an executive bureau of the Administrative Council of the Union.

14. The Chairman stated his point of view on the question.

He pointed out that the proposal formulated in Document No. 189 TR-E, item 8, was incomplete. According to the Moscow proposal, the Bureau would be an integral part of the Administrative Council, and would be composed of a chairman, a deputy chairman in charge of general questions and an additional number of deputies equal to the number of permanent committees of the Union. These would be all of the members of the Administrative Council. In distinction from the full sessions of the Administrative Council, the Bureau, as a permanent body, would be in permanent session, and would be entrusted by the Administrative Council with the current work of directing the activities of the Union.

In the opinion of the Chairman, the French proposal embodies the same purposes as the Moscow proposal, but differs from it by having the chairman and two deputies of the permanent Bureau of the Administrative Council that are also members of this Council, whereas the heads of the permanent consultative committees, elected independently of the Council, are not members of the latter. The Chairman is of the opinion that it would be advisable to link the two ideas, i.e. that the wording of item 8 in Document No. 189 TR should be added to the French proposal. If this is done, the Bureau will have the following composition: a chairman and one or two deputies, who are members of the Administrative Council, and in accordance with item 8 of Document No. 189 TR, the directors of the various committees and the Secretary General of the Union. The directors of the committees and the Secretary General would not be members of the Administrative Council. Such a membership of the Bureau would be in a position to manage and direct the current work of the Union.

15. The Delegate from the United Kingdom wished to ask two questions:

- 1) Are the Chairman and the Vice-Chairmen of the Administrative Council permanent members at the headquarters of the Union?
- 2) Are they paid solely from the funds of the Union?

16. The Chairman replied that, in his opinion, the Chairman and the Vice-Chairmen of the Administrative Council work and are paid in the same manner as the Secretary General, but they are elected by the Conference. However, they might be elected by the Administrative Council itself, the Chairman being elected for a limited period of time (one year, for instance).

17. The Delegate from Lebanon believed that the Bureau should be formed by officials and not by members elected by the Plenipotentiary Conference.
18. The Delegate from Italy stated that in principle he was in agreement with the view expressed by the Chairman, but he wished to point out that all the Directors of the Committees are not always interested in the questions likely to arise, and that on the other hand all the Committees will not necessarily be located at the headquarters of the Union. Under those conditions, he thought that the Directors of the Committees should not meet at the Bureau in all cases but only when the questions to be discussed concerned their own Committee.
19. The Delegate from Egypt declared that the name and composition of the Coordinating Committee was of little importance, but that this Committee was necessary and should be created.
20. The Delegate from France thought that the view that had just been expressed could be very well reconciled in order to reach an agreement. In fact, it was possible to conceive of a Bureau composed of a Chairman and two Vice-Chairmen belonging to the Administrative Council, and to which could be added the Secretary General and the Directors of the Committees. However, one should consider that the Bureau has two sorts of powers,
 - those resulting from the decisions of the Plenipotentiary Conference, and which are delegated by the Administrative Council;
 - those consisting of exchanging views and in adjusting certain questions between the Secretary General and the Directors of the Committees.

As to the former, if the officials (the Secretary General and the Directors of the Committees) are to be given a deciding vote, the Chairman and the Vice-Chairmen, who are less in number, would have their decisions frequently opposed and often overruled by people who do not belong to the Plenipotentiary Conference. But if, on the contrary, the Secretary General and the Directors of the Committees collaborate in the work with only a consultative vote, there would be no objection to admitting them to the Bureau.

21. The Delegate from the Netherlands accepted the text proposed in item 8 of Document No. 189 TR-E with the amendment suggested by the Delegate from the United Kingdom at the beginning of the meeting. He opposed the addition of any member other than the Chairman and the Vice-Chairman, because under such conditions the Organization would be too unwieldy.

22. The Chairman added a few words to clarify his position.

If one judges the composition of the bureau by the text of item 8 in Document No. 189 TR-E, one realizes that this Organization has no head. Consequently, it could be placed under the direction of the Chairman of the Administrative Council. Moreover, if one believes that it has too many members, "one might appoint only one Vice-Chairman, or even no Vice-Chairman at all."

23. The Delegate from the United Kingdom thought this question should be examined in the light of a practical study.

He expressed the opinion that the important question is what people serve as officers of the Bureau and who pays them. He pointed out that the heads of the CCI'S would coordinate the work of the Bureau. Since the Administrative Council and other bodies are large bodies, extreme care should be taken in the selection of officers. We know what kind of people will head up the CCI'S, but we do not know what kind of people will compose the Administrative Council. The Administrative Council is to be made up of elected countries--not of people. We might assume that a country elected to the Administrative Council would choose as its representative a person who occupies a position of responsibility in its national telecommunications administration.

Once a year the Council is to meet and 15 people will review the budget and perform its various obligations to the Union and the Plenipotentiary Conference. At the end of the meeting, however, these men will have to return to their respective countries and resume their official responsibilities. Presumably the Union would pay only the travel and per diem of these officers. Would it be wise that the Chairman and Vice Chairman of the Administrative Council be at once a permanent officer of the Council and carry his duties at home?

It is the view of the United Kingdom that the officers should serve in the ordinary manner on the Council and that they should function solely on behalf of the Union when they meet. We cannot see why there should be a mixture of representatives of elected countries and permanent paid officials of the Bureau. It would be a hybrid organization. The U.K. agrees with the Netherlands position that this type of arrangement would be extravagant.

24. At the request of the Chairman, the Delegate from the United Kingdom pointed out that, in his opinion, it mattered little to know who would be the head of the Bureau. This was not an important question. The Heads of the four or five permanent organizations might very well fulfill this function, if need be by rotation.
25. The Delegate from Cuba declared that the creation of a coordinating organization seemed necessary to him, but that discussion of the terms of reference of the Working Group could be continued in a helpful manner only when the Committee was enlightened on several points which were still obscure, such as, for instance, the composition and powers of the Administrative Council. He requested, therefore, that the study of this question be postponed. However, he then expressed the opinion that the Secretary General should not be the supreme authority within the permanent coordinating committee. He should be a secretary in the strict sense of the word and not a higher executive authority.
26. The Delegate from Chile agreed with the general outlines of the ideas expressed in Item 8 of Doc. No. 189 TR-E. He was of the opinion that the Secretary General should be able to act during the interval between meetings of the Administrative Council according to directives received from the said council, in order to coordinate the work of the various agencies of the Union. He noted that if these functions of the Secretary General were fulfilled by the Chairman of the Administrative Council the result would be the same.
27. The Delegate from Switzerland declared that to have the Coordinating Committee under the authority of the Chairman of the Administrative Council would complicate the problem. In most cases, the directors of the Committees - who know their job well and respect each other - would coordinate among two or three of them the points in question and only in important cases would they appeal to the authority of the Chairman of the Administrative Council.

28. The Delegate from Guatemala remarked that the views were very divergent on the subject of the organization of the Bureau, and he maintained that the question could be usefully discussed only when the Committee had a more precise idea of the organization of the Administration Council and of the General Secretariat. He therefore supported the proposal of Cuba, and requested that the question be referred to the Working Group without any recommendation other than a general orientation resulting from the discussions that had just taken place. The Working Group would then submit to the Committee the draft concerning the organization and functions of the Bureau of the Union.

29. The Chairman shared the point of view of the Delegates from Cuba and Guatemala and proposed to refer the question to the Working Group.

The Delegate from Greece, on the other hand, believed that since this question involved an important matter of principle, it should be dealt with by the Committee.

After some discussion, the Committee decided by 30 votes to 14 to refer the question to the Working Group.

30. Before closing the meeting, the Chairman stated that in order to permit the Subcommittee on Finance and Personnel to achieve rapid progress, the Committee should, during its next meetings, study the articles of the conventions whose provisions are likely to have an impact on the budget of the Union. Therefore, he proposed to study successively;

- The report of the Subcommittee on the subject of the International Bank,
- Article 10,
- Articles 7, 9, and 11 of the Moscow Draft.

Adopted.

The meeting was adjourned at 1 P.M.

The Rapporteurs:

J. Persin,
F. A. Rankin
B. Yourovski

The Chairman:

A Fortoushenko

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 254 TR-E

August 14, 1947

Committee F

REPORT
of the General Regulations Committee
(Committee F)

12th Meeting
August 12, 1947

The Chairman opened the discussion at 10:15 a.m. by stating that the day's meeting would be devoted to the study of Articles 16 - 20 of the General Regulations, Doc. 157-161 TR-E.

Art. 16: After some discussion the text of the Madrid General Regulations was adopted.

Art. 17: The Committee adopted the text of Atlantic City.

Art. 18: After a lengthy discussion, the following wording was adopted for para. 1.

"In Plenary Assemblies any authorized person may read or request the reading of any proposal or amendment submitted by him during the course of the Conference and be permitted to state the reasons therefore."

For paragraph 2, the Committee adopted the text of Moscow Doc. 5ter, after having made a deletion in it. This paragraph reads as follows:

"No proposal or amendment presented under the conditions stipulated in the preceding paragraph shall be submitted for discussion or voting, unless it is countersigned or supported by the Head of the Delegation of the country concerned or his Deputy."

It is understood that the "authorized persons" of this Article are defined in Articles 2 and 2 bis of the Internal Regulations.

Art. 19: For paragraphs 1 and 2 the text of Moscow Doc. 5ter was approved.

Paragraph 3. This paragraph was deemed superfluous by several delegations. An exchange of views took place, after which the Committee decided to retain the paragraph in the wording proposed by the Moscow document.

A typing error in the title of the Article of the English version will have to be corrected in consequence.

The Committee then returned again to Article 18 relating to proposals presented in Plenary Assembly. It decided to complete this Article by a § 3 similar to that just adopted for Article 19. Possibly, in Article 19 a reference to Article 18 might then suffice. The Drafting Group was entrusted with drawing up these texts which could serve as a basis for discussion at one of the next meetings.

Art. 20: The Committee adopted the text of the General Regulations of Atlantic City.

The meeting was adjourned at 1 p.m.

The rapporteurs:

The Chairman:

INTERNATIONAL TELECOMMUNICATIONS

CONFERENCE
ATLANTIC CITY
1947

Document No. 255 TR-E

August 14, 1947

India

200 TR INTRODUCTION

1. High Frequency Broadcasting has been generally recognized not only as a medium of entertainment but also as a cultural and social link between the peoples of the world.

2. In the opinion of India, High Frequency Broadcasting should be utilized for:

(a) Internal Services: these comprise two distinct types of services:

- i. Non-skip services: In radio tropical countries where the sole use of long, medium or very high frequencies does not provide an economical service, and
- ii. Long Distance Internal Services which are essential in the case of vast and sparsely populated countries;

(b) Services originating from the home country and intended for its nationals living abroad,

(c) International Services intended for the free exchange of information, for a proper understanding among the Nations of the world and most important of all for the preservation of world peace.

3. In pre-war times only a few countries maintained shortwave broadcasting for a few hours. But, during the second World War the number and duration of the shortwave services increased at an unprecedented rate, and it is highly doubtful whether the number of the shortwave services would ever decrease from the present level.

Recent investigations indicate that, for every station operating in the bands allocated for broadcasting, there are three to four stations operating outside the bands. Though it is still premature to judge the final outcome of the Administrative Radio Conference, it is fairly obvious that the Atlantic City Allocations can in no way meet the full demands of broadcasting since even the most liberal proposals have not contemplated an increase of more than 20% over the Cairo Allocations in the Region of 3 to 30 Mc/s.

4. Under the circumstances explained above, serious interference among the Broadcasting Services is inevitable unless an orderly plan for the allocation of frequencies is worked out at the ensuing Broadcasting Conference and strictly adhered to by all the Nations of the world. In view of the limited space likely to be made available for broadcasting, it is doubtful if, even with such a plan, interference could be completely eliminated.

5. Hitherto there has not been an International Organization to deal with the problems of High Frequency Broadcasting, though, in the case of low and medium frequency broadcasting, some regional organizations have been in existence.

In view of the ever-increasing importance of broadcasting in the life of the Nations and the urgent need for setting up machinery for the solution of all problems relating to broadcasting, India strongly supports the formation of an International Organization with Regional Sub-organs, where necessary, to deal with the low and medium frequencies.

6. India proposes that the Plenipotentiary Conference formally authorize the forthcoming High Frequency Broadcasting Conference to deal with all technical, legal and cultural problems pertaining to broadcasting.

7. For reasons explained above, a permanent International Organization should exist and function as an integral part of the I.T.U., to deal with all problems of broadcasting either directly (in the case of frequencies that are liable to cause international interference) or through sub-organs (in the case of frequencies which are of a regional or continental character).

8. India proposes that the above organization be similar in structure and equal in status to the other consultative committees and function on a world basis with regional sub-organs, where necessary.

9. India also proposes that the Broadcasting Conference prepare a convention similar to the Lucerne and Montreux Conventions with an annexed frequency plan and that this convention be appended to the I.T.U. Convention as an additional set of regulations relating to broadcasting.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

Document No. 256 TR-E

August 15, 1947

Committee F

Memorandum by the United Kingdom Delegation

The United Kingdom Delegation has offered to develop the reasons why it maintains its support of the proposals for invitation and admission to Conferences contained in the report of the Working Party of Committee F (document 207TR) particularly in the matter of the participation of private operating agencies and international organisations in Administrative Conferences.

The Working Party proposed that Plenipotentiary Conferences should be attended solely by Governmental delegations and by the bodies contemplated in §6 of Article 2 of the draft which it prepared, on the clear understanding, of course, that Governments would be absolutely free to constitute their delegations as they pleased. In particular, Governments could, if they chose, appoint members of private operating agencies to be delegates with full powers or to be members of the delegation serving in some other capacity. In all cases such persons would be subject to the authority of the Head of the Delegation.

The Working Party envisaged, however, the attendance at Administrative Conferences of

1. Representatives of Private Operating agencies; and
2. Subject to certain conditions, expert observers of international organisations.

These two points are discussed below.

1. Private Operating Agencies

The question has been raised whether the new General Regulations to be annexed to the Convention should be so framed as to prohibit private operating agencies from having separate representation in future Administrative Conferences. This would, of course, involve an important change of practice. The participation of such agencies is clearly contemplated in Article 18 § 4 of the Madrid Convention. If the term "participation" is to have significance such participation must involve the right to submit proposals and to join in discussion.

That such a right has been exercised in the past is indisputable. A glance at Volume I of the documents of the Cairo Telegraph and Telephone Conference, 1938, shows that independent proposals were made by a number of private operating agencies (see, for example, Cairo proposals 27T (Cable and Wireless Ltd.), 107T (Cie. Générale de t.s.f.), 214T (Italcable) and 501T (Egyptian Marconi Co.). In Vol. II of the same documents, these private operating agencies were listed at pages XLV to XLVII separately from Governmental delegations and the reports of the various committees indicate that the representatives took an active and useful part in the discussions.

Whether or not a private operating agency of a particular country should have independent representation at any particular Administrative Conference would, of course, continue to be a matter for the decision of the Government which recognises it. The operations of such a private agency, are presumably licensed and controlled by that Government, and in the future, as in the past, it would be for that Government to decide whether or not to permit the agency to present to an Administrative Conference its own point of view on matters of service in which it has special experience, in the belief that this would be of interest to the Conference as a whole.

It should, of course, be understood that the Government which "recognises" a private operating agency is the Government of the country in which the agency has its Head Office. Thus, for example, the Great Northern Telegraph Company and the P.Q. company own cables landed in the United Kingdom but the two agencies in question are "recognised" by Denmark and France respectively. Thus invitations for these Companies to attend an Administrative Conference and any appropriate directions to them are matters wholly within the competence of the latter countries respectively. In this connection the United Kingdom would invite attention to its proposed development of the definition of the term "private operating agency" (*exploitation privée*) in Annex 2 of proposal 49 TR in Document 9 TR.

It is not clear to the United Kingdom delegation in what way conditions have altered, so as to require, or to justify, action by the International Telecommunication Union to restrict the rights of its member countries vis-à-vis their own private operating agencies, which would appear, *prima facie*, to be a domestic matter.

2° International Organisations

It has been suggested that only inter-Governmental organisations, as distinct from the generality of international organisations, should take part in Conferences. The United Kingdom delegation understands that the international organisations contemplated § 2 and 5 (c) of Article 2 bis in document 207 TR would include non-governmental organisations such as those accredited to the Economic and Social Council of the United Nations by decision of what is known as the Council NGO Committee, and does not know of any grounds on which the general exclusion of these organisations from Administrative Conferences of the International Telecommunication Union could be justified. Their admission in individual cases would, of course, depend upon the decision contemplated in § 5 (c) and 6 of Article 2 bis.

Inter-Governmental organisations are already provided for by § 6 of Article 2 and § 7 of Article 2 bis.

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August 15, 1947

Committee E

"E"

REPORT
of the Convention Committee
(Committee E)

10th Meeting
August 12, 1947

1. 1) The Chairman opened the meeting at 3:40 p.m.
2. 2) In accordance with the agenda (Document No. 240 TR-E) the report of the 8th meeting (Document No. 238 TR-E) was adopted with the following reservations:
 - a) at the request of the Delegate from Italy instead of "35%" on page 5, number 9, read "from 35% to 50%."
 - b) at the request of the Delegate from Czechoslovakia, instead of "30%" on page 5, number 10, read "40%."
 - c) at the request of the Delegate from Denmark, replace the 2nd subparagraph of number 13, by the text reproduced in Annex 1.
 - d) on the 3rd line from the bottom of page 23, replace "letting" by "setting" (English text).
 - e) at the request of the Delegate from the United Kingdom, in Annex 10, page 24 (English text), replace "but" by "should." Delete "may" in the 1st paragraph. 7th line of the 3rd paragraph, replace "should be" by "had been." 8th line of the 3rd paragraph: replace "national" by "international."

The report of the 9th meeting (Document No. 239 TR-E) was adopted with modifications in the wording of the English text: page 2, paragraph 6, of Document No. 239 TR-E instead of "20" read "see."

In accordance with point 2 of the agenda, the Committee resumed the discussion of Article 32 "Monetary Unit."

3. The Delegate from China was of the opinion that although the gold franc is not completely satisfactory, the other solutions proposed are not more desirable and, consequently, he preferred to retain the gold franc in its present form.

4. The Delegate from Mexico, in a statement appearing in Annex 2, announced that his Delegation supported the United States proposal.
5. The Delegate from the Netherlands expressed his belief that special arrangements frequently produce the most satisfactory results, and stated that he therefore supported Proposal 194 TR of South Africa (Document No. 229 TR-E) (see statement in Annex 3).
6. The Delegate from India, after clearing up a misinterpretation on the part of the Italian Delegate regarding the statement he had made at the last meeting, stated again the terms of his proposal: in answer to certain objections of a financial nature, he expressed his belief that prior to the effective date of the new Convention, the CCIT and the various administrative conferences would have had sufficient time to adapt the rates to the new monetary unit which he had proposed.
7. The Delegate from the Ukraine agreed to maintain the status quo.
8. The Delegate from France, resuming discussion of the proposals of Canada and India, thought they would lead to a wide-spread and indirect reduction in international rates, which would not be acceptable to all countries; upon reconsideration of the proposals of the United States and the United Kingdom, he felt that the fact of accepting national currencies as monetary units, amounts to refusing to apply Article 31 of the Telegraph Regulations. He did not deny that there was need for special arrangements for neighboring countries, but he did not consider it advisable to make the same arrangement in the case of transoceanic traffic, which is of world-wide concern.

He thought that if the gold franc were not adopted, "traffic poaching" would ensue, which might lead to the disintegration of the Union. The gold franc sets up what amounts to a compromise solution among all countries; what he desired to retain, was the gold standard in its present form.
9. The Delegate from Iran believed that a stable monetary unit should be adopted; he was prepared to cooperate with the other delegations in the matter of lowering of tariffs.

10. The Delegate from South Africa, explaining his country's proposals as contained in Document No. 229 TR-E, recalled that this document was identical with the one appearing in the African Telecommunications Agreement, and aimed at retention of the gold franc as the monetary unit, while at the same time explicitly recognizing the possibility of establishing special arrangements.
11. The Delegate from Canada, in a statement included in Annex 4, replied to the objections made against his Delegation's proposal.
12. The Delegate from Cuba called attention to the differences of opinion on the question of the monetary unit. He said that in his opinion an I.T.U. unit of exchange should be established which would serve to designate the number of words transmitted - at the place of clearing - and which would permit an almost complete settlement of accounts; the difference computed, for instance, in I.T.U. - kilos would then be paid in the equivalent in the national currency.
13. The Delegate from the United States supported the South African proposal, on condition that the words "or private operating agencies" be added after "administration."
14. The Delegate from Italy said that he did not consider it necessary to mention, in the text of Article 32, the possibility of concluding special arrangements, inasmuch as this possibility was already recognized in the text of Article 13.
15. The Delegate from South Africa, for reasons of clarity and accuracy, preferred that specific mention be made in Article 32 of the right to conclude special arrangements with regard to rates.
16. The Delegates from the United Kingdom, the United States, China and Greece sustained the South African proposal.
17. The Delegates from France and Belgium agreed with the Delegate from Italy that Article 13 made adequately explicit provision for special arrangements.

18. The Chairman summarized the different opinions, and proposed (see Annex 5) that the Committee express its opinion successively on the following points:

- 1) Shall the gold franc as it is now defined be replaced by a new unit?
- 2) If the gold franc is retained, shall the text of Article 32 of the Madrid Convention be retained or shall the addition proposed by the South African Delegation be affixed thereto?

19. The Delegates from Lebanon, Portugal, Bielorussia, and Belgium preferred that the Committee decide first of all whether or not the status quo shall be retained.

The Delegates from China, the United States, Canada, Iran and Cuba supported the proposal of the Chairman which was finally adopted by 22 votes to 14.

20. On the question: Shall the gold franc be replaced by a new monetary unit or not?, the Committee decided by a roll-call vote to retain the gold franc by:

46 votes against the change

5 votes for

1 abstention (see details in Annex 6).

The gold franc was therefore retained as the monetary unit.

21. The Chairman then asked the question: Should or should not a sentence be added to Article 32 that definitely expresses the possibility of concluding special arrangements, in accordance with the proposals made by the United States, the United Kingdom, and South Africa?

The Delegates from Italy, Belgium, and France merely desired to add the words:

"conforming with Article 13."

The Delegate from South Africa could not accept this modification.

The Chairman furthermore pointed out that as Article 13 had not yet been completely discussed, it was not as yet possible to definitely decide to make reference to this article.

He asked the Committee to vote on the following point: Should a sentence be added to Article 32 similar to that prescribed in the proposal made by South Africa relative to the possibility of concluding special arrangements, corrected to conform to the requests made by the Delegate of the United States?

22 Delegates voted for

22 Delegates voted against

6 abstentions

27 absent (see details in Annex 7).

The motion was therefore rejected in accordance with the Internal Regulations.

22. On a proposal made by the Chairman, the Committee decided that a Drafting Committee (Subcommittee E 2) should be created: Its mandate shall be:

"To study the text of the articles of the new Convention referred by Committee E, examine all written or oral proposals prescribed by changes in the draft, and propose precise and definite texts to Committee E."

23. Subcommittee E 2 will be composed of M. Commanay, of the French Delegation; Mr. Lewis, of the United Kingdom Delegation; and a Delegate from the United States Delegation.

NOTE: Mr. Tomlinson has been designated.

24. This Subcommittee will first study articles: 1, § 2; 24; 26; 27; 28, on which decisions with respect to substance have already been made by Committee E.

25. The Chairman then proposed that the study of Article 23 "Responsibility," already discussed by Committee E, should also be assigned to Subcommittee E 2.

The Delegate from the United States, recalling that his Delegation would have liked to delete this article, and had abandoned the proposal, would now like to have it specifically mentioned that the contracting Governments, and, not private enterprise, shall assume no responsibility.

The Chairman recalled that this matter had already been discussed during the 7th meeting.

After a brief exchange of views in which the Delegates from Italy, Iran, France, and Greece participated, the Committee decided to have the study of this question held over for the next meeting.

26. The Committee again took up the study of Article 22 "Telecommunication as a Public Service."

The Delegate from the United States declared that he abandoned the proposal made by his country as given in Document 2 TR-E, Art. 21, § 4 and § 5.

The Chairman then proposed that study of this article, which only requires changes in wording, be referred to Subcommittee E 2. This was agreed.

27. The Chairman then adjourned the meeting at 6.01 p.m.

Rapporteurs:

H. LEROGNON

A.G. DAVID

The Chairman:

H. TOWNSHEND

ANNEX 1

(Page 6 of Document No. 238 TR-E. Substitute the following for the 2nd paragraph of number 13):

The C.C.I.T. had already begun to study the question of rate levels. The inequality of rates was due to the way in which the equivalents were calculated.

International rates could not be based on the internal purchasing power of a certain currency, inasmuch as the country acts as the agent of other countries in collecting rates internationally fixed. The remedy was to lay down rules in the regulations which would ensure that the equivalents corresponded to the basic international rates, the elements of which should of course at any time and in any relation be kept as low as investigations on cost made by the C.C.I.T. and Administrative Conferences proved justifiable.

This proposal was therefore that discussion here should be limited to the question whether or not Art. 32 had served its purpose, which was to provide an unequivocal basis for calculating rates, and that the question of fixing the level of rates and rules of collecting them should be left to the C.C.I.T. and the Administrative Conferences.

ANNEX 2

M E X I C O

Mexico has always striven to conform to the provisions of an international nature of the Madrid Convention (1932) and to the annexed Regulations of this Convention, in the matter of tariffs and settlement of accounts, adopting the gold franc wherever and whenever conditions warranted. It is certain, however, that in the majority of agreements which touch upon exchanges between telecommunications services existing in countries of the American continents, Mexico, using Article 13 of the Madrid Convention as a basis, has preferred for practical reasons to adopt the dollar of the United States of America, which offered greater facilities both in the matter of contributions and in the settlement of accounts. That is why Mexico has viewed with interest the possibility of adopting the dollar of the United States as the monetary unit in setting up tariffs for the international telecommunications services, and for the settlement of accounts as well.

However, in view of reasons which have already been given careful study within this Committee, Mexico declares herself in favor of retaining the present gold franc; but with the proviso that she shall be permitted to make special arrangements whenever such procedure would best suit the interests of the contracting parties. This statement conforms to the proposal of the United States of America to be found in Document No. 167 TR-E.

ANNEX 3

NETHERLANDS

After all the discussions on the monetary unit I can be very brief. As to my government the new equivalent made it necessary to fix the new tariffs accordingly but on the other hand where it was possible to soften the consequences we did that by means of a special arrangement. As to the monetary unit I can only repeat the observations made already by delegates who want to take into consideration and await the results of our work in the VIIIth Commission of the C.C.I.T. which under your leadership is going to study this matter.

In the meantime the system of special arrangements can give and has given a solution for several countries. We have so far made use of this means and taking into account the circumstances we feel satisfied with it.

As to the different proposals made by the delegations it seems to me that the proposal of the South African Union meets the standpoints outlined during the debates and the Netherlands is willing to accept this proposal which in fact means maintaining the status quo.

ANNEX 4

CANADA

Mr. Chairman, I have again listened very carefully, and with an earnest desire for enlightenment, to the various Delegates who have spoken to the Canadian proposal with respect to the Monetary Unit.

The main reason given against its adoption is, in our opinion, that it would result in an arbitrary decrease in the rates for the radio, telegraph, and telephone services.

We cannot agree with this view for the following reasons:

- (1) The Radio Conference has deliberately deferred action on the paragraphs of the Radio General Regulations and of the Additional Regulations which pertain to rates, pending the decision of this Plenipotentiary Conference with respect to the Monetary Unit, so that such paragraphs could be considered in the light of our decision here, and rates established accordingly. The rates, therefore, insofar as they apply to Radiotelegrams, are within our immediate jurisdiction, so there would appear to be no legitimate cause for worry in this field.
- (2) The new Convention will not come into effect for a year and a half, or possibly not for nearly two years. All Administrations will have ample opportunity, during this period, to study their position with respect to the telegraph and telephone rates, and be prepared to make any adjustments, which may be found necessary, effective as from the date the new Convention comes into force, so again there would appear to be no good reason for complaint from this standpoint.

As previously stated, and we believe accurately, the most important effect of the Canadian proposal would be to bring, as nearly as possible, the currencies of today into the same relation to a monetary unit, as was the relation of the currencies to the present monetary unit at the time of its inception.

This, Mr. Chairman, was our motive, and we believe that to do so would be in the best interest of the International Telecommunications Services as a whole.

The Canadian Delegation has been, and still is, very sincere in presenting its proposal. Furthermore, we have endeavoured to expound its virtues as concisely and comprehensively as possible.

I would again emphasize however, that Canada has no axe to grind, that the acceptance of our proposal would mean a financial loss to Canada, but, and I repeat, we fervently believe that its adoption would be in the best interest of the International Telecommunications Service as a whole.

We agree with the Honourable Delegate of India that a monetary unit and special arrangements have nothing in common. In fact, one is the antithesis of the other. We therefore concur fully with the views expressed by the Delegate of India in this respect.

In conclusion, I would like to say that the Canadian Delegation is exceedingly grateful to you, Mr. Chairman, for the impeccable manner in which you have conducted the discussion on this very important matter, and to all the Honourable Delegates of this Committee, including yourself, who have studied our proposal, whether or not they have expressed their views either for or against it.

ANNEX 5

Summary by Chairman of debate on Article 32
Madrid Convention, "Monetary Unit"

1. The Committee agrees on the object of Article 32, viz. to provide a basis on which rates can be fixed and indebtedness expressed.

2. The Committee is agreed that questions about the level of rates are for the Administrative Conferences working within the provisions of the Convention, and that the questions for the Plenipotentiary Conference are (a) whether or not Article 32 in its present form is adequate for its agreed purpose and (b) if not, whether we can now improve it, and if so, how.

3. The Committee agrees that the existing state of international telecommunication rates and the arrangements for expressing indebtedness arising from the international telecommunication services, are unsatisfactory but delegates disagree in regard to the causes of the troubles and therefore in regard to the appropriate remedies.

4. On the causes and remedies, three main different and incompatible views have been expressed:

(a) that one at least of the causes of the trouble is that Madrid Art. 32 is inadequate to fulfil its purpose under modern conditions and it is therefore necessary for us to alter it. This view is the basis of the proposals of Greece, India and Canada. The U.K. has also expressed the view that Madrid Article 32 is inappropriate under modern conditions but does not support proposals to alter it substantially because it does not consider it practicable at present to find a satisfactory solution.

(b) that the causes of the trouble can be remedied by developing the telegraph and telephone regulations within the conditions laid down in the existing Art. 32 of the Convention and that therefore the remedy for the trouble lies in the hands of the next Administrative Conference. This view has been expressed most clearly by the delegate of France, who has indicated the nature of the proposed amendments to the regulations regarding the question of equivalents which the delegation of France will propose at the next Administrative Conference; but he has not of course dealt with this matter in detail

since it is not for the present Plenipotentiary Conference to do so. I believe that a number of other delegations, who like the French delegation, favour no change of substance in Art. 32, may share the view expressed by Mr. Laffay.

(c) some delegations have expressed themselves as entirely satisfied both with the present Art. 32 of the Convention and with the telegraph regulations and find the cause of the existing trouble in the action of members of the Union in declining to be bound by or apply the relevant articles of the regulations and in indulging in special arrangements within the field of rates under Art. 13. of the Convention. The remedy, on this view, is of course that these members of the Union shall change their policy and conform to the practice of the others in applying the regulations as they stand in all their relations.

5. There is a further difference of opinion among those delegations who favour maintaining the provisions of Article 32 without substantive amendment; namely that some of them - including the U.K., the U.S. and South Africa - hold that the large number of existing special arrangements, involving the use of units other than the gold franc under Art. 13 of the Convention, should be recognized by means of an amplification of the existing Art. 32 specifically providing for such special arrangements; while others among those in favour of retaining the substance of the existing article do not wish to make any modification whatever in its terms, thus leaving the practice of the majority of the members to rest on the provisions of Art. 13.

6. If this analysis of the position is accepted I think that the first question to be decided is whether or not the Committee wishes to recommend the Plenary Assembly to make a substantive change in Art. 32 - that is to say, to replace the gold franc of the value therein stated by some other unit, and I propose to put this question to the vote first. Those who are in favour of replacing the present gold franc in the new Convention by some other unit, whether a gold franc of reduced content or any other unit different from the present one, will vote "yes" and those who wish to maintain the gold franc at its present value in the new Convention will vote "no" (that is to say "no substantive change").

7. In the event of the decision being in favour of substantive change the Committee will have to decide between the alternatives before it, which are, since the delegate of Greece has withdrawn his proposal, the proposals of Canada and India. These proposals are essentially similar and I think in the event of a change of substance in Art. 32 being decided upon it will be desirable to form a small working party, including representatives of both of those delegations, to synthesise their proposals into one definite proposal to put before the Committee at a later meeting.

8. If, on the other hand, the result is in favour of no substantive change, so that the gold franc remains as it is, we will proceed immediately to take a decision on the only remaining question, namely whether Art. 32 containing the prescription of the present gold franc as the monetary unit shall be amplified to provide specifically for the use of other monetary units by means of special arrangements between those administrations which so desire, according to the proposals of the U.S., U.K. and South Africa, or whether on the contrary the article should remain precisely as it is, leaving the special arrangement in question to rest on Art. 13 of the new Convention.

ANNEX 6

Voting by roll call on question whether to replace the gold franc by any other monetary unit.

For: Burma, Canada, Cuba, India, Iran.

Against: South Africa, Albania, Argentina, Australia, Austria, Belgium, Belgian Congo, Bielorussia, Brazil, Chile, China, Vatican City, Colombia, Denmark, U.S.A., U.S. Colonies, France, French Colonies, Tunis & Morocco, U.K., British Colonies, Southern Rhodesia, Hungary, Iraq, Ireland, Italy, Lebanon, Mexico, Norway, New Zealand, Netherlands, N.E.I., Peru, Philippines, Poland, Portugal, Siam, Sweden, Switzerland, Czechoslovakia, Turkey, Ukraine, U.S.S.R., Uruguay, Venezuela, Yugoslavia.

Abstained: Greece.

Absent: Afghanistan, Saudi Arabia, Bolivia, Bulgaria, Costa Rica, Dominican Rep., Egypt, El Salvador, Ecuador, Ethiopia, Finland, Guatemala, Haiti, Honduras, Iceland, Liberia, Luxembourg, Monaco, Nicaragua, Panama, Paraguay, Portuguese Colonies, Roumania, Syria, Yemen.

ANNEX 7

Voting by roll call on question whether to amend Article 32. Madrid Convention to provide specifically for special arrangements.

For: South Africa, Australia, Belgian Colonies, Brazil, Chile, China, Cuba, U.S.A., Territories of U.S.A., U.K., British Colonies, S. Rhodesia, Greece, Iraq, Iran, Ireland, Mexico, New Zealand, Netherlands, N.E.I., Peru, Philippines.

Against: Albania, Argentina, Austria, Belgium, Bielorussia, Vatican City, Colombia, Denmark, France, French Colonies, Hungary, Lebanon, Norway, Portugal, Siam, Sweden, Switzerland, Czechoslovakia, Ukraine, U.S.S.R., Uruguay, Yugoslavia.

Abstained: Canada, Tunis & Morocco, India, Italy, Turkey, Venezuela.

Absent: Afghanistan, Saudi Arabia, Burma, Bolivia, Bulgaria, Costa Rica, Dominican Rep., Egypt, El Salvador, Ecuador, Ethiopia, Finland, Guatemala, Haiti, Honduras, Iceland, Liberia, Luxembourg, Monaco, Nicaragua, Panama, Paraguay, Poland, Portuguese Colonies, Roumania, Syria, Yemen.

INTERNATIONAL
TELECOMMUNICATIONS CONFERENCE

Atlantic City
1947

Document No. 258 TR-E

August 15, 1947

I N D I A

201 TR PROPOSAL FOR AGENDA FOR THE HIGH
FREQUENCY BROADCASTING CONFERENCE

- 1) Verification of Credentials.
- 2) Internal Regulations of the Conference.
- 3) Central Broadcasting Board:
 - a) Need for the Board;
 - b) Organizational structure of the Board;
 - c) Scope and functions of the Board;
 - d) Regional Sub-organs of the Board;
 - e) Relationship with other organizations.
- 4) Technical Matters:
 - a) Order of Priority for allocation of frequencies to the following types of H. F. Broadcasting Services:
 - i. Regional,
 - ii. Domestic Long Distance,
 - iii. Services for Nationals Abroad and Colonial Services,
 - iv. International Services.
 - b) Formulating the principles of engineering on which allocations are to be made,
 - c) Monitoring,
 - d) Revision of Frequency Assignments.
- 5) General:
 - a) Public Reception of Broadcast Material,
 - b) Exchange of Transcriptions, Program Material, etc.,
 - c) Exchange of Technical, Program and Production Personnel.
- 6) Time, place and agenda of the full Broadcasting Conference.



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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 259 TR-E

August 14, 1947

202 TR

India

WORLD PLAN FOR HIGH FREQUENCY BROADCASTING
STATIONS

India recognizes that there are several important considerations which have to be taken into account while drawing up a Frequency Plan for the H. F. Broadcasting Stations of the World. In drawing up the frequency plan, the necessity of an equitable distribution of frequencies to the various countries and of the most effective utilization of available spectrum space cannot be over emphasized. All the following considerations have to be carefully studied to permit a workable plan to be prepared:

- a) Type of Service;
- b) Technical Standards of Service that have to be maintained (eg. Signal Strength at the most distant point of reception, Signal to Interference Ratio, bandwidth of emission, etc.);
- c) Frequency separation of adjacent channels;
- d) Power of the transmitter;
- e) Reception area of the transmitter;
- f) Frequency Requirements: the group of frequencies required for each transmitter to enable it to render an efficient service taking into account diurnal, seasonal and sun spot variations of propagation characteristics of the ionosphere.

The following are India's proposals regarding the considerations that should be taken as a basis in each of the above cases:

- a) Type of Service: Shortwave broadcasting can be divided into 4 categories and the following order of priority for allocation of frequencies is suggested by India:

- i. Tropical Broadcasting: this is a non-skip service extending contiguously from the transmitter up to a distance of about 800 Kms.;
 - ii. Internal Long Distance Services: These are needed in the case of countries having vast areas and sparse population where adequate wire facilities do not exist for the transmission of broadcast programmes over long distances;
 - iii. Colonial Services and services for nationals abroad: Colonial Services are those required by countries holding colonies abroad. But, in the case of countries like India, where a considerable number of her Nationals live in other countries, it is a primary obligation of the parent country to provide an adequate broadcasting service for her nationals in their mother tongue;
 - iv. International Broadcasting: This is primarily an inter-continental service meant for the free flow of information and exchange of views to promote better understanding and preserve peace among the Nations of the World.
- b) Technical Standards of Service:

- i. Signal Strength: this depends upon the noise level present in the various parts of the world and it would be most desirable to take the figures furnished by each country as the basis for determining the transmitter power that would be needed to provide the desired signal strength;
- ii. Signal to Interference Ratio: India suggests that a signal to interference ratio of 40 db (median to median) should be taken as a basis while working out the geographical sharing of frequencies;
- iii. Bandwidth of Emission: The frequency response as judged on the radiated program should be plus-minus 2 db (with reference to the level at 1000 c.p.s.) between 30 and 10,000 c.p.s.

- c) Frequency separation of channels: The separation should be 10 kc/s but as far as possible allocations should be dovetailed so that it would be possible for the transmitters to radiate the full audio frequency band width mentioned in b) iii without causing mutual interference.
- d) Power of the Transmitter: After careful consideration India proposes the following power limitations:
- Tropical Broadcasting: a maximum peak power of 80 Kws.;
- Long Distance Internal Services: a minimum peak power of 20 kW;
- Colonial Services and Services for Nationals Abroad a minimum peak power of 20 kW.
- International Broadcasting:
- (i) For medium distances not exceeding 2000 miles
Minimum peak power of 20 kW.;
- (ii) For distances exceeding 2000 miles
Minimum peak power of 200 kW with minimum antenna power gain of 5 in the direction of intended reception.
- e) Reception Area: All the countries should furnish accurate data regarding the intended coverage of H.F. Broadcasting Services so that these could be taken into consideration while preparing the frequency plan.
- f) Frequency Requirements of each transmitter:- If High Frequency Service is to be efficient at all times, it is obvious that the optimum frequency is to be employed and that this will in turn depend upon the time of the day, the season of the year, and the position in the sun spot cycle. Each country may therefore be requested to furnish a table of frequencies required for whole sunspot cycle, so that on the basis of this information frequency plans which will hold good for a complete sunspot cycle could be drawn up in advance. Unless this is done, it will not be possible to take full advantage of time sharing, geographical sharing and band sharing of frequencies.
- g) Geographical sharing: This has to be worked out taking b) d) e) and f) above into consideration.

h) Time Sharing: After obtaining complete information on the time and frequency schedules of various countries this could be worked out in detail.

i) Band sharing: same as h).

INTERNATIONAL
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Document No. 250 TR-E

August 15, 1947

INDIA

203 TR

CENTRAL BROADCASTING BOARD

In view of the extremely small spectrum space available for High Frequency Broadcasting and the large number of broadcasting stations that are in operation even at the present time, it is imperative that a coordinated world frequency plan for H.F. Broadcasting Stations should be prepared on the basis of equity and sound engineering principles without delay if an orderly and interference-free H.F. Broadcasting service is desired. At the same time it will be seen that an impartial organization to maintain, coordinate and operate this frequency plan is as important as the plan itself. India, therefore, suggests the formation of a Central Broadcasting Board to implement the above. Even though this Board is primarily meant to coordinate, advise and direct H.F. Broadcasting, it is the opinion of India that this Board, through its regional sub-organs, should coordinate low and medium frequency stations as well. This is the reason why India proposes that this Board be designated as the "Central Broadcasting Board" and not the "High Frequency Broadcasting Board." The following are India's proposals for the formation of a central Broadcasting Board:

Establishment and functions

1. There shall be a Central Broadcasting Board, the duties of which shall be:

On the Technical Side:

- a) To effect an orderly allocation of frequencies to the High Frequency

Broadcasting Stations of the World, based on principles of equity and sound engineering;

- b) To render advice to contracting governments with a view to make the most economical use of the spectrum space allocated to broadcasting;
- c) To coordinate the work of the regional sub-organs of this Board;
- d) To maintain a watch over the adherence of the Nations of the World to the frequency plans either by direct monitoring or through monitoring carried out by the regional sub-organs;
- e) To study continually the efficacy of the frequency plan and to make such adjustments as may be necessary when the anticipated ionospheric characteristics either advance or retard;
- f) To publish periodically the operation schedule of H.F. Broadcasting stations as monitored by the Board or its sub-organs;
- g) To publish periodically data regarding standards and practices which will enable spectrum space to be conserved;
- h) To collect data regarding the band width required for the H.F. Broadcasting Service for use at the next administrative Radio Conference;
- i) To act as the liaison body when specific frequencies are required by any country for special occasions;
- j) To direct study and research in the various problems that relate to high frequency broadcasting and

On the Non-Technical Side:

- a) To help continually in the free exchange of information in the field of broadcasting;

- b) To facilitate exchange of programs, program material, transcriptions, etc;
 - c) To disseminate advance information regarding broadcast programs.
2. The Broadcasting Board shall be composed of 3 directors, no two of whom belong to the same country, and who are qualified for candidature by technical and practical experience in the art of broadcasting. These directors will serve on the Board not as representatives of their respective countries but as custodians of an international trust.
 3. The directors elected at a broadcasting Conference shall hold office till the next conference.
 4. For the purpose of election of the Directors, the whole world shall be divided into three regions and one director shall be elected from each region.
 5. The seat of the board shall be decided at the broadcasting Conference.
 6. The Board shall meet at least once a week to attend to complaints, to examine special requests and to review the extent to which the frequency plan needs changes.
 7. The salaries of the Directors of the Board shall be included in the expenses of the Board, so that the Directors may be independent of their National Government and act in a truly international spirit.

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INTERNATIONAL
TELECOMMUNICATIONS
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ATLANTIC CITY
1947

Document No. 261 TR-E

August 15, 1947

Committee C

204 TR

UNITED KINGDOM

Initial lists of members and associate
members of the ITU in the new Convention.

1. The United Kingdom considers that the principles embodied in the Moscow document (45 TR-E) should from the outset be applied consistently in the new Convention.
2. Accordingly, the 77 countries (listed in Article 18, paragraph 1 of Document 42 TR) which are voting members of this Plenipotentiary Conference should participate in the work of the ITU in a manner consistent with these principles. For this purpose, the 77 countries should be classified into:-
 - a) Those which are, or by the time the new Convention comes into force will most probably be, generally recognized as fully independent in their international relations,
 - b) the remainder,
3. The countries falling into category a) should be voting members of the ITU as from the outset of the new Convention, provided that they have signed it and ratified it.
4. Any country falling into category b) should become an associate member of the ITU provided that it, or the parent country on its behalf, is willing and able to accede to the new Convention in that capacity. The rest of category b) would of course be represented by the delegations of their parent countries.
5. The United Kingdom list of countries falling into category a) is given in Document 215 TR-E and contains 69 countries. Category b) accordingly consists of the remaining 8 countries vis:

Belgian Congo and territories of Ruanda-Urundi
Territories of the United States of America
Colonies, Protectorates, overseas territories
under French mandate
French protectorates of Morocco and Tunisia
Colonies, protectorates, overseas territories
and territories under the suzerainty or
mandate of Great Britain
Southern Rhodesia
Monaco
Portuguese colonies.

6. The division of these 8 countries and groups of countries into 1) those which will become associate members of the ITU from the outset of the new Convention and 2) those which will initially be represented by the delegations of their parent member countries, would be for determination by the countries concerned according to the principle laid down in paragraph 4 above.
7. The above list of course is not comprehensive, since under the United Kingdom proposals it would be open to other countries and territories to accede to the new Convention as members or associate members under the conditions defined in Document 9 TR-E, which of course also rest on the principles of the Moscow document. The United Kingdom sees no reason why countries should not notify accession to the new Convention at any time after it has been signed, and should any countries do so before the new Convention actually comes into force, it will be necessary to add them to the "initial list" of members or associate members as the case may be.
8. The United Kingdom does not exclude further consideration of its proposals, as set out above, in regard to the initial lists, provided that the principles of the Moscow document which it advocates are consistently adhered to.

INTERNATIONAL
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E
Document No. 262 TR-E

August 15, 1947

Committee C

CORRECTIONS
to document 219 TR-E

Page 11: 22nd line, replace Gudia by India.
23rd, 27th, 31st and 35th line,
replace N.E.G. by N.E.I.

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August 15, 1947

Committee F

REPORT
of the General Regulations Committee
(Committee F)

13th Meeting

August 13, 1947

The Chairman opened the meeting at 10:15 by submitting for the approval of the Committee the report of the 10th meeting, Document 243 TR-E.

The Delegate from the United Kingdom was not satisfied with the next to the last paragraph of the report. The passage, according to which an agreement should not be difficult to arrange, was not consistent with his views. The differences of opinion which existed between the United Kingdom and the United States could not be adjusted by the small drafting group. On the contrary, these differences would be the subject of a document drafted by the Delegation from the United Kingdom. After this was noted, the Committee approved the report.

The Chairman then went on to examine Articles 24 to 28 of the General Regulations, Documents 178 to 182 TR-E.

A. Article 24: The Committee accepted the text proposed by France in Proposal 121 TR (Document No. 14 TR-E). The first words of §1 were, however, changed to: the text of the Convention or of the Regulations... There were no objections to §2 of the Moscow text.

Article 25: Document 179 TR-E. After a brief discussion, the text of the Internal Regulations of Atlantic City was adopted by 13 votes, with the proposal of the United Kingdom receiving 7 votes.

In the opinion of the Delegate from the U.S.S.R., the Atlantic City text which had just been adopted by

the Committee seemed to be contradictory. At the beginning, it dealt with a vote which might very well be negative, whereas the end of the sentence mentioned approval, which always implies a positive vote.

In the course of a short discussion, there was a proposal to over come the difficulty in the following manner: The decisions of the Conference.... After this modification, the text again came much closer to the text proposed by the United Kingdom. Since the Committee was in agreement regarding the substance of the question, the Drafting Group was directed to find a text likely to reconcile all points of view.

The text adopted in principle was: "The decisions of the Conference shall be final only after a second reading of the texts in their entirety, followed by approval of the texts."

Article 26: Document No. 180 TR-E. The Delegate from Canada drew the attention of the Committee to the Canadian proposal No. 21 TR, contained in Document No. 3 TR-E.

The Committee recognized the merits of the Canadian proposal, but believed that this provision should appear in Articles 2 and 2 bis. The Drafting Group would take charge of incorporating the text in question in these two articles.

As regards Article 26 itself, it was agreed to replace the term "acts" by the term "documents" in §1 of the Moscow text. General agreement existed regarding the content of the article, and the Drafting Group was charged with finding the most appropriate text.

Article 27: Document No. 181 TR-E. The Committee adopted the text of the Internal Regulations of Atlantic City, with the word "acts" replaced by the word "documents."

Article 28: Document No. 182 TR-E. The Committee adopted the text of Document 5ter of Moscow.
B. The Chairman then asked the small Drafting Group to re-examine Articles 16 to 20 and 24 to 28, so that they might then be submitted to Committee G.
C. The Delegate from the United Kingdom then drew the attention of the Committee to the fact that no article concerning franking privileges appears in Document 5ter of Moscow.

The Committee was of the opinion that this was an omission. After having dispelled certain doubts as to a conflict between Article 31 of the Internal Regulations and Article 29 of the Convention, the Committee raised the question of its jurisdiction in this matter. The decision was affirmative and deliberations began with Article 31 of the Internal Regulations of Madrid as a basis, inasmuch as this text was much more explicit than that of Article 28 of the Atlantic City Internal Regulations.

Article 31 § 1. Approved by a very substantial majority with a slight modification: the extent of the franking privilege shall be arranged by the Inviting Government and not by the Managing Government.

The Delegate from the United Kingdom then pointed out that the whole concept of the Internal Regulations was in the process of being modified because in the future, they will have to apply also to the various International Consultative Committees and to new agencies to be set up during the present Conference. He said that Proposal 49 TR (Great Britain) which appears in Document No. 9 TR-E recognizes this state of affairs.

The Delegate from the United States requested that the discussion of this article be postponed for about a week in order to give his government time to form an opinion on the subject.

The Chairman complied with this request and proceeded to the consideration of Article 22 of Moscow Document 5ter, Document No. 216 TR-E. He called attention to all the remarks appearing on Page 1 of the Document, dealing with grouping in a single article all the provisions on the subject of voting.

The Delegate from Canada said he was in complete accord with the Chair, and formally withdrew the Canadian proposal appearing in Document No. 213 TR-E.

After some debate on the subject matter of Article 22, the Committee came to the realization that the provisions of this Article were of sufficient importance to warrant insertion in the Convention. Should this be done, Committee C would be called upon to make a decision on the Article.

The Chairman was to discuss this matter with the Chairman of the Conference, and convey to him the views of the Committee. He would also submit to him Document No. 216 TR-E, with a view to obtaining his opinion on the subject of the effected merger.

E. The Chairman then proceeded with the examination of Articles 19 and 20 of the Convention (Document No. 210 TR-E), assigned to Committee F (Internal Regulations of the Conferences).

During the discussion touching upon Article 19, a question arose as to the proposed character of the Internal Regulations and the Statutes of the International Consultative Committees with respect to the Convention. Are they to form an integral part of the Convention, to which they would then be annexed, or are they merely to be an appendix? In the first instance, their nature would be such as to preclude modification except through the medium of another Plenipotentiary Conference. In the second instance, they could be modified by Administrative Conferences. Part of the Committee appeared to favor the former alternative.

The Chair was requested to sound out the Chairman of the Conference on this point also. The impression seemed to be that, once this question was cleared up, numerous difficulties might be readily disposed of.

Since this question was too complex to admit of an early decision, the meeting was adjourned.

Rapporteurs:
Armand H. Wolf
F. A. Trail

Chairman:
A. Mockli

INTERNATIONAL
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1947

Document No. 264 TR-E

August 15, 1947

CORRECTIONS TO DOCUMENT 231 TR-E

Page 13. under the Heading MISCELLANEOUS.

5th and 6th lines:

The question had been raised by Dr. Van der Veen in his capacity as Delegate of the Netherlands West Indies (Surinam and Curacao)."

10th line:

The Delegate of the Netherlands West Indies (Surinam and Curacao) had suggested etc.

16 Aug 1947

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Document No. 265 TR-E

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August 15, 1947

Committee F

REPORT
OF THE GENERAL REGULATIONS COMMITTEE

{Committee F}

14th Meeting

August 14, 1947
- - - - -

The Chairman opened the meeting by submitting to the approval of the Committee the Report of the 11th meeting, Document No. 247 TR-E.

The Delegate from the United States said he wished a note to be added to this report stating that Articles 12 and 13 of the Internal Regulations were provisionally accepted, contingent on the possible effects that Articles 2 and 2 bis might have in their final terms. This statement referred the status to be conferred upon representatives and observers.

The Delegate from the United Kingdom wished the fourth paragraph on page 3 of the Report to be modified as follows:

"The Delegate from the United Kingdom approved, without reservation, the draft of the articles contained in Document No. 207 TR-E and stated that the Report of Mr. Valensi pictured the situation correctly."

The rest of the paragraph could be deleted. In the English edition, the word "the" is lacking in paragraph 3 on the same page.

The Secretary-General of the C.C.I.F. wanted the words "as Mr. Valensi said" deleted in paragraph 5 on the same page. As a matter of fact, he did not make the remark Mr. Gneme attributed to him.

After these modifications the Report was approved.

A. At the 13th session, the Chairman was instructed to ask the opinion of the Chairman of the Conference on certain questions. The first of these questions referred to the incorporation in the Convention of provisions concerning the right of vote and the voting procedure in Plenary Assemblies. The Chairman of the Conference replied that this question would be submitted to Committee C for study. This point would relate to Articles 21, 21 bis, 22 and 23.

B. The second question was to ascertain whether the General Regulations were to be incorporated in the Convention, of which they would then be an integral part, as an annex, or simply appear as an appendix. This question would also be studied and submitted to the Plenary Assembly by Committee C.

C. The Chairman of the Conference then wished to know how far the work of Committee F had progressed. He was given a list of the articles on which Committee F was awaiting the deliberations of Committee C. These articles are as follows: Art. 1, 2, 2bis, 21, 22, 22bis of the Internal Regulations, Art. 19 of the Convention, the provisions dealing with the procedure for the election of the Administrative Council, and finally the Article of the Convention covering franking privileges. In addition, the questions arose of the disposition to be made of the Internal Regulations, as well as that of relationship with the United Nations.

The Delegate from the United Kingdom asked what articles of Moscow Doc. 5ter had not yet been considered by the Committee.

The Chairman replied that these were Articles 30 to 38 on which Committee F was also awaiting the deliberations of Committee C.

The Committee recorded the explanations given by the Chairman.

The meeting was adjourned.

The Rapporteurs:

Armand H. Wolf

Florence A. Trail

The Chairman:

Möckli

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

INTERNATIONAL
RADIO CONFERENCE
ATLANTIC CITY
1947

Document Nos. 266 TR-E
and 784 R-E

August 15, 1947

M I N U T E S
of the First Joint Plenary Session
of the Telecommunications Conference
and the Radio Conference
of Atlantic City

1st Session
August 15, 1947

The session was opened at 9:25 a.m. under the
Chairmanship of Mr. Charles Denny, Chairman of the
Conferences.

The Chairman made the following address.

Ladies and Gentlemen:

This Assembly of delegates to all three of our
Telecommunication Conferences has been called for one
very special purpose. Today, August 15, 1947, marks
the emergence of India and Pakistan as sovereign in-
dependent states, -equal members in the world family
of nations. Therefore, it seems fitting that we
should pause in our work to extend to them in their
new and enhanced status the sincere best wishes of
the members of the International Telecommunication
Union.

We all know, and they too realize, that in their
new and independent position, India and Pakistan
will be confronted with many problems of which tele-
communications will form a part. It is in this
phase of their activities that we here can pledge
ourselves to be of assistance to them. We have had
occasion during these Conferences to observe the
active part which the Indian Delegation has taken,

and I feel confident that the men composing that Delegation- some of whom today become citizens of the Dominion of India and others of whom become citizens of the Dominion of Pakistan- will be equal to the even greater tasks ahead. As Delegates at future Conferences, we shall expect that they will participate even more fruitfully in all the activities of our Union.

While the new Dominion of India will continue to be a member of our Union, Pakistan will apply for admission as a new member. I am sure I express the feeling of everyone present in assuring her that we will welcome her admission as soon as possible and that we will benefit by her participation in our work.

In closing, I would like to assure Mr. Banerji of India and Mr. Kari of Pakistan and all the members of their Delegation that I am glad that the occasion of the independence of their countries has come during the meeting of our Conferences, since it has given us all the opportunity as Delegates to these Conferences personally to participate in an event of such great historical importance. We rejoice with them on this happy occasion.

(Applause)

The Chairman gave the floor to Mr. Townshend, Chairman of the United Kingdom Delegation who spoke as follows:

Mr. Chairman, I am grateful to you for giving me an opportunity of expressing the feelings of the United Kingdom Delegation on this very special occasion.

Our Conferences of the International Telecommunication Union do not purport, of course, to be political Conferences, but we work, though in our specialised field, on a fully international basis - as the membership of the Atlantic City Conferences witnesses; and it is inevitable that our work shall be conducted within the framework of the developing

political institutions, both of our individual countries, and of the world. The emergence of two new States, each already provided with important telecommunication systems, both internal and external, is an event of great importance, even if we look at it from the strictly specialised point of view of our Union. The United Kingdom Delegation cordially joins in the expression of goodwill which you, Mr. Chairman, have voiced. We look forward to continued collaboration with our old colleagues of the Indian Delegation in their future - shall I say renewed - capacities. I feel sure that this feeling will be shared by all the Delegations present at this meeting.

But this occasion has, of course, a special significance for the United Kingdom. Today, one of the great communities of the British Commonwealth freely assumes within that Commonwealth the position of two Dominions, fully independent in their international relations. Since this event has taken place during our Conferences here, I hope that the representatives of the Dominions of India and of Pakistan who are present at this meeting, will feel it fitting that I should, as I do most sincerely, express to them our warm good wishes for the future and our confident belief that it will justify the hopes we hold in common.

(Loud Applause)

Mr. Banerji head of the Indian Delegation to the Radio Conference made the following address:

(266 TR-E) and
(784 R-E)

Mr Chairman, friends:

This is a memorable moment, unique in the history of mankind, when, nearly one-fifth of the population of this planet of ours, is going to breathe the exhilarating air of freedom and independence. For me, this moment is one of deep emotion, particularly as I find myself surrounded by members of seventy-seven countries, who are unanimous in their good wishes towards India. I am overwhelmed by the warm greetings you have offered us, and can scarcely find words, adequately to thank you and the delegates assembled here.

This occasion is unique also, in that it marks the success, of a new method of settlement of differences between nations. I refer to the non-violent method, which has been devised and perfected by our Great Leader, Mahatma Gandhi. Much credit for the success of this method, is also due, to the United Kingdom, and we are fully conscious of this.

India now moves forward, into the international sphere, in her own right, and brings to you her culture of the centuries gone by, and this latest instrument of non-violence which, has stood the test of many a storm. She hopes, that, with your cooperation and understanding, she may contribute much, towards the building of a better, happier and more peaceful world.

I know of no occasion, when seventy-seven countries have gathered together, to welcome the independence of a country. Even at Lake Success, only fifty-five countries are assembled. The International Telecommunications Union has thus done us a great honour, which we will remember forever.

Let me, Sir, once more, thank you and the delegates assembled here. I sincerely hope, that all our future Plenary Meetings will be as unanimous as this one, so as to lighten your task and, above all, to hasten our return home, to see again the fair face of India, which must now be flushed with the glow of Independence.

(Prolonged Applause)

Mr. Kari, in the name of the Government of Pakistan, made the following address:

Mr. Denny, Mr. Townshend, Ladies and Gentlemen:

I convey to you, on behalf of the Government of Pakistan, our thanks for your kind expressions of good will on this memorable occasion of Pakistan's independence. We are grateful to the Conference for arranging this occasion to provide us with the opportunity to express our feelings of gratification and joy at this historical moment.

Today we see the dawn of a new era. Independence of any people is always a moment of greatest significance to them. But this occasion of the independence of a hundred million people occupying a strategic position in the Eastern Hemisphere is not without significance, even in the international field.

This day brings to us the attainment of our goal. It heralds the culmination of the greatest experiment in the political history of the world: The silent struggle of a people achieving its objective.

We begin a new chapter in our history with the greatest rejoicing and pride.

Pakistan will be shaped as a model of the Moslem culture, a culture which stands for universal brotherhood, fraternity and equality; a culture which knows no distinctions of caste or creed or color, a culture which was first in the history of man to recognize the equal rights of women. Pakistan will thus have the friendliest relations with all nations the world over, and it extends the hand of friendship to all. We believe that for the greater happiness of mankind close cooperation, mutual understanding and toleration amongst the nations of the world are essential. Pakistan will strive to live up to those ideals.

Today as we look into the future and pause to appreciate the responsibilities of our task, we are impressed by the magnitude of our assignment. We have before us huge projects and plans of development, the harnessing of hydroelectric power, the exploitation of natural resources in minerals and in forests and the development

of industries. Pakistan, as you know, has oil resources in the northwest and the greatest jute production in the East. She has some of the most fertile areas in the world. It is our earnest hope that the emergence of Pakistan as an independent sovereign state will forge the strongest ties with the outside world, both commercially and politically.

Today my Government is dispatching to the Berne Bureau and the Swiss Government the notification of our accession to the Madrid Convention and the Radio and Telegraph Regulations. I sincerely appreciate Mr. Denny's assurance that you will welcome Pakistan as a member of the Telecommunications Union.

I thank you once again, ladies and gentlemen, for affording me this opportunity of conveying to you the appreciation of the Government of Pakistan for your good wishes.

(Prolonged Applause)

The Chairman informed the gathering that, during a similar ceremony held in Washington, His Excellency the Ambassador of India to the United States of America made an address that was read to those present. This address was as follows:

"Your Excellencies, Ladies and Gentlemen:

You have just now here witnessed a simple but historical ceremony. The tri-coloured flag which has been unfurled before you is emblematic of the rebirth of India and it symbolises the independence and sovereignty of the people. It heralds a new era of renaissance in that Ancient Land in the checkered history of India, which for thousands of years presented many thrilling chapters of material and intellectual achievements, this day marks a new age. For many long centuries while the ancient world, consisting of China, Persia and Egypt, was engaged in constructing the fabric of civilization, India girthed by the ocean and her perpetually snow turbaned mountains lay wrapped in peaceful dreams, developing a highly sensitive mind, which pulsated to the finer rhythm of life based on the noblest conceptions of ethical integrity. Her philosophy, religions and arts went to the east and west, north and south, and one of her great religions, Buddhism, spread far and wide into China, South-Eastern, Central and middle western Asia and still continues to hold its spiritual sway over millions of hearts. Never throughout her history has India yielded to the temptation of being an aggressor.

By the end of the 15th Century of the Christian era, India became acquainted with European traders from Portugal, France and England and before the 18th Century had run a little over half way, by a strange process of history, England's traders assumed the role of rulers. After the last battle of independence which India fought in 1857 against the British, England became the suzerain and sovereign of the entire country. In 1885 a new chapter of history began to unroll itself when the Indian National Congress was founded for securing what was regarded as the due share of the original inhabitants and potential masters of

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the country. After 30 years the new spirit of India found an ideal leader in Mahatma Gandhi, whose burning faith in moral values fired the hearts of millions with self confidence and converted the unarmed millions of India into a vital revolutionary force. It was a new experiment in history, for a peaceful and entirely unarmed people were inoculated with a faith which after 27 years of continuous application to hard and often very discouraging realities has produced the new India of to-day. The dynamic urge which he aroused in the minds of the people in 1920, aimed at nothing short of complete independence of the country.

The most powerful weapon in the armoury of the revolutionaries who dedicated themselves to this movement was none other than peaceful and non-violent non-cooperation. It meant the withdrawal of all support and cooperation to the alien rulers and their governmental organizations. The new revolutionary movement of India was intended to enable the people of the country to redeem their birthright of self-determination and to establish the sovereignty of the people. It may be of interest to you to know that many of the younger intellectuals who threw themselves heart and soul into this movement had imbibed the political principles which had been evolved by the French encyclopaedists and British thinkers, and they had drawn inspiration in a generous measure from the history of the French and American revolutions. Faurrell's Doctrine of civil disobedience also contributed to the political philosophy of non-cooperation, which was intended in its final stage to end foreign rule by universal refusal of financial supplies or taxes. The battle cry of India's revolutionaries was also curiously enough Abraham Lincoln's everlasting and inspiring dictum "Government of the people for the people and by the people." This struggle, titanic in its scope, radically efficacious in its general effect and instantaneous in its appeal, gripped the imagination of the unarmed masses of India and progressed with varying fortune from decade to decade in a tidal wave. Whenever the full history of the movement, disentangled from the transient and divergent events of the present, comes to be written by a historian of vision, it will form one of the most inspiring chapters of human history which will reveal the unerring potency of mass will. It will prove too that while force can suppress

human freedom for a while, it cannot do so for long, once mass consciousness is fully awake and human beings revolt against their own enslavement.

In a little over a quarter of a century this movement has achieved a success. The magnitude of it which will come to be recognized in its correct perspective only after the dark shadows of prejudice, suspicion and distrust which still overhang the postwar world, have yielded to a saner frame of mind and peace has been established on this planet. This is but only one side of the medal. The other side bears an equally indelible imprint of British history. This day should go down in the annals of Great Britain as perhaps the greatest, marking as it does, an epoch of great significance to the human race, as the turning point in the free relationship between free human beings. The U.S.A. undoubtedly led the way by voluntarily withdrawing its rule from the Philippines last year and recognizing the sovereignty of the people of the Philippines Republic. In view, however, of Great Britain's history as an imperialist power three-fourths of whose empire consisted of India alone, the credit for allowing one-fifth of the entire human race, and that without the arbitrament of the sword, to resume their birthright of freedom, must be recognized as a great act of far reaching political wisdom. It was one of those noble gestures which never failed to evoke an equally noble response and which are capable of cementing lasting friendship between the bitterest of opponents. Today British Rule in India is a chapter of past history and free India embarks on her own career of people's sovereignty. It is true that geographically India presents herself today in the form of two free and equally sovereign states; but it should not be forgotten that these two sister dominions of India are bound together by the closest ties of vitally common interests. India with her vast millions and moral and material resources, advances towards all the peoples of this globe in a spirit of the most cordial friendship and offers to all her fullest cooperation in establishing and maintaining peace and freedom and promoting the prosperity of mankind".

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After this address, which was warmly applauded, the Delegates gathered around the representatives of India and Pakistan, to present their personal congratulations.

The meeting was adjourned at 9:55 A.M.

The Secretaries General:

L. Mulatier,
Gerald C. Gross

Chairman:

C. R. Denny

Secretaries:

Oulevey
Meyer
Voutaz

August 16, 1947

Committee C

R E P O R T

of the Committee on the
Organization of the Union
(Committee C)

Tenth Meeting, August 8, 1947

1. The meeting was called to order at 3 p.m. under the Chairmanship of Mr. Alexander Fortoushenko (Soviet Union).

As the English text of the Report of the Sixth Meeting had not been distributed, the study of this document was carried over to the next meeting.

2. Report of the Subcommittee on Finances and Personnel Concerning the Founding of an International Telecommunications Bank.

The Chairman recognized the Delegate from Egypt, Chairman of the Subcommittee, who read the report published under No. 224 TR-E. The conclusions of the Subcommittee were summarized as follows:

1. It is not advisable to create a World Telecommunications Bank intended to help in the reconstruction of installations in countries devastated by the war;
 2. The Conference should, however, send a recommendation on this matter to the United Nations;
 3. The question of the creation of a clearing bank for credits and debits relating to telecommunications must be referred to the Administrative Telegraph Conference.
3. The Delegate from Greece stated that, in submitting Proposal 143 TR (Document 48 TR-E), his country wished to appeal to the spirit of solidarity among members of the Union requesting them to consider the situation resulting from the World War especially in the field of Telecommunications. He was in complete agreement with the decision made by the Subcommittee, because it is only a question of asking a moral assistance from members of the Union, an assistance for which Greece, in particular, would be most grateful.

4. On the request of the Chairman, the Delegate from the United Kingdom, Chairman of Committee E, pointed out that in his opinion, Committee E should not take over the question of settlement of accounts which had been superficially considered in point 2 of the report of the Subcommittee.

5. The Delegate from France stated that, at the next Telegraph Conference, his country would propose a general clearing system for credits and debits resulting from the settlement of international telecommunications accounts. He likewise thought that Committee E should not handle this question.

6. The Delegate from Italy was of the same opinion. He added that from now on accounts could be cleared through the Bureau of the Universal Postal Union, which was also available for the liquidation of telecommunication accounts.

7. Finally the Committee approved the report of the Subcommittee on Finances and Personnel, and decided to submit to the Plenary Assembly the following recommendation for transmission to the United Nations:

"The International Telecommunications Conference convened in Plenary Assembly in Atlantic City, on, recognizes the necessity of rendering immediate assistance to the countries that were devastated by the war in order to rehabilitate their telecommunications systems and recommends that the United Nations draw the attention of its competent organizations to the importance and the urgency of this problem, which is part of the general problem of reconstruction."

8. Examination of Article 10 of the Draft Moscow Convention (Plenipotentiary and Administrative Conferences).

The Chairman opened a general discussion on this Article.

9. The Delegate from France recalled the fact that Committee F had just decided to place the provisions relating to the functioning of Plenipotentiary Conferences and of Administrative Conferences in two different articles of the General Regulations. He pointed out that these Conferences have a different composition, different powers and a different method of convening. He therefore proposed that the proposals relative to:

a) Plenipotentiary Conferences;

b) Administrative Conferences;

be separated here also into two different articles. In that way, the texts would be clearer and more exact.

10. The Delegate from the United Kingdom considered the Moscow draft of Article 10 excellent, but suggested some modifications as follows:

§1. Instead of "and of the General Regulations annexed thereto," read "and of its Annexes."

§3. It would be desirable to place in an Annex to the Convention the procedure to be followed in consulting the member nations on the advisability of an Extraordinary Plenipotentiary Conference. Consequently, subparagraph 6 should be completed as follows: "This consultation shall take place according to the procedure provided in Annex..."

§4. In subparagraph C, read "five years" instead of "four years."

§5. As the General Regulations are not in the same category as the other Regulations, it would be more fitting to word this paragraph as indicated in the British Proposal (Doc. No. 9 TR-E). Furthermore, the United Kingdom was not convinced of the usefulness of conferences with limited agenda.

§6. Read "five years" instead of "four years." In other respects, the Delegation from the United Kingdom would prefer a more flexible text, but that was merely a question of wording.

§7. It would also be necessary to mention the procedure to appear in the Annex on convening Extraordinary Conferences.

§8. The United Kingdom reasserted that it was not convinced of the usefulness of conferences with limited agenda.

§10. It would be preferable to insert a clause leaving the choice of convening conferences either at the seat of the Union or elsewhere upon invitation by a country.

Finally, the United Kingdom proposed the addition of a paragraph stipulating that "Each regional conference shall be convened in agreement with the parties concerned with regional arrangements, subject to the provisions of Article 8."

11. The Delegate from the United States of America made the following comments:

1. The Plenipotentiary Conference which is to convene every five years will not revise the Convention as a whole. However, in certain cases, it might be advisable to revise certain articles. Therefore, paragraph 4 should be completed by the following subparagraph:

"(g) Undertake the revision of the Convention in pursuance of the provisions of Article 10."

2. The provisions relating to conferences with limited agenda constitute a very important point in the proposals of the United States of America which is of the opinion that many questions might have been solved during the past several years if it had been possible to convene such conferences. This possibility will be of even greater interest if the Administrative Conferences are convened only every five years. Finally, the regulations must be quite flexible in consideration of the fact that other organizations - like the I.C.A.O. - are convened at much shorter intervals.

3. In reference to the proposal of the United Kingdom on convening regional conferences, it should be considered that these conferences concern only regional organizations provided, of course, that the agreements concluded remain within the framework of the Convention.

12. The Delegate from the United Kingdom was anxious to correct a serious misunderstanding in regard to the last question: the regional conferences he mentioned were those which are held under the auspices of the I.T.U.: "not the others, of course."

13. The Delegate from Czechoslovakia made the following observations:

§2. Instead of "four years" read "five years"

§4. It would be advisable to state that the concluding of agreements with other international organizations which impose obligations upon the Union, lies within the powers of the Plenipotentiary Conferences. A provision to this effect

might be included in subparagraph (f). However, it should be clearly stated that there is only one sovereign conference: The Plenipotentiary Conference the powers of which are defined in paragraph 4. All others are Administrative Conferences subordinate to the Plenipotentiary Conference.

§8. The powers of conferences with limited agenda should be clearly stated. "Is it a question of Conferences such as the Short Wave Broadcasting Conference or of regional conferences such as those at Lucerne and Montreux?"

§10. The present regulation is preferable to provision under consideration, according to which the conferences would always convene at the seat of the Union.

14. The Delegate from Greece supported the French proposal which contemplates placing the proposals pertaining respectively to Plenipotentiary Conferences and to Administrative Conferences in separate articles.

He made the following remarks in reference to Article 10 of the Moscow Draft:

§1. To avoid any possible misunderstanding, the expression "and of the General Regulations annexed thereto" should be replaced by "and of the annexes which complete it."

§5. The parenthetical expression is unnecessary as there is no longer any danger of confusion.

§10. This paragraph should be deleted, "because it is preferable to retain the pleasant custom of convening the conferences in turn in countries eager at least once to have the opportunity of receiving these conferences which contribute so greatly to strengthening the bonds between the Members of the Union."

15. The Delegate from Italy agreed to dividing the provisions proposed for Article 10 into two articles. He added the following comments:

§1. It is not necessary to quote the General Regulations; it would be preferable to use the expression "....and of its annexes."

§7. It is not necessary to provide for Extraordinary Conferences, because the preceding conferences decide on convening conferences, with the power to advance or postpone the date of meeting, as they may deem necessary.

§8. Provision must be made for conferences with limited agenda; the Conference which was held at Brussels to study the use of telegraphic code language might be cited as an example.

§10. The existing provisions must be maintained.

16. The Delegate from China made three observations:

1. Paragraph 10 repeats and contradicts paragraph 2; it should therefore be deleted.
2. The United States of America was right in providing for administrative conferences with limited agenda.
3. The administrative regional conferences proposed by the United Kingdom would be most useful. They should take place under the auspices of the Union since any agreement - even regional - concerned all members of the I.T.U. In any case, Article 13 of the Madrid Convention must be retained.

17. The Chairman summarized the opinions just expressed on the various items in Article 10, and made a few comments:

1. The division of the provisions relating to Plenipotentiary Conferences and to Administrative Conferences into two articles seemed very wise.

The Committee approved this division in principle.

2. The proposal specifying that each conference was not necessarily called upon completely to revise the Convention and the General Regulations, was entirely proper; this idea might therefore be clearly stipulated in the draft.
3. Paragraphs 3 and 4 should be interchanged in such a way as to consider the regular conferences first, and then to consider the extraordinary conferences.
4. The question of deciding whether or not to provide for Administrative Conferences with limited agenda had been sufficiently discussed; it should, consequently be put to the vote.

5. The same procedure should be followed in regard to regional conferences, the principle of which was supported by the United Kingdom and China and opposed by the United States of America.

The Committee was therefore called upon to take a stand in regard to the two last points.

18. Administrative Conferences with Limited Agenda.

The Delegate from the United Kingdom reminded the meeting of his previous statement, that he was not yet convinced of the usefulness of these conferences. He asked for an explanation of the differences between these conferences and extraordinary conferences and regional conferences. He put the question: "If these conferences are composed of only a small number of members, who is to choose them?"

19. The Chairman pointed out that, in his opinion, these conferences with limited agenda are not limited as to the number of participants. He cited an example which was both convincing and typical: namely, the Special Conference which Committee 6 proposed should be convened for the purpose of approving the new International Frequency List.

20. The Delegate from Denmark cautioned against creating too unwieldy an organization. He considered it unwise to complicate the Convention unnecessarily, and gave his support to the proposal of the United Kingdom, which made provision only for normal and extraordinary plenipotentiary and administrative conferences.

21. The Chairman proposed that a vote be taken on the following question:

"Should §8 of Article 10 of the Moscow plan be retained?"

A vote by show of hands gave the following results: In favor, 22; contrary, 13.

The Committee then decided that provision should be made for holding administrative conferences with limited agendas.

22. Regional Conferences.

The Chairman said that, in his opinion, it was most desirable to provide for regional conferences, which might, for example, be of interest only to America, Europe or Asia.

23. The Delegate from France made the following statement:

"There is an unquestionable need for regional conferences. A fairly large number of these has already taken place, and they have proved extremely useful, since certain problems concern neither the Union, an organization, nor the whole body of problems put before the Union. I shall only cite the case of broadcasting on medium waves in a given region. On the other hand, some regional conferences might concern all the countries of the Union, and fields of the Union's activity.

It seems indispensable to lay down the principle of holding regional conferences after and not prior to international conferences. As a matter of fact, regional conferences, as it has been stated here, should be held under the auspices of the Union, but first legislation on a world-wide plane should be enacted by the Plenipotentiary Conferences and the Administrative Conferences. Thereafter, regional conferences may follow to adapt the general provisions to regional or continental requirements.

If regional conferences were to precede world conferences, certain groups of countries might deliberate on a regional or continental plane and, without coming to a decision, might, nevertheless, achieve a common viewpoint on questions of universal interest, but only at the risk of forming of blocs, whose views could not readily be reconciled at world conferences.

On the other hand, if regional conferences took place after world conferences, the delegates of the different countries would come to the latter without preconceived ideas.

It should therefore be stipulated in the Convention that regional conferences should, as a general rule, follow world conferences and not precede them."

24. The Chairman proposed that a vote be taken on the following question:

"Should a special paragraph dealing with regional conferences be inserted in the Convention?"

A vote by the show of hands produced the following results: In favor, 24; Contrary, 8.

The Committee thereupon decided to accept the principle of regional conferences.

(The meeting was recessed from 5:05 p.m. to 5:30 p.m.)

25. The Chairman proposed the formation of Working Group No. 2, to prepare a concrete draft of the articles and paragraphs to be inserted in the Convention under the headings "Plenipotentiary Conferences" and "Administrative Conferences," based on decisions just made, and on the ideas which had just been expressed.

The Committee decided that this Working Group would proceed along parallel lines with Working Group No. 1 and that, under the Chairmanship of Colonel A. G. Simpson (United States of America), it would include a representative from each of the following countries: Argentina, Columbia, France, Greece, Italy, The United Kingdom, Czechoslovakia, The Union of South Africa, Uruguay, and Yugoslavia.

26. Examination of Article 11 of the Draft of the Moscow Convention (Internal Regulations of Conferences)

The Delegate from the United Kingdom stated that he was satisfied the two paragraphs of this Article subject to a stipulation that they apply only to the Plenipotentiary Conferences. He proposed adding paragraph 3 providing that "Conferences, other than Plenipotentiary Conferences, and including the regional conferences, shall follow the Internal Regulations which appear in the General Regulations."

27. The Italian Delegate recalled proposal No. 65 TR of his country which suggests adding at the end of paragraph 2: "...the modifications of which come into force at once."

28. The Delegate from the Belgian Congo explained that it would be preferable to leave Article 11 in its present form rather than limit its application to the Plenipotentiary Conferences. Provision would thus be made for regional conferences which would entail modifications of the Internal Regulation. Hence, modifications should not be limited to Plenipotentiary Conferences only.

29. The French Delegate proposed the addition of the following important proposal:

"In no case, may a conference, in connection with its own internal regulations, make modifications, either in the convention or in the Regulations.

He explained that it was a question of avoiding a repetition of the errors made by this conference which, instead of restricting itself to the application of the provisions of Article 20 of Madrid, limiting the competence of the Conference when it deals with the Interior Regulations, had violated the very terms of this Article by settling, once and for all, the question whether certain countries were or were not members of the Union. But, this decision could only be made in deliberations on the new convention. The provisions of which would not come into force until a later date.

Since it would be futile to revert to the past, it would be wise to adopt a text which would, in future, avoid debate on membership while considering the Internal Regulations.

30. The Delegate from Greece believed that the Internal Regulations incorporated in the General Regulations should go into force automatically. If not, it would be useless to have them appear in this document.

31. The Delegate from the United States of America thought that each Plenipotentiary Conference and each Administrative Conference should have the privilege of defining its Internal Regulations. He therefore proposed that the present text of Article 11 be retained.

32. The Chairman said that he inferred that there were not any great differences between the opinions just expressed, and suggested leaving the arrangement of the text of Article 11 to Working Group No. 2.

Adopted.

33. Establishment of an International Broadcasting Organization.

The Chairman read a letter addressed to him by the Chairman of the Conference, the text of which appears in an annex to this report.

It took up the matter of transferring to Committee C the question of establishing an international broadcasting organization, now under consideration by Committee 3 of the Radio Conference.

34. The Delegate from France pointed out that the question had been studied by a Working Group of Committee 3, and suggested that, if it were now transmitted to the Plenipotentiary Conference, an especially qualified Working Group should act as a continuation of the Working Group of the Radio Conference, and carry out the task for Committee C.

35. The Chairman said he understood that Working Group C of Committee 3 would become a Working Group of Committee C. He offered to ascertain whether the members of Group C-3-C were members of the Plenipotentiary Conference and to inform the Committee which is to make a decision at its next meeting.

Adopted.

36. Study of Article 7 (Regulations)

The Chairman opened a general discussion on this article, which deserved special attention. He recalled that, after the Madrid Convention, the parties thereto might, if they so chose, adhere to only one set of the Regulations, and he stressed the fact that some countries had here made proposals for the purpose of obliging all members of the Union to adhere to all the Regulations annexed to the Convention.

37. The Delegate from the United States of America stated that his country was in favor of retaining the Madrid text (the obligation to sign at least one set of the Regulations). He explained that the question of ascertaining whether the United States would sign the Telegraph Regulations had been the subject of long study. But, that in this country--as in Canada and in other countries--the telegraph and the telephone were operated by private companies, and the Government was not in a position to give a definite reply at the present moment. Furthermore, it was not known, whether the Government could do so before the end of the Conference. However, this did not mean that the United States would not sign after a Conference in which it could bring forward its arguments.

In any case, the United States could not accept the provisions of Article 7, § 1, of Moscow.

38. The Delegate from Greece suggested that, for greater clarity, a distinction should be drawn between:

- in a § 1 : the annexes which constitute a whole together with the Convention (Definitions, General Regulations) and

- in a § 2 the regulations as to application.

As to the basic principle, the provisions adopted should permit all countries to sign all the Regulations.

Also to be noted was the fact that the Additional Regulations should be incorporated in the General Radio Regulations.

39. The Delegate from Canada supported the statement of the Delegate from the United States of America.

40. The Chairman said that he did not understand the underlying reason for the difficulties pointed out by the United States and Canada.

He pointed out that since the Madrid Convention makes obligatory the adherence only to any one set of regulations, unpredictable difficulties might be created if some countries would prefer for example not to adhere to the Radio Regulations. Thus, the necessity to adhere specifically to the Radio Regulations by all countries will be recognized by everybody. In the case of Telegraph and Telephone Regulations, the difficulties created by non-adherence will be less obvious but, from the point of view of universality of our Union and simplicity in the drafting of the Convention it is most desirable that identical obligations bind all countries in different fields of telecommunications.

41. The Delegate from the United States of America pointed out that France did not contemplate obliging all the parties to the Convention to sign all the Regulations. He was in complete agreement that the Member States be obliged to sign the Radio Regulations. But he pointed out that the Telegraph Union began by being a regional European union. There were useful provisions on the regional level in the Telegraph and Telephone Regulations, but not on an international level. The Government of the United States could not impose certain obligations on private companies, especially in regard to rates. Its position would consequently be difficult if it adhered to the Telegraph Regulations, and, because of this uncertain situation, could not enter into any agreement on this subject.

42. The Delegate from Guatemala supported the opinion of the Delegate from the United States of America: all countries, parties to the Convention, should adhere compulsorily to the Radio Regulation and optionally to the other Regulations.

43. The Delegate from India likewise felt the Madrid provisions should be retained. India had signed the Radio Regulations and the Telegraph Regulations, but the situation is

more difficult in the case of the Telephone Regulations, because it essentially applied to the European system. It would be easier to take a stand if it were known what the Regulations, modified by the next Administrative Conference, would be. For the time being, India was in favor of retaining the present provisions of Article 7. However, it would accept an amendment rendering adherence to the Radio Regulations obligatory.

44. The Delegate from France stated that it was extremely desirable to have all countries adhere to all the Regulations in order to ensure the universality of the Union. No one questioned the necessity of signing the Radio Regulations. The Telegraph Regulations were accepted by a tremendous majority. As to the Telephone Regulations, it was only just to admit that it was created for European needs, but the telephone had now assumed a universal character and all countries could adhere to the Telephone Regulations, by making, if necessary, some reservations as to the provisions relating world telephone problems. Nevertheless, Canada, the United States and India would sign the Convention in which it was stipulated that the States undertook to have all the provisions observed by private companies. Hence, the attitude of those countries in regard to certain regulations was incomprehensible. It was generally understood that private companies obeyed national legislation. Further, if the basic principle of the Regulations were recognized as acceptable, it was easy to adhere to them by making reservations as to some matters of detail.

The Delegate of France concluded by stressing the point that this situation might give rise to difficulties when the question of the composition of the Administrative Council arose. It would then be necessary to name countries which were to send representatives to a Council the competence of which would be universal like that of the Plenipotentiary Conferences. There was doubt that, at that time, many members might oppose the candidacy of countries which had not accepted all the Regulations.

45. The Delegate from Italy was of the opinion that all the Regulations should be obligatory, but, after having heard the statement of the Delegate from the United States of America, he felt that adherence to the Radio Regulations only should be required. As to the Telephone Regulations, it was stated in Article 1 that "The rules relative to each extra-European telephone service shall be fixed by agreement between the administrations and/or private operating agencies involved."

Finally, referring to the proposal of his country, the Delegate from Italy asserted that the present provisions of the Convention which favor the countries which do not sign, to the detriment of countries which sign all the Regulations, should be modified.

46. The Chairman announced that the Secretary General had just given him the list of countries which had not adhered to all Regulations. He said in detail that:

- 4 countries had not adhered to the Telegraph Regulation: Canada, the Dominican Republic, the United States of America and Monaco;
- 13 countries had not adhered to the Telephone Regulations: Afghanistan, the Union of South Africa, Brazil, Canada, China, the French Colonies, the Dominican Republic, the United States of America, India, Iran, Monaco, New Zealand and Yemen;
- 2 countries had not adhered to the General Radio Regulations: Albania and Yemen;
- 5 countries had not adhered to the Additional Radio Regulations: Albania, Canada, the United States of America, Nicaragua and Yemen.

The Chairman said he concluded that the big majority of the countries had adhered to all the Regulations. But he added that it was, of course, understood, "that if certain countries are not in a position to adhere, we can do nothing about it. The sovereign right of each country to regulate its own telecommunications has been emphasized here. Adherence to the I.T.U. is purely voluntary."

Under these circumstances, the question could not be settled by vote. It seemed preferable simply to mention in the Convention "that, as a general rule, the Regulations are obligatory," and to permit certain countries to make reservations with respect to such and such a Regulation. These reservations would be annexed to the Convention.

The Committee agreed to postpone the decision to a future meeting.

47. The Delegate from the Belgian Congo pointed out that if, in the future, adherence to the Radio Regulations becomes obligatory, the financial burdens of the Union should be divided upon the basis of this ruling rather than, as is now the case, upon the basis of adherence to the Radio Regulations and to the Telephone Regulation.

The Chairman suggested that this important discussion be resumed at the next meeting.

The meeting was adjourned at 6:45 p.m.

Rapporteurs:

J. Persin

F. A. Rankin

B. Yourovski

Chairman:

A. Fortoushenko

ANNEX

August 7, 1947

Mr. Alexander Fortoushenko
Chairman, Committee C,
International Telecommunications Conference,
Atlantic City, New Jersey.

My dear Mr. Fortoushenko:

As you know, the Plenary Assembly of the International Telecommunications Conference decided on August 5, 1947, that the subject of establishing an international broadcast organization should be considered by the appropriate committee of the Plenipotentiary Conference, rather than by the Radio Conference or by the High Frequency Broadcasting Conference scheduled to convene on August 16, 1947.

In accordance with this decision, it would be appropriate for the proposals on this subject, which have been under study by Committee 3 of the International Radio Conference, to be remitted to Committee C of the International Telecommunications Conference for its consideration and action. Such proposals, together with related material, are set forth in the following documents:

Document No.

- 144 R - Resume of Informal Broadcasting Conference, Paris, 1946 (also issued as Document No. 5 Rhf).
- 570 R - Proposal of the United Kingdom for establishment of an International Consultative Committee for Broadcasting (Proposal 2553 R).
- 13 Rhf - Summary of United States proposals for High Frequency Broadcasting Regulations (material under heading "Need for Organization").
- 14 Rhf - United States proposal for High Frequency Broadcasting Regulations (material in Chapters I-III).
- 20 Rhf - Proposal of France, entitled "Principles for the International Organization of Broadcasting."

Since these documents are now to be considered by the Plenipotentiary Conference, it would appear to be appropriate that they be reissued, so far as they deal with matters of broadcasting organization, as documents in the TR series.

As Chairman of Committee C, you may wish to suggest to the delegation submitting the foregoing documents that they be reissued as suggested above.

Sincerely yours,

/s/Charles R. Denny,
Chairman.

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August 16, 1947

Committee E

Committee E - Chairman

The following draft text of an article to replace Article 33 of the Madrid Convention is based on the proposals before Committee E and on suggestions made in the course of discussion of them, and is circulated by the Chairman as a basis of further discussion at its next meeting:-

Article 33.

Establishment and rendering of accounts

1. The administrations of the members of the Union and also the private agencies recognized by them, which operate international telecommunication services, shall exchange statements of account establishing the indebtedness arising between them from the operation of such services.

2. In the absence of special arrangements made under Article 13 of the present Convention, the accounts referred to in paragraph 1 of this Article shall be established under the conditions laid down in the regulations annexed to the Convention.

3. The settlement of international accounts falling within the provisions of this Article shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned in the transactions involved.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 269 TR-E

August 16, 1947

Committee E

TEXTS

proposed by Subcommittee E2 (Drafting Group) of
Committee E of the International Telecommunications
Conference for the Articles 1, 2, 24, 26, 27, 28 and
22 of the International Telecommunication Convention.

Article 1

§1.

§2 The terms used in the present Convention are defined
in Annex _____.

Note from the Subcommittee. If Annex I is reserved for
the General Regulations, the definitions shall be contained
in Annex II. In this connection, Committee E might, in
agreement with Committee F, consider whether it would not
be desirable also to insert in Annex II the necessary
definitions of certain terms in the General Regulations.

Article 24

Secrecy of Telecommunications

P1. The Contracting Governments agree to take all possible
measures compatible with the system of telecommunications
used with a view to ensuring the secrecy of international
correspondence.

P2. Nevertheless, they reserve the right to communicate
international correspondence to the competent authorities
in order to ensure the application of their internal laws
or the execution of international conventions to which the
governments concerned are parties.

Article 26

Stoppage of Telecommunications

P1. Each Contracting Government reserves the right to
stop the transmission of any private telegram or radio-
telegram which may appear dangerous to the security of the

state or contrary to its laws, to public order or to decency, provided that it immediately notifies the office of origin of the stoppage of any such communication or any part thereof, except when such notification may appear dangerous to the security of the state.

P2. Each Contracting Government also reserves the right to cut off any private telephone conversation which may appear dangerous to the security of the state or contrary to its laws, to public order or to decency.

Article 27

Suspension of Service

Each Contracting Government reserves the right to suspend the international telecommunications service for an indefinite time, if it deems necessary, either generally or only for certain connections, and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies each of the other Contracting Governments through the (Secretary General of the Union.) *)

Article 28

Notification of Infringements

The Contracting Governments undertake to inform each other of infringements of the provisions of the present Convention and of the (sets of)*) Regulations (which they accept)*) in order to facilitate the application of the provisions of Article 9.

Article 22

Telecommunications as a Public Service

The Contracting Governments recognize the right of the public to correspond by means of the international service of public correspondence. The service, the charges, and the safeguards shall be the same for all public correspondence without any priority or preference whatsoever not provided for by the Convention or the Regulations.

*) Words in parenthesis are held in reserve pending decisions to be made by Committee C in this connection.

Note from the Subcommittee: According to the decision of Committee E (Document No.202 TR-E Page 3) the word "private" was to be added before the word "senders", in

order to make it clear that the provisions of this article were specifically limited to public service. The Drafting Group proposes that the words "all senders" be replaced by "all public correspondence", inasmuch as the definition of "public correspondence", quoted below as it appears in the Annex to the Convention, precludes all possibility of confusion on this subject.

Public correspondence: Any telecommunication which the offices and stations, by reason of their being at the disposal of the public, must accept for transmission.

The Reporter:

Paul Commanay

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE

ATLANTIC CITY
1947

E
Document No.270 TR-E

August 16, 1947

Committee D

Committee on the Report of the Relationship
between the I.T.U. and the U.N.

(Committee D)

6th Meeting

August 7, 1947

The meeting convened at 3:45 P.M. under the Chair-
manship of Colonel Rafael S. Milans.

1. The Chairman proposed that the Committee examine Document 220 TR which was the result of the activities of the Working Group under the Chairmanship of Sir Harold Shoovert. He suggested that this text be examined by the Committee article by article and that Sir Harold answer any questions which might be put to him.

This proposal was adopted.

The Chairman of the Working Group explained that his group had examined very carefully the draft agreement between the U.P.U. and the U.N., the agreement between the U.N. and the International Civil Aviation Organization, and also the draft prepared by Great Britain. These drafts had already been the subject of very careful studies of delegates who represented the same governments as those represented in the I.T.U.

The group had always kept in mind the fact that the I.T.U. was very different from other international organizations and even quite different from the Universal Postal Union. It has held eight meetings which lasted more than 30 hours and has benefited by the opinions of the distinguished delegates from Switzerland and Ireland, whose point of view was of great importance inasmuch as they were able to speak in the name of the many Member Countries of the I.T.U., which at the same time were not members of the U.N. The Committee arrived at a practically unanimous conclusion, reservations being made in the case of two articles only.

18 Août 1947

The new preamble submitted to the Committee for examination was in accordance with the draft of the Egyptian Delegation as inserted in Document 148 TR-E. A reference to Article 57 of the Charter had been inserted. Article 1 had been held in abeyance by the Committee at the request of the Belgian Delegation. However, the Working Group believed it must report a reservation to the Committee that it was unanimous in considering that nothing would prevent the Union from agreeing to being qualified as a specialized agency. and has therefore drafted language for Article 1; in this connection, it referred to the statement made before the Negotiations Committee of the Postal Union Congress in Paris by the representative of the United Nations and which was read, namely:

"Fears expressed by a certain number of our colleagues were to the effect that these words "specialized agencies" constituted a kind of subordination to the U.N. but as was stated a short time ago by our distinguished colleague from the United States, the U.N. had not the slightest intention of restraining the specialized agencies and imposing its point of view upon them. For example, in the International Labour Organization there had been no instance in which the U.N. had intervened in the internal working of this organization. The only thing which is done by the U.N. is to coordinate the activities of the different specialized agencies and by means of recommendations to suggest that a certain problem be studied".

This situation did not in any sense imply any subordination whatsoever to the U.N. Sir Harold proposed that the Committee make a decision on the preamble as well as on Article 1.

The Delegate of France remarked that in the preamble there was a question of "obligation incumbent on the United Nations according to Article 57 of the Charter". As Article 57 did not contain any "obligation", he requested that this reference be deleted.

After an exchange of views among the Delegates of Egypt, Vatican City and the Chairman of the Working Group, the preamble was adopted with the amendment proposed by the French Delegate. There being no objection to Article 1, it was also adopted.

Article II, which was then submitted for discussion, was commented on by Sir Harold. This was a new text the language of which might not be considered as satisfactory by the U.N. It would be necessary to leave to the Negotiating Committee the task of dealing with this matter.

The Delegate of Canada had no special comments to make on the subject, but he would like to have an article inserted between Articles 2 and 3 in order to introduce provisions with regard to the qualification of members of the Union. He made some concrete proposals in this regard, and indicated that Canada could not give its support to an agreement that did not contain these provisions or provisions that were similar.

The Delegate of Uruguay felt that the proposal made by Canada should be considered. It would not be possible, for example, to admit as members of the Union countries against which the Security Council had decided to take preventive or coercive measures. The agreement between the ICAO and the United Nations contains provisions that are most wise and which should be taken as an example.

The Delegate of the United Kingdom explained that in Paris, the Negotiating Committee of the United Nations with regard to the U.P.U. had asked for a reference on the qualification of members, but had withdrawn its request when the Postal Congress had adopted a measure submitting applications of new members to the approval of 2/3 of its membership.

The Delegate of the United States of America believed that it was inopportune to introduce a special reference to the qualification of members of the I.T.U. in the proposed agreement. The Union alone was qualified to pronounce on this matter, and it would not fail to do so. He insisted that no provision be made that might restrict the Union's freedom of action.

The Chairman of the Working Group explained that the group had considered any form of control would be the more inopportune and unacceptable in that 250/o of the members of the I.T.U. were not members of the United Nations. That was why the special clauses in the I.C.A.O. project had not been retained. It remained for another Committee to pronounce on the qualification of members.

The Delegate of Belgium, Lebanon, and Vatican City supported the point of view of the American Delegation and stressed the fact that the I.T.U., a technical organization, should hold itself aloof from all political considerations.

The Delegate of Australia asked that the question be referred to the Plenary Assembly. He did not share the fears of certain delegations, and felt that the Plenary Assembly of the United Nations had the right to make suggestions that should be taken into consideration with regard to the qualification of members.

After a statement by the Delegate of the Netherlands, the Chairman asked whether the Delegate of Canada maintained his proposal.

The Delegate of Canada stated that it made no difference to him whether the provisions concerning the qualification of members appeared in the agreement or in the Telecommunication Convention; but that his country felt that it was indispensable that it should appear in one of the two texts.

After statements by the Delegates of Egypt and France on the question of procedure, discussion of the articles was continued.

Article III - Sir Harold pointed out the modifications made in the parallel text of the Postal Union: mention of the Trusteeship Council, and changes in wording.

The Delegate of Belgium reserved the right of bringing up at the Plenary Session the question of participation of the United Nations, a political organization, in purely technical meetings such as those of the Consultative Committees and the Frequency Registration Board. He found the text much too lengthy, and could not see what would keep the United Nations from entering the Administrative Council and even voting. He asked for a change in wording. After explanations by the Chairman of the Working Group, and statements by the Delegates of France, Lebanon, Egypt, and the United States, an agreement was reached on the proposed text.

However, the Delegate of Australia asked that for material reasons, it should be specified that the Chairman of the Administrative Council might have the freedom of himself inviting the United Nations, if necessary.

The Committee decided to maintain the text of the article as drafted by the Working Group.

Article IV - The Article was adopted with an editorial change in the French text.

Article V - The Delegate of Canada felt that the formula of cooperation defined in § 3 was too vague and general. He asked for a change in wording.

The Chairman of the Working Group explained why the formula was so written, as the more the Committee deviates from the basic text, the more difficult the negotiations become.

The Committee retained the article with the reservation of a modification in the wording of paragraph 3 of the French text where two words had been omitted - in the second line it was necessary to read "spécialisées et de celles des N.U." instead of "spécialises: de N.U."

Article VI - Adopted

Article VII - The Delegate of Canada remarked that the first paragraph referred to the provisions of the International Telecommunications Convention and not to those of the Charter. He wanted to have special mention of the latter text. th

The Chairman of the Working Group stressed the reasons why his group had refused to accept this addition.

The Delegate from Uruguay wanted to have mention made of Articles 41 and 49 of the Charter in the second part of Article VII. This precision seemed to him to be indispensable in order to stress that the Convention could not raise any obstacle to the obligations that members of the United Nations had to conform to the injunctions of the Security Council.

After an exchange of views, among the Delegates from Egypt, France and Belgium, and a statement by the Chairman of the Working Group, Article VII was adopted.

Article VIII - The Delegate from Belgium pointed out that a desire for uniformity of the conditions of employment of personnel might result in the agents of the I.T.U. finding themselves in countries where living conditions were very different and invoking the provisions of this article in order to claim advantages. He asked that the text be modified to take into account special conditions of employment and particular place of residence.

The Delegate of Australia believed that the question of personnel was the most important of the agreement and wanted to adopt the text of the I.C.A.O. which he read. It involved favoring the creation of an international administrative service.

The Delegate from Belgium did not like to see the Union take this course. This would represent a desirable ideal; but immediate realities showed that it was so distant that it would be better not to think of it in order not to be obliged to have any regrets in this matter was already the case with the I.C.A.O. agreement.

The Delegate from the United States declared that he was in agreement with the Belgian point of view. The agreement to the committee was satisfactory. It denoted the general direction toward which the Union was heading, and this was not the time to discuss details of the road to be followed. Provisions were furthermore prescribed for an easy revision if it became necessary.

Article VIII was adopted.

Article IX. The Chairman of the Working Group called the attention of the Committee to an addition to this article with regard to publications of the Union.

Following the intervention by the Belgian Delegation, which felt that additional guarantees were desirable, the article was adopted as proposed, the Chairman of the Working Group having remarked that there would be no objections to the question being again taken up between negotiating committees.

Articles IX and X were adopted without comment.

Article XI: The Delegate of Australia stressed the recommendations of the Economic and Social Council, and said that he felt that the Union was closing its doors to useful consultations and the development of mutually profitable relationships. Additional data must be made available.

The Delegate of the United States felt that Article XIV satisfied the desires of the Australian Delegate.

Article XI was adopted.

Article XII: Adopted

Article XIII: The Chairman of the Working Group stated

that the Delegation of the U.S.S.R. had made certain reservations with regard to this article. Replying to a question from the Chair, The Soviet Delegation stated that it had no desire to insist further. The Article was adopted.

Article XIV: Adopted

Article XV: The Belgian Delegate pointed out that the term "competent authority" was too vague, and that it would be advisable to be more specific. The Chairman of the Working Group admitted that this remark had some foundation in fact but said that in the present state of the Convention it would seem difficult to do better.

The proposed text was retained.

Articles XVI and XVII: Adopted

Since the text of the draft agreement had been adopted, the Chairman asked the Committee to designate the countries which would make up the Negotiating Committee.

The Committee decided that the following countries would be represented: Argentina, Egypt, France, The United States, Great Britain, India, Ireland, Switzerland, Uruguay, and the Union of Soviet Socialist Republics. The Committee approved by acclamation the appointment of Sir Harold Shoobert, Delegate from India, as Chairman of the Committee.

Following discussion on the part of the Delegates of Lebanon and Egypt, the following directives for the Negotiating Committee will be proposed at tomorrow's Plenary Session.

(Note from the Secretariat: These directives appear in Document 227 TR-E)

The Delegate of Canada asked that the reservations made by his delegation appear in the minutes.

The Delegate of Belgium indicated that one point had not been foreseen - The Negotiating Committee should make provisions in order that the Union might remain entirely free to fix rates, without any possible interference by United Nations, which, in order to favor its general policies, might desire to intervene.

This proposal was accepted.

The Chairman pointed out that the Cgmmittee had completed its work. He thanked his Bureau colleagues, the members of the Committee, and the Working Group for their collaboration.

The Delegate of India took the floor to thank Colonel Rafael S. Milans for the way in which he had directed the work of the Committee.

The meeting was adjourned at 6:45 p.m.

Reporters:

Laproux
F. A. Trail

Chairman:

R. J. Milans

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 271 TR-E

August 16, 1947

Committee F

Texts Proposed by
the Drafting Group
of Committee F of the I.T.C.
for Articles 16, 17, 18, 19, 20, 24, 25, 26
27 and 28, of the General Regulations
Annexed to the International Telecommunications
Convention (Doc. 5, ter Moscow).

Article 16

Order of Seating

At sessions of the Plenary Assembly, the delegates, representatives, experts and attaches shall be grouped in delegations, and the delegations shall be seated in the alphabetical order of the French names of the countries represented.

Article 17

Order of Discussion

§ 1. Persons desiring to speak may do so only after having obtained the consent of the Chairman. As a general rule, they shall begin by announcing the name of their country.

Remark: The drafting group invites the attention of Committee F to the possibility of adding at the end of this paragraph the words "or of their company," which appear in the corresponding text of Article 17 of the Rules of Procedure of the Madrid Conferences according to the decision to be taken on Article 2 bis.

§ 2. Any person speaking must express himself slowly and distinctly separating his words and pausing frequently so that all his colleagues may be able to follow his meaning clearly.

17 Août 1947

Article 18

Proposals Presented to the Plenary Assembly
during the Conference

§ 1. At sessions of the Plenary Assembly, any authorized individual may read, or request to be read, any proposal or amendment presented by him during the Conference and be allowed to explain his reasons therefor.

§ 2. A proposal or amendment presented under the conditions set out in the preceding paragraph shall not be submitted for discussion or voting unless it is countersigned or supported by the Head of the Delegation of the country concerned or by his deputy.

§ 3. The Chairman of the Conference shall decide whether the proposal or the amendment shall be announced to all delegations by distribution of copies or merely by oral statement.

Article 19

Proposals Presented to Committees
during the Conference

§ 1. Proposals and amendments presented after the opening of the Conference must be delivered to the Chairman of the appropriate committee, or in case of doubt as to the appropriate committee, to the Chairman of the Conference.

Remark: The drafting group invites attention to the fact that the rules of procedure contain no provision for the allocation to Committees of proposals presented before the opening of the Conference. The U.K. proposal reproduced in Doc. 159 TR on Article 18 covers this point.

§ 2. Every proposal and amendment for modification of the Convention or the Regulations must be presented in the definitive form of words to be included in those documents.

§ 3. The Chairman of the Committee concerned shall decide whether the proposal or amendment shall be announced to all the members of the Committee by

Article 19

(cont.)

distribution of copies or merely by oral statement.

Article 20

Postponed Proposals

When a proposal or an Amendment has been reserved or when its examination has been postponed, the Delegation sponsoring it shall be responsible for seeing that it is not subsequently overlooked.

Article 24

Editorial Committee

§ 1. The texts of the Convention or the Regulations which shall be worded so far as practicable by the various Committees, following the opinions expressed, shall be submitted to an editorial committee charged with perfecting their form without altering the sense and with combining them with those parts of the former texts which have not been altered.

§ 2. The whole of the revised texts shall be submitted to the approval of the Plenary Assembly of the Conference which shall decide on them, or refer them back to the appropriate Committee for further examination.

Article 25

Final Approval

The texts of the Convention or Regulations shall be final after they have been read a second time and approved.

Article 26

§ 1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading at a session of the Plenary.

The passages added shall bear provisionally the numbers bis, ter, etc. and the numbers of passages shall not be used.

Article 26

§ 2. The definitive numbering of the chapters, articles and paragraphs shall be entrusted to the Editorial Committee after their adoption following the first reading.

Article 27

Signature

The final texts approved by the Conference shall be submitted for the signature to the delegates provided with the necessary powers in the alphabetical order of the French names of the countries.

Article 28

Press Notices

Statements to the press about the work of the Conference shall be released only as authorized by the Chairman or Vice-Chairman of the Conference.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 272 TR-E
August 16, 1947

Committee C

COMMITTEE C

AGENDA

of the meeting of Wednesday, August 20, 1947
at 10 a.m.

(Trellis Room - Hotel Ritz-Carlton)

1. Approval of the reports of the 9th and 10th
meetings (Documents Nos.)
2. Continuation of Discussion on Membership.
3. Discussion of Article 12 of the Moscow
Document.
4. Discussion of Articles 32, 33, 34 and 35
of the Moscow Document.

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

E
DOCUMENT NO. 273 TR-E

August 17, 1947

CORRECTIONS
to
DOCUMENT 232 TR-E

Page 3: line 19, replace the words "increase in telecommunications" by "change in their telecommunications".

Page 4: replace the first paragraph by:

"The Delegate from the United States feared that the present system would lead to difficulties because of the increase of expenses and the possible desire of some countries to change their classification. Such changes, even if limited to one class, would cause an increase in the contributions of other countries because the value of the unit would be increased. He preferred a more flexible system which would permit the Plenipotentiary Conference to effect an apportionment, which would take into consideration a number of factors, including the situation of countries which had suffered as a result of the war".

Page 4: replace the third paragraph by the following:

"The Delegate from Italy pointed out that the system of percentages could not be put into operation until all the participating countries were known - that was one result. On the other hand, the system of classification by units may be applied a priori, before the number of members and their assignment to various classes is known, since the value of the unit varies according to the changes in the number of members and their assignments; but when once the coefficients for each class are established, the ratio existing between the contributions of any two countries always remains constant. If some members changed classes and were registered in a lower class, the value of the unit would increase, which was purely a matter of mathematics. Italy, in conformity with its proposal 41 TR, was in favor of seven classes.

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INTERNATIONAL
TELECOMMUNICATIONS
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- - - - -

E
Document No. 274 TR-E

- - - - -
August 17, 1947

Committee C

- - - - -
' THIS DOCUMENT REPLACES '
' DOCUMENT NO. 272 TR-E. '
- - - - -

COMMITTEE C

AGENDA

of the meeting of Wednesday, August 20, 1947
at 10 a.m.

(Trellis Room - Hotel Ritz-Carlton)

- - - -

1. Approval of the reports of the 9th and 10th meetings (Documents Nos. 253 TR-E and 267 TR-E).
2. Continuation of Discussion on Membership.
3. Discussion of Article 12 of the Moscow Document.
4. Discussion of Articles 32, 33, 34 and 35 of the Moscow Document.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

Document No. 275 TR-E

August 17, 1947

Committee E

REPORT
OF THE CONVENTION COMMITTEE
Committee E

11th Meeting
August 13, 1947

1. The Chairman called the meeting to order at 3:40 p.m.
2. The Chairman announced that the third member of Subcommittee E2(Drafting) would be Mr. Tomlinson of the United States Delegation.
3. The Chairman proposed to the Committee that after completing the business appearing on the agenda, (Document No. 206 TR-E), it take up the remaining articles of the Madrid Convention in their numerical order as they are listed in Document No. 80 TR-E. He suggested, further, that henceforward no agenda be published.

4. Article 23. Responsibility.

The Delegate from the United States stated that he agreed to have this article entrusted to the drafting group for examination. The Committee likewise agreed.

5. Article 13. Special Arrangements.
(See Document No. 188 TR-E)

The Chairman requested the Committee to study Document No. 188 TR-E in which the essential differences between the various proposals are analyzed. These proposals refer to two questions:

1. nature of special arrangements: shall they for example, be limited to service matters not concerning governments in general?

2. the restrictions to be imposed on them:
for example: must they remain within the
Convention and the Regulations, and if so,
in what cases?

After a lengthy exchange of views in which delegates from the United States, France, the Netherlands, Cuba, Sweden, Iran, Italy, Greece, Bielorussia, the U.S.S.R., and the United Kingdom participated, the Committee adopted by 18 votes against 10 the proposal of the U.S.S.R. appearing in Document No. 79 TR-E, Article 8.

6. Article 29. Charges and Franking Privileges.

The Chairman stated that five proposals advocate retaining this article, while the United States proposal advocates its deletion.

The Delegate from the United States explained that he saw no necessity for retaining this article which contains no specific provision, and merely refers to the Regulations.

During an exchange of views among the Delegates from the United States, the United Kingdom, Italy, France, Lebanon, and Iran, the French Delegate proposed that this article be retained and that a reference to Article 21 of the Internal Regulations concerning franking privileges granted to Conference members be inserted therein.

After the Delegates from the United States and France withdrew their proposals, the Committee decided to retain Article 29 of the Madrid Convention.

7. Article 31. Secret Language.

The Committee decided to retain the principles laid down in the article, and to turn over final study thereof to the drafting group, which will take into consideration the editorial changes proposed by the United States, Chile and the United Kingdom.

8. Article 33. Rendering of Accounts.

The Chairman explained to the Committee that the proposals of Chile and of Italy did not call for

any change; the proposals of the United States and of the U.S.S.R. stated that operating agencies as well as governments must account to one another.

The French proposal was the same, but followed the Regulations as to the manner in which accounts are to be settled.

The proposal of the United Kingdom called for an editorial amendment, and an additional subparagraph contained in the proposal relating to Article 32, which deals with the setting up of accounts.

The proposal of Colombia specified that governments must account to one another, except where the Regulations and Annexes provide otherwise.

The Delegate from the United States expressed his agreement with the proposal of the U.S.S.R.

The Delegate from France also expressed agreement with the U.S.S.R. proposal. He brought out the fact that the French proposal further carried a reference to the Regulations in question (Article 95 of the Telegraph Regulations, and Article 53 of the Telephone Regulations).

After an exchange of views among the Delegates of the United States, the United Kingdom, France, the U.S.S.R., Italy and Iran, the Delegate from Italy proposed the following text:

"Balances of international accounts shall be paid either according to the system agreed upon by the governments and private agencies involved, or in accordance with the current international commitments of the countries concerned."

The Chairman thereupon proposed drafting a compromise text which would take into consideration the proposals of the U.S.S.R., France, the United Kingdom and Italy, and which would subsequently be submitted to the Committee; this proposal was accepted by the Committee.

9. Article 34 - Intercommunication.

At the request of the Delegate from Canada, who pointed out that this text lay within the competence of radio experts, the study of this article was carried over to a future date.

10. Article 35 - Interference.

After a brief exchange, the Committee decided:

1. To retain § 1 of Article 35, on condition that the words "so far as possible" which appear in the first line, be deleted;

2. To retain § 2 of Article 35;

3. To study the Italian proposal No. 184 TR, (Document No. 149 TR-E), which introduces a third paragraph into this article, at a future meeting.

11. The Chairman, after ascertaining how much progress had been made in work of the Committee adjourned the meeting at 6:17 p.m.

Rapporteurs:

A. David

H. Lerognon

Chairman:

H. Townshend

August 17, 1947

Committee E

R E P O R T

of the
Convention Committee
(Committee E).

12th Meeting
August 14, 1947

1. The Chairman called the meeting to order at 3.40 p.m.

He proposed that the Committee should postpone to a later meeting the discussion of Articles 34 and 35, which necessitate the presence of radio experts, and study Articles 36, 37, 38 and 39. The Committee agreed.

2. Article 36. Distress Calls and Messages.

The proposals of the United States, of the U.S.S.R., and of France seek to delete the restriction "participating in the mobile service", and to generalise the application of this article to all stations.

In addition, the proposal of Colombia seeks to modify the wording of this article. The proposals of the United Kingdom and of Chile also seek to modify the wording.

3. The general opinion of the Committee, expressed by the Delegates from Canada, Italy, India, Sweden, and the U.S.S.R. was that the application of this article should be generalised to include all radio stations.

4. The Delegate from Australia was of the opinion that the phrase should not be deleted. He pointed out that the word "station" had not been defined.

5. The Delegates from Portugal and Cuba wanted to extend this application to all telecommunication stations: radio, telegraph or telephone.

6. The Delegates from Canada and Italy, supported by the Delegate from the Netherlands, pointed out that there were two questions:

The first was the question of reception or emission by a radio station of a distress call or message dealt with in Article 36 of Chapter IV of the Convention relating to radio.

The second was the question of priority for transmission of such messages on internal channels by wire, dealt with in Article 36, §1 of the Telegraph Regulations.

7. The Chairman proposed that the Committee should express its views successively on the two following questions:

1. Should the application of Article 36 be extended to include all radio stations in accordance with the proposals of the United States, the U.S.S.R. and France? The Committee accepted the substance of these proposals.

2. Should a similar provision be included in the Convention for telegraph and telephone stations? The Chairman asked that this last provision be made the subject of precise proposals.

8. The Delegate from Cuba proposed adding "telecommunication" before the word "stations" in article 36 and deleting "participating in the mobile service."

The Delegates from Mexico, Venezuela and Iran also made proposals.

9. The study of this second question was therefore postponed to a later meeting.

10. Article 37 - False or Deceptive Distress Signals.

The Chairman explained to the Committee that the proposal of the United States, Article 33 of Document 2 TR, extended the application of this article to cover safety signals and that the proposal of Colombia had the same object in view.

After an explanation by the Delegate from the United States, the Committee accepted the United States proposal.

11. Article 38 - Limited Service.

All proposals contemplated retaining the text of

this article. The Committee agreed that the proposal made by the United States, which purposed including this article in Article 34 Intercommunication should be studied by the Drafting Group.

12. Article 39 - Installations of National Defense Services.

The proposals of the United States, the U.S.S.R., Chile, the United Kingdom and France were intended to bring out the fact that this article only concerns military stations. That of Colombia wanted to delete the words "so far as possible" in sub-paragraph (1) of § 2.

The Committee rejected the Colombian proposal and accepted the other proposals in principle. The Study of the text and a draft modification proposed by Chile were entrusted to the Drafting Group.

13. Article 25 - Constitution, Operation, and Protection of the Telecommunication Installations and Channels.

The Chairman explained that, with the exception of editorial modifications proposed by Chile and Italy, only the United States proposal modifies the substance of this article.

After an explanation by the Delegate from the United States, supported by the Delegate from Canada, who expressed the belief that the modifications adopted were intended to clarify this article and to change its presentation, the Committee accepted the principle of this proposal, detailed study of which was turned over to the Drafting Group.

14. The Chairman then proposed that the Committee should study the proposals of the United States relating to Article 30 comprised in Document 176 TR-E. He recalled that this article had been studied during the fourth meeting (Report 162 TR-E) and that a provisional text had been adopted.

After a brief exchange of views during which the Delegates from Italy, the United States, and France improved the French translation by deleting the words "de ce genre", from the 6th line, the Committee accepted the text of Document 176 TR-E of the United States.

15. The Chairman advised the Committee that he was preparing a precise text for article 33 which would be studied at the next meeting. Articles 34 - 35 and the Annex would be studied with the assistance of experts of the Radio Conference.

16. The Delegate from France, speaking in his capacity as Chairman of the Drafting Committee (Committee G), asked the Chairman, to have the articles in the order given in the Madrid Convention and, if possible, grouped by chapters, sent as soon as possible to the Drafting Committee.

The Chairman stated that he would do his best to have the texts sent, in the order of their final adoption by Committee E, to the Drafting Committee which was to prepare them in their definitive form.

17. The Delegate from Cuba called the Chairman's attention to proposal 171 TR of his country in regard to article 34.

18. The Delegate from Switzerland also called attention to proposal 250 TR of his country in regard to a new subject.

19. The Delegate from Chile said that his Delegation wished to have a representative in Drafting Subcommittee E 2. This was agreed to by the Committee.

20. The Chairman adjourned the meeting at 4:50 p.m.

Rapporteurs:

A. DAVID

H. LEROGNON

Chairman:

H. TOWNSHEND

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

E
Document No. 277 TR-E

August 17, 1947

This Document concerns only the French text.

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August 19, 1947

Committee E

T U R K E Y

205 TR

Proposals concerning the Annex to the
Telecommunication Convention(Madrid, 1932).

Definition of Government Telegrams
and Radiotelegrams.

Read:

Telegrams and radiotelegrams pertaining to
official business and emanating directly from:

- a) the head of a government;
- b) a minister, member of a government;
- c) a representative of a government;
- d) commanders in chief of land, naval
or air military forces;
- e) a representative of the secretary
general of the United Nations, as
well as the replies to such messages.

Reason

In order to clarify the definition.

Certain administrations, giving a broad
interpretation to the present definition, accept
as government telegrams messages emanating from all
government officials, with the result that the
volume of traffic of telegrams in this category
is constantly being increased.

- - - - -
Add the following definition:

Government telephone conversations: those
which are carried out directly by:

- a) the head of a government;
- b) a minister, member of a government;
- c) a representative of a government;
- d) commanders in chief of land, naval, or
air, military forces;
- e) a representative or the secretary general
of the United Nations.

Reason

In order to define government telephone conversations, which have been adopted by Committee E for inclusion in Article 30 of the Convention, which concerns the priority of transmission of government telegrams.

*
* *
*

August 18, 1947

Request for additions to the Report
of the 4th Meeting (July 23, 1947)
of Committee D (Document 164 TR-E)

Page 4, add before statement by the Delegate from
Czechoslovakia:

"The delegate of the Netherlands agrees with the honourable delegates of India, Denmark and other delegates that we should not enter into general discussions again..

As to the argument to consider also other proposals than the UPU draft, this can be done during the debates about the UPU articles by those delegates that deem it necessary to take the other drafts and proposals into consideration at the same time he draws attention to the fact that the UPU draft allows alterations and revisions on six months notice so that if in practice alterations seem necessary they can be made in due course."

Page 7, add after the fifth paragraph:

"The delegate of the Netherlands points out that he fully agrees with having a working group. As to the confusion that seems to arise with regard to the capacity of the United Nations as a carrier, he proposes to take into consideration insertion of Article III of the U.K. proposal (Document No. 67 TR-E) into our draft as Article II to be followed by Article III of the UPU draft as amended by the delegate of the U.S."

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August 18, 1947

Committee C

Annex to
Document 241 TR
(para 14)

Subcommittee 1 of Committee C
on
Finance and Personnel

Proposal from the Chair
on
The Re-organization of the Bureau of the Union

Introduction

- 1) This proposal is based on the conception that the proposed Atlantic City Convention is a modification and a continuation of the Madrid Convention.
- 2) Therefore the new organization proposed is a modification to the present one and fundamentally a continuation to it no matter how drastic the change may be. It is the same Union, and the same organization remodelled, extended and its functions and powers enlarged.

The Establishment

- 3) The proposed bureau is therefore proposed to be under the control of a high official of the Union, the Director General of the Bureau of the Union (or Secretary General) whose powers and functions will be executive and defined and established in the Convention.
- 4) The Director General (or Secretary General) will report to the Administrative Council and will act as Secretary to this Council.
- 5) The Director General will have administrative control over the Special Secretariat of the other bodies of the Union, who will be under the direct responsibility of their respective Chiefs and Directors as far as their work and functions are concerned.

(200 TR-E)

6) It is proposed that the Director General would have a Deputy Director General and three Directors. Each of these Directors would control a division.

7) The three divisions would be:

A) FIRST DIVISION: Comprise three subdivisions:

First Subdivision: deals with:

- a) The Telegraph Regulations
- b) The Telephone Regulations

2nd Subdivision: deals with:

Additional Radio Regulations

3rd Subdivision: deals with:

The official Journal of the Union.

This classification exists already. Enforcement to the Staff is necessary.

B) SECOND DIVISION: Comprises three subdivisions:

First Subdivision: deals with:

Nomenclatures (Radio)

2nd subdivision: deals with:...

Frequency list.

3rd Subdivision: deals with:...

Secretariat I.F.R.B.

C) THIRD DIVISION: Comprises six subdivisions:

First Subdivision:

- a) Personnel
- b) Accounts
- c) Cash office

2nd Subdivision:

Library

3rd Subdivision:

Translation of Documents, etc.

4th Subdivision:

- a) Archives
- b) Expeditions

5th Subdivision:

- a) Stationery
- b) Publishing

6th Subdivision:

- a) Telegraphist
- b) Telephonists

- 8) The foregoing classification exists more or less - reenforcement of personnel is sometimes necessary to cope with the new conditions and extension of the work.
- 9) An outline of this establishment is attached with detailed category and number of the staff required.
- 10) The specialized Secretariats for the C.C.I.'s are not included.

Director General
Deputy Director General

Office:
(Counselor 1)
(Deputy 1) 3
(Typist 1)

-4-
(280 TR-E)

Director 1st Division

Director 2nd Division

Director 3rd Division

Subdivision	1	2	3	1	2	3	1	2	3	4	5	6	Total
	T. T. Regu- lations	Addi- tional Radio Communi- cations Regulations	Journal	Nomen- clatures (Radio)	Frequen- cies List	Secreta- riat I.F.R.B.	Personnel Accounts Office Cash	Library	Trans- lation of Docu- ments etc.	Archives Expedi- tions	Station- ary Pub- lishing	Telegraphist Telephonist	
<u>PERSONNEL</u>													
Counsellors	1	1	1	-	1	1	-	-	1	-	-	-	6
Chiefs of Service	2	2	1	1	1	2	1	-	2	1	-	-	13
Chiefs of Section	3	1	1	1	1	2	1	1	3	1	1	-	16
Employees of Section	3	1	-	2	2	2	1	-	4	2	1	-	18
Steno- graphers	2	1	2	2	2	2	2	1	2	1	2	5	22
Totals	11	6	5	6	7	9	5	2	12	5	4	3	

Total 22

22

31 Plus Office of Director Gen. 75
3
78

N.B. - Special Secretariat of C.C.I.'s are not included. They are independent
bodies under the control of the Directors of these Committees-their relation with the bureau is
only administrative.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 281 TR-E

August 19, 1947

This document replaces Document 235 TR-E.

206 TR

UNITED STATES OF AMERICA

Plan for HFB/C Organization

I

SUMMARY

The United States recognizes the impelling need for a world HFB/C organization. The following sequence of facts supports this position:

For the first time the short-wave broadcast frequencies are to be assigned by an international conference of high frequency broadcasters.

In order that all countries may obtain an equitable share of broadcast time on optimum frequencies, there must be simultaneous sharing or rotational use of frequencies.

Such frequency-sharing requires a plan.

The implementation of such a frequency-sharing plan requires organization.

The complex nature of the problem argues for a strong organization, broader in scope and responsibility than the CCI type of organization.

II

NEED FOR ORGANIZATION

The International Telecommunications Conference has directed the HFB/C Conference to formulate engineering principles which might serve as the basis of a frequency assignment plan. It has asked this Committee to consider the matter of organization. The United States believes that organization and the frequency assignment plan are interrelated and inseparable matters.

As pointed out in Document No. 23 Rhf-E, the United States holds that any workable frequency sharing arrangement based upon propagation characteristics and engineering and technical considerations must be flexible. A flexible plan

cannot function harmoniously in an inflexible organization.

The United States proposes that there be created a broadcasting organization to be concerned exclusively with HIGH FREQUENCY broadcasting, rather than with all types of broadcasting. In the view of the United States it would hardly be worth the effort to formulate a frequency assignment plan unless the means of administering such a plan by an impartial group were provided for. In addition to the frequency-assignment plan, there are a great many problems peculiar to high frequency broadcasting which require specialized treatment.

III

EXPLANATION OF HFEBB

It is for the above mentioned reasons that the United States has proposed that there be created a High Frequency Broadcasting Board. The Board should be composed of seven Directors, all of different nationalities, elected by the high frequency broadcasting conferences and qualified for candidacy by technical or practical experience in high frequency broadcasting. The Board members should serve as custodians of an international public trust and not as representatives of their respective States.

The most important of the technical functions of the Board would be to make the frequency assignment plan operate satisfactorily. The Board would have to give constant attention to the way in which the plan functions and propose adjustments to the interested States when necessary. In the event of major obstacles to effecting such adjustments, the Board would propose to the Administrative Council of the International Telecommunications Union, the convening of an Administrative High Frequency Broadcasting Conference of limited agenda for that purpose.

The Board would make continuing studies to determine the efficacy of the frequency assignment plan, and would, with the concurrence of the states directly affected, propose and put into effect necessary changes in the plan, study and analyze high frequency monitoring reports and propose improvements in existing standards of good engineering practice.

Other technical functions proposed for the Board are self-evident. They consist in large part of gathering information and making studies for the purpose of

encouraging the adoption of standards and practices which will result in more effective transmission and reception of high frequency broadcasts. It would do this either in the form of proposals to the Administrative High Frequency Broadcasting Conference or through publications prepared under its direction.

On the non technical side, the Board would study, analyze and make available to member States data on the impediments to the free flow of information by high frequency broadcasting, disseminate information about programs (having nothing, however, to do with program content), and facilitate the exchange of programs and program material.

The non-technical functions of the Board are designed to facilitate the use of high frequency broadcasting as a medium for the exchange of information and programs. Although these functions are new to the I.T.U., it is nevertheless considered that they can best be dealt with by the same body concerned with technical high frequency broadcast problems

As for the international exchanges in the field of High Frequency Broadcasting it should be emphasized that the Board would be concerned only with the aspects of this matter as applied to high frequency broadcasting. A knowledge of the technical problems involved is important in dealing with this kind of question

Some of the Board's functions are administrative in character. Others are to direct studies and research with a view to making proposals for action by member governments, which would in most instances consider such proposals at the High Frequency Broadcasting Conferences. The Board would thus be a focal center and a spark plug for initiating consideration of all high frequency broadcasting problems.

The proposal that the Board consist of seven directors whose salaries would be included in the expenses of the Board is based on the concept that it should be independent of any national government. Likewise, the functions assigned to the Board are such that it must have more authority than the Secretariat of the I.T.U.

It is believed that the establishment of the Board within the framework of the I.T.U. will result in efficiency, facilitate the coordination of other services engaged in international telecommunications and effect material savings through good administration.

IV

ORGANIZATION PROPOSALS

The following constitutes the U S. proposal for the establishment of a High Frequency Broadcasting Board

CHAPTER _____

HIGH FREQUENCY BROADCASTING BOARD

Article _____

Establishment

§ 1. There shall be a High Frequency Broadcasting Board (H.F.B.B) which shall carry out the duties and functions prescribed in these Regulations or assigned to it by the Administrative High Frequency Broadcasting Conferences.

Article _____

Scope

The scope of the HF Broadcasting Board embraces all forms of radio broadcasting in the bands between 3 and 30 Mc allocated exclusively to the broadcasting service.

Article _____

Functions

§ 1. The Board shall:

(a) Make continuing studies to determine the efficacy of the Frequency Assignment Plan adopted by the HF Broadcasting Conference.

(b) With the concurrence of the States directly affected, propose and put into effect necessary changes in the Frequency Assignment Plan in the interval between conferences. In the event concurrence can not be obtained, the Board may recommend to the Administrative Council of the I.T.U. the calling of an administrative conference with limited agenda.

(c) In the interest of greatest efficiency, take steps to insure adequate use of frequencies within the Frequency Assignment Plan.

(d) Propose to the Administrative Council the convening of administrative conferences with limited agenda

on matters other than that referred to in (b) above.

(e) Study, analyze and correlate the regular HF broadcasting monitoring reports received through:

- 1) The Secretary-General of the I.T.U. from the sources provided for by the International Radio Regulations.
- 2) Other sources.

(f) Conduct studies leading to the application in the broadcasting art of the latest technical developments such as:

- 1) Radio Propagation Characteristics.
- 2) Antenna Systems.
- 3) Equipment.

(g) Propose to the HF Broadcasting Conferences standards of minimum service and good engineering practice.

(h) Collate data made available to it on the size and composition of audiences to HF broadcasting.

(i) Conduct research and studies on measures to facilitate the free flow of information by HF broadcasting, and submit proposals thereon to the HF Broadcasting Conference.

(j) Publish and circulate through the Secretary-General of the I.T.U. the proposed standards of minimum service and other material designed to advance the engineering and operation of the HF broadcasting service.

(k) Disseminate information about programs broadcast by member States.

(l) Facilitate the exchange of programs, manuscripts, transcriptions and program material among the member States.

(m) Investigate and report to the HF Broadcasting Conference the practicability and propriety of establishing an international code of ethics for HF broadcasting.

(n) Make arrangements, subject to the approval of the Administrative Council of the I.T.U. for the representation of the H.F.B.B. at conferences and meetings dealing with matters related to its functions.

(o) Propose annually to the Secretary-General, for inclusion in the annual budget of the I.T.U. a budget to defray the expenses of the HF Broadcasting Board

(p) Perform such other duties as may be assigned to it by the Plenipotentiary and Administrative Conferences and as may be necessary to insure the proper functioning of the Board.

Article _____

Composition

§ 1. The High Frequency Broadcasting Board shall be composed of seven directors, all of different nationalities.

§ 2. They shall be elected by each quadrennial HF Broadcasting Conference from panels of candidates presented by the States party to the International Telecommunications Convention and shall be persons qualified for candidacy by technical or practical experience in the HF broadcasting art. They shall serve, not as representatives of their respective States, but as custodians of an international public trust and shall act solely in the interest of the most economical use of available radio frequencies and the cultivation of mutual understanding and good will among the nations of the world.

§ 3. The directors shall elect a chairman from among their membership and shall, within the limits of the budget approved by the Plenipotentiary Conference direct the Secretary-General to employ a staff of technical and other assistants to perform the functions of the Board.

§ 4. The Secretary General of the Union shall furnish services and facilities for the High Frequency Broadcasting Board. However, the High Frequency Broadcasting Board may, as necessary, employ additional secretarial assistance for the specialized services it performs.

Article _____

Internal and Staff Regulations

The Board shall establish regulations governing its internal procedures and activities.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 282 TR-E

August 19, 1947

Committee B

REPORT
of the
Bureau of Committee B. (Credentials
Committee) to Committee B regarding
Full powers.

1. The Bureau has examined the Full Powers issued to members of the delegations of the countries shown in Annex 1 and recommends that they be accepted as formal authority for the individuals shown in the Annex to sign the Convention on behalf of their countries.
2. No Full Powers have been received in respect of any members of the delegations of the countries shown in Annex 2. It is recommended that the Secretary-General be requested to write to those delegations of the countries listed which are present at Atlantic City, reminding them that Full Powers have not been received (unless he has received information that they will be supplied).
3. A letter has been received by the Secretary-General from the Government of Burma, Transport and Communications Department, Rangoon, signed by the Deputy Secretary stating that the Governor of Burma thereby vests U. Maung Maung Tin with full powers. It is recommended that this letter shall not be accepted as a valid grant of full powers to the person named therein for the purpose of the International Telecommunications Conference inasmuch as it has not been signed by "the head of the state or by the head of the government, or by the minister for foreign affairs."
4. A letter sent by the Ecuadorian Ministry for Foreign Affairs to the Head of the Ecuadorian Delegation has been submitted to the Bureau. Inasmuch as this letter is not addressed to the Secretary-General; is not a written authorization for the persons named therein to sign the final Conference documents on behalf of the accrediting government; and the signature does not purport to be that of the head of the state, the head of the

government or the minister for foreign affairs, it is recommended that it shall not be accepted as giving the person named therein full powers to sign the Convention.

5. The full powers granted to M. Pollasch, M. Stalinger and M. Szymanski of the Delegation of Poland do not clearly define the instruments which the above named are authorized to sign as reference is made to "The Radio-communications Conference concerning the revision of the terms of the International Telecommunications Conference, signed at Madrid 9th December 1932." It is recommended that the Secretary-General be requested to seek clarification.

A. G. David

Dr. Liu Chieh

Union of South Africa	E. C. Smith W. A. Borland H. S. Mills	Brazil (Contd.)	Libero Oswaldo de Miranda Horacio de Oliveira e Castro Lieutenant-Colonel Lauro A. de Meideros Joao Victorio Pareto Neto
Argentina	Dr. Oscar Ivanissevich Don Ricardo Esteban Braganolo Vice Admiral Harald Cappus Dr. Don Marco Aurelio Andrada Don Fioravanti Dellamula Colonel Anibal Francisco Imbert Capitaine de Fregate Alfonso Rene Malaganba Dr. Don Jose Ramon Mayo Lieutenant-Colonel Eduardo A. Navarro Don Antonio Navatta Commandant Juan Bautista Otheguy Don Alfredo Oscar Planas	Bulgaria Chile China Vatican City Colombia	Boyan Athanassov Ismael Carrasco Santander Hector Calcagni Pozzoni Commandant Luis Recart Schmidt Dr. Liu Chieh J. T. Hwang N. H. Teng T. C. Loo T. K. Wang S. S. Wong Dr. Y. Y. Mao Reverend Ph. Soccorsi William Smith Carlos E. Arboleda Major G. Ayerbe Lieutenant-Commandant Luis Carlo Guzman Capitaine Hernando Melani Gustavo Piquero Santiago Quijano Caballero Hernando Ruiz Cuevas
Australia	L. B. Fanning R. V. McKay		
Austria	Ferdinand Henneberg		
Belgium	Rene Corteil Leon Lambin Raymond Lecomte Georges Hansen		
Belgian Congo and mandate of Ruanda-Urundi	Pascal Geulette		
Bielorussia	L. V. Kostyushko N. M. Sankin	Cuba	Dr. Guillermo Belt Dr. Nicolas G. de Mendoza Dr. Alfonso Hernandez Cata Dr. Luis Machado Capitaine Mario Torres Menier
Brazil	Romeu de Albuquerque Gouveia e Silva		

Denmark	Kristian Johannes Jensen Niels Erik Holmblad K. J. A. Lomholdt Crumlin Pedersen Gunnar Villads	Haiti Honduras Hungary	Jules Domond Guillermo Montes Dr. Odon Udvarhelyi Gyula Erdoss Barna Balazs
Dominican Republic	Dr. Sebastian Rodriguez Lora Manuel E. Nanita	India	Sir Harold Shoober Krishna Presada Shyamananda Banerji H. R. Thadhani Mohammad Nazir Mirza M. Rajagopaul
Egypt	Shoukry Bey Abaza Anis Bey Abdel Kaler Anis El Bardai		
El Salvador	Carlos Garcia Bauer Benjamin Herrarte Lopez	Iraq	Jamil Hamdi Raghib Rashid
United States of America and terri- tories	Charles R. Denny Francis Colt de Wolf	Ireland	Leon O'Broin T. S. O'Muineachain M. O'Dochartaigh
Ethiopia	Haddis Alemayehou	Iceland	Gudmundur J. Hliddal Gunnlaugur Briem
Finland	Viljo Viktor Ylostalo	Italy	Giuseppe Gneme Antonio Pennetta
France	Eugene Thomas Jean Laffray	Lebanon	Jamil Nammour
French Colonies	Jean Meyer Jean Lalung-Bonnaire	Liberia	John L. Cooper
Morocco	M. Lacroze	Luzembourg	Hugues Le Gallais
Tunisia	Jean Dezes	Mexico	Arturo Melgar Villasenor Augustin Flores Urrutia Heriberto Zarate Adame Rafael Arias Sanchez Ramon Macias Garcia Rafael Antonio Hernandez Garcia
Great Britain and colonies	H. Townshend C.B. D. C. H. Abbot L. V. Lewis	Monaco	Arthur Crovetto Marcel Palmaro
Greece	Stamatios J. Nikolis Stephanos Eleftheriou Spyridon Antoniou	Norway	Sverre Rynning Toennessen Andreas Strand
Guatemala	Carlos Garcia Bauer Benjamin Herrarte Lopez		

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ANNEX I
(Contd.)

New Zealand	Henry William Curtis Thomas Reynolds Clarkson	Sweden	Hakan Karl August Sterky Ernst Daniel Efraim Magnusson Artur Heribert Onnermark Sven Gunnar Wold
Panama	Julio Ernesto Heurtematte		
Netherlands West Indies, Curacao and Surinam	J. D. H. van der Toorn A. Spaans A. C. den Hartog H. van der Veen	Switzerland	Dr. Victor Nef Dr. Fritz Hess Albert Mockli Dr. Vincente Tuason Dr. Ernest Metzler
Netherlands East Indies	H. J. Schippers Dr. H. van der Veen Dr. J. J. van Rijsinge G. Coenen F. Liewakabessy	Czecho- slovakia	Jindrich Krapka Jaromir Svoboda Jan Busak
Peru	German Llosa Pardo Lieutenant-Commandant Miguel Florez Lieutenant Humberto Pellegrini	Turkey	Necati Toner Ibrahim S. Esgun Nejat Saner
Philippines	Narciso Ramos	Ukraine	Michael Fedorovich Golovnin
Portugal	Carlos Ribeiro Oscar Saturnino Amaro Vieira J. Ramos Pereira Lieutenant A. Ferraira Monteiro A. M. Bivar	U.S.S.R.	Alexander D. Fortoushenko D. D. Erigin Leonid A. Kopytin
Portuguese Colonies	Arnaldo de Paiva Carvalho Teodoro de Matos Ferreira de Aguiar Mario Monteiro de Macedo	Uruguay	Colonel Rafael J. Milans
		Venezuela	Renato Gutierrez Romero Jesus M. Chango Gustavo Nouel Pedro Ignacio Pachano Gerardo Manuel Siblesz Gonzalo Trujillo
Siam	Luang Praisance Dhuranurak	Yugoslavia	Josip Culjat Dusan Popovic

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ANNEX 2

Afghanistan, Albania, Saudi Arabia, Bolivia, Canada, Costa Rica,
Southern Rhodesia, Iran, Nicaragua, Paraguay, Roumania, Syria,
Yemen

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 283 TR-E
August 19, 1947

Committee C

207 TR

France

AMENDMENT SUBMITTED BY THE FRENCH
DELEGATION CONCERNING THE LIST OF
COUNTRIES ENTRUSTED WITH ESTABLISH-
ING THE NEW INTERNATIONAL TELE-
COMMUNICATIONS UNION.

Following the resolution of the United Kingdom, and
voted by Committee C, add the following text:

However, the application of this principle will not
have the effect of modifying the present qualifications
of countries or groups of countries which are members of
the Union under the terms of the Madrid Convention.

REMARKS

The resolution of the United Kingdom claims that its
basis and principles are derived from Document 45 TR-E,
quoting the Moscow Document.

The amendment proposed by the French Delegation derives
its principles from the same document. In order that every-
one may form an opinion on this question, the Moscow text is
quoted below:

ARTICLE I

Composition of the Union

- § 1. (This paragraph in no way relates to the subject dealt
with).
- § 2. "The countries, parties to the present Convention,
constitute the International Telecommunication Union."

During the Moscow Conference this text was not subject
to any reservation on the part of the five countries
represented.

It means, without any possible ambiguity, that the countries represented at the Atlantic City Conference, which sign and ratify the new Convention, will constitute the I.T.U. These countries, 77 in number, are those enumerated in Article 18 of the Internal Regulations (Document 175 TR-E).

This concept is confirmed by the proposal of the Delegation from the U.S.S.R. concerning the terms of reference for the Working Group of Committee C (Document No. 141 TR-E), of which subparagraph a) reads as follows:

"The present International Telecommunications Union is to be retained and no question is put forward about the establishment of an entirely new organization. Therefore on the basis of the Madrid Convention the present membership in the Union is to be maintained."

The text of subparagraph 2 of Article I of the Moscow Document therefore determines in accordance with the meaning of the above-mentioned French amendment, the composition of the new Union, with relation to its present members. This text respects the rights already acquired, and is not prejudicial to the new provisions to be adopted with respect to future adherences to the Union. This latter question is further dealt with in paragraph 3 of the Moscow Document which reads as follows:

§ 3. "Admission to Membership of the Union shall be granted to: ---"

It is evident that this latter paragraph is to be applied to future members of the Union, from whom new qualifications may rightfully be required.

And the British resolution already adopted by Committee C, which in effect requires these new qualifications, can only refer to this paragraph dealing with future members and not with present members, whose status is defined in paragraph 2.

Consequently, and in order to remain within the scope of the directives of the Moscow Document, the resolution of the United Kingdom should be supplemented by the French amendment.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 284 TR-E

August 20, 1947

Committee F

COMMITTEE F

Agenda

of the Meeting of Thursday, August 21 at 3:30 P.M. in the

Trellis Room

1. Approval of the report of the 12th meeting Doc.
No. 254 TR-E.
2. Approval of the report of the 13th meeting Doc.
No. 263 TR-E.
3. Approval of the report of the 14th meeting Doc.
No. 265 TR-E.
4. Communications
5. Consideration of the texts proposed by the Drafting Group
of Committee F for Articles 16-20, 24-28 of the
General Regulations - Doc. No. 271 TR-E.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 285 TR-E
August 20, 1947
Committee E

United States of America;

Memorandum on Proposed Revision of Article 13
of Madrid Convention

1. Article 13 of the Madrid Convention now reads as follows:

"The contracting governments reserve the right, for themselves, for the private operating agencies recognized by them, and for other operating agencies duly authorized to that effect, to conclude special arrangements on service matters which do not concern the governments in general. However, such arrangements must remain within the terms of the Convention and of the Regulations annexed thereto, as regards interference which their application might be likely to cause with the services of other countries."

Under this article, recognition is give to special arrangements agreed upon between interested administrations subject only to two conditions:

a. These special arrangements must be "on service matters which do not concern the governments in general."

b. They must be within the framework of the Convention and the Regulations so far as provisions relating to interference are concerned.

2. Under this article as it now stands, many countries and many United States operating agencies have entered into a variety of special arrangements, such as those relating to the monetary unit, settlement provisions, rate provisions, and so forth. The United States could not sign a Convention which did not permit this degree of flexibility, whereby particular arrangements can be made between interested countries to meet their own requirements so long as the general interests of the whole world --such as the interest of avoiding interference--are not jeopardized. Moreover, it would be much easier for the United States to sign an appropriate set of Telegraph Regulations if the Convention, as it does now, clearly sanctions special arrangements.

3. As a result of discussions in Committee E, it is now apparently proposed to revise Article 13 along the following lines (Article 8 of the Moscow draft Convention):

The Members of the Union reserve the right, for themselves and for the private operating agencies duly authorized to that effect, to conclude regional or other special arrangements. However, such arrangements shall not be in conflict with the terms of the Convention and of the Regulations annexed thereto.

Such a provision might be interpreted as preventing any special arrangements. If all special arrangements must conform with the Convention and the Regulations, there could be no arrangements which depart from any of the provisions set forth in the Convention and in the Regulations. For example, if the Convention provides for the gold franc as a monetary unit, special arrangements by two particular countries for a different monetary unit in relations between themselves might be considered as prohibited. If the Convention and the Telegraph Regulations provide for a given method of settling accounts, it might be argued that no two countries could settle their own accounts in any different manner. Presumably, under the foregoing proposal, the only field left for special arrangements would be on matters where the Convention and Regulations are silent--and these then would not be "special" arrangements.

4. It is believed that the proposal to adopt the language set forth in Paragraph 3 may have been the result of a misunderstanding. It may also be noted that this proposal was not approved by a majority of the Committee. The delegation which sponsored the proposal, argued strongly for flexibility in special arrangements and stressed the need of having a provision which would permit administrations, as between themselves, to make arrangements in any field so long as general world telecommunications operations were not prejudiced. However, the language proposed defeats this very purpose. Accordingly, it is believed that the revision of this article must be reconsidered by Committee E.

5. This conclusion is fortified by consideration of the relationship between Article 13, on Special Arrangements, and Article 32, on the Monetary Unit. The final discussion of Article 32 in Committee E turned on one issue: whether the article should provide for the existing gold franc, without any reference in such article to the propriety of special arrangements for a monetary unit; or whether it should provide for the existing gold franc, but in addition should specifically recognize special arrangements on this subject. The proponents of the former view repeatedly urged that it was unnecessary for Article 32 to deal with special arrangements for a monetary unit, since Article 13 adequately provided for special arrangements in this and other fields. This view prevailed as a result of a tie vote. The basis for this view, however, is now destroyed by the proposed revision of Article 13, which might prohibit special arrangements on the monetary unit, on the ground that the use of any unit other than the gold franc would "be in conflict with" Article 13 of the Convention.

6. The United States believes that the existing Madrid provision covering Special Arrangements should be retained with minor editorial changes necessary for clarification. These editorial changes relate to the phrase which permits special arrangements "on service matters which do not concern the governments in general." Although the limitation to "service" matters should include rate, settlement, and operating matters (and is so interpreted by the United States), it would be preferable to make this clear in the text. Accordingly, the United States proposes to delete the word "service" so that special arrangements would be permitted on any matters "which do not concern the governments in general." This is a modification of the original United States position, under which the entire phrase "on service matters which do not concern the governments in general" would have been deleted. Upon reconsideration, it is believed that the deletion of the entire phrase may be too drastic.

7. The text as thus proposed by the United States would read as follows:

"The members of the Union reserve the right, for themselves, for the private operating agencies recognized by them, and for other agencies authorized to that effect, to conclude regional or other special arrangements on matters which do not concern the governments in general. However, such arrangements shall not be in conflict with the terms of the Convention and of the Regulations annexed thereto as regards interference which their application might be likely to cause to the services of other countries."

8. The Delegation of Hungary has also noted that the limitation in Article 13 to "service matters" may be ambiguous. It proposes that this phrase should be changed to "matters of service and charges", so as to recognize specifically that rate matters may also be included in the field of special arrangements. It is believed that the foregoing proposal of the United States and the proposal of Hungary have the same objective, but that it may be clearer to delete the word "service", rather than adding a reference to "charges."

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August 20, 1947

Committee C

REPORT
of Subcommittee C 1
(Finance and Personnel)

6th Meeting

August 13, 1947

The meeting was called to order at 10.10 a.m.

The Rapporteur informed the Subcommittee that the Chairman, Mr. Abaza, had gone to Lake Success in his capacity as a member of the Committee on Negotiations of the Union with the United Nations, and in view of this fact he would not be able to preside over the meetings of the Subcommittee. Mr. Abaza had suggested that the Chairmanship be entrusted provisionally to Mr. J. T. Hwang, Delegate from China. Mr. Fortoushenko, Chairman of Committee C, had very kindly consented to this proposal. Under these conditions, unless there was objection from the members of the Subcommittee, Mr. Hwang would substitute for Mr. Abaza during his absence. The Subcommittee approved this proposal.

Mr. Hwang thanked the Subcommittee and submitted the reports of the 3rd, 4th and 5th meetings for examination (Doc. Nos. 184 TR-E, 228 TR-E and 232 TR-E).

The report of the third meeting (Doc. No. 184 TR-E) was adopted without comment.

The report of the fourth meeting (Doc. No. 228 TR-E and TR-E) was adopted subject to the following modification: On page 4 of the French document, replace the last sentence of the next to the last paragraph (Statement of the Chinese Delegate): "Il faut eviter que chaque pays ne cherche a choisir le minimum" by the following: "On doit noter que si tous les pays choisissent le minimum, ceci signifiera un fardeau excessif pour les petits pays." On page 6 of the English document, replace the last sentence of the 1 paragraph (Statement of the Chinese Delegate): "It would be necessary to avoid permitting all countries from choosing the minimum," by the following: "It must be noted that if all countries should choose

the minimum, it will mean an excessive burden on small countries."

The report of the Fifth meeting (Doc. No. 232 TR-E) then occasioned three requests for correction. The changes in question will be the subject of a corrective document.

The report of the fifth meeting was adopted with those amendments.

The Chairman proposed that the Subcommittee follow the procedure suggested by Mr. Abaza at the end of the fourth meeting. Since the Subcommittee, had agreed temporarily to the inclusion of classes in the Convention, it had to settle three questions:

- 1) how many classes should there be?
- 2) how many units should there be in each class?
- 3) should each country be free to choose its own class or not?

A brief discussion ensued with respect to the order in which these questions should be taken up. The Delegate from the United States preferred to take the third question up first. However, he was won over to the procedure proposed by the Chairman, which accorded with the decision made by the Subcommittee at the end of the last meeting.

The Delegate from Greece remarked that he had already explained why his country was proposing eight classes. This proposal involved reducing the contribution of small countries by creating a one unit class, and increasing the contribution of larger countries by setting up a 30 unit class in place of the present maximum of 25 units. He hoped in this way to reduce the burden of smaller countries in proportion to their ability to pay and to induce the larger countries to assume greater responsibilities when there were decisions to set up new agencies which would entail a considerable increase in expenditures. He considered it essential to increase the ratio between the contributions of the larger and smaller countries, so as to make the responsibilities of each country more consistent with its ability to pay.

The Delegate from India agreed in substance with the Delegate from Greece. It was essential to lighten the burden of the smaller countries, and to create a one unit class. As for the larger countries, a country belonging to the first class now pays 3.17% of the total expenses of the Telegraph and Telephone Division, and 2.69% of the total expenses of the Radio Division, or in other words, an average of about 3%. On examination of documents submitted to the members of the Subcommittee, it may be observed that in the case of other international organizations, the countries making maximum contributions pay: 39.9% to the UNO, 15% to the ICAO, 25% to the Food and Agriculture Organization, and 15.65% to the International Labor Organization. These percentages are based upon each country's ability to pay and the Delegate considered the larger countries' ability to pay quite as important as that of the smaller countries. He was of the opinion that the ratio of 30 to 1 proposed by Greece was insufficient. The larger countries, which are richer and more highly developed from a technical standpoint, also have a greater interest in taking an active part in the affairs of the Union. They could pay far more than the Greek proposal suggested. Canada had proposed that a country might belong to several classes at one and the same time, but the Delegate believed that if this arrangement were optional, no country would pay more than was required for the highest class. The Delegate favored a non-optional distribution based upon the following scale: A country belonging to the first class would pay about 20% of the total expenses; the second class, 10%; the third, 3%; the fourth, 2%; the fifth, 1%; and the sixth, 0.2%. The Delegate had not as yet been able to compute the number of corresponding units, but wished to sound out the Subcommittee regarding such a proposal.

The Delegate from France was not opposed to increasing the number of units for the higher classes, but believed that such a procedure should not be overdone. In the International organizations mentioned by the Delegate from India, there is usually only one country in the highest class. If too expensive classes were set up, and the choice of class were left to the countries themselves, there would be the risk of having very few countries register in the expensive classes. This would decrease the total number of units contributed by all members, and would

result in increasing the value of the unit. It would prove easier to induce countries to enter the first class if it were not too expensive. France would accept the eighth class, proposed by Greece, with 30 units, but would prefer seven classes, in accordance with her own proposal, by analogy with the system used by the UPU.

The Delegate from Switzerland supported the statement of the French Delegate. The creation of a one unit class, while favoring the smaller nations, would obviously increase the contributions of other countries. The most important matter was to create this one unit class; the increase in the higher class was of secondary importance. However, the Delegate was not opposed thereto.

The Delegate from Italy supported the Greek proposal. The addition of the one unit class was necessary, and would make it possible for other small countries to belong to the Union. The addition of a 30 unit class could only contribute to lowering the value of the unit. It could in no way work to the detriment of the smaller countries.

The Delegate from Great Britain reminded the Subcommittee that the British proposal is in favor of maintaining the status quo, but he did not object either to the French proposal which provides for seven classes, nor to the Greek proposal which provides for eight. The main thing was to create a one unit class for the small countries. In the case of the Radio Division assuming that the 49 countries now in the 6th class should change from three units to a single unit, and that the 13 countries now in the first class should change from 25 to 30 units, we should have on the one hand, a loss of 98 units, and on the other, a gain of 65 units, which would approximately balance the loss. The percentage suggested by the Indian Delegate for a luxury class appeared to be impractical. The percentage system cannot be combined with the unit system.

The Delegate from Portugal preferred the status quo. He said that it is difficult to predict what the new distribution of countries in the various classes would be if the number of classes is increased. If Portugal were obliged to choose its class in a system which had been changed, it would be at a loss to do so. The present distribution, which he considered satisfactory and quite fair, is based upon comparison with the classes of other countries. Retention of the present division

would permit new adherents to join the same class as countries which seem to be in a comparable demographic and economic position. However, Portugal would accept a 7th class of one unit, with the understanding that this new class should include only a few new countries, or some countries now listed in the 6th class which are really bearing too heavy a load in the way of contribution. If the maximum range from 3 to 25 is not sufficient, he would agree to accept 1 to 25 for the sake of the very small countries, but the adoption of the eighth class would force countries to change their classification without any manner of guide. India had suggested that some countries could bear a much heavier burden and had indicated 20%. The Delegate hoped that the number of countries in the first class would not be reduced. There are only 13 of them, and assuming that the other countries paid nothing at all, they would each pay about 3%. The proportion of 20% should therefore not be considered.

In short, Portugal would prefer the six classes as they now stand, but would agree to a seventh class with one unit for small countries.

The Representative of the Bureau of the Union indicated for the information of the Subcommittee the distribution of the 87 members of the UPU within the seven classes of that Union:

1st class (25 units)	: 16
2nd class (20 units)	: 0
3rd class (15 units)	: 17
4th class (10 units)	: 9
5th class (5 units)	: 10
6th class (3 units)	: 21
7th class (1 unit)	: 14

The Delegate from India: specified that he had not intended to combine the system of classes and the system of percentages. The number of units for the higher class that he had contemplated should be such that the corresponding countries would contribute from 15 to 20% of the total expenses.

In the case of the Radio Division which has a total of 927 units, this number would be reduced to 829 if the 49 members of the 6th class (3 units) entered the 7th class (1 unit). If on the other hand, one country in the first class entered an exceptional class of 200 units and four other countries entered

an exceptional class of 100 units, the total units would amount to nearly 1,400, and the country in the highest class would pay about one-seventh of the total expenses. The aim is to relieve the burden on the smaller countries while taking into account the ability of the larger countries to pay, as in the case of other international organizations.

The Delegate from Morocco wished to call to the attention of the Delegate from Portugal the fact that, because of the considerable increase expected in the expenses of the Union and the poor financial condition of numerous nations, a reclassification of countries in the near future seems inevitable, even if the present six classes were maintained. The reclassification would doubtless be more general with the adoption of the seventh class of one unit, which appeared to be approved by the majority. In order to avoid too marked a tendency toward classes with a lower number of units, it might be wise to adopt the proposal of Greece to add one class to the higher level. The fear of deviating too much from the top of the scale might perhaps for reasons of prestige offset the desire of certain countries to enter a class with fewer units.

The Delegate from the United States would like to consider a much larger budget than the present one, for instance, ten million Swiss francs. If the distribution of such a budget were considered, which seemed to him a realistic method of approaching the question, difficulties in applying the system of classes would arise. The value of the unit might vary considerably depending on the total number of units, which seems to range from 800 to 1,800. The Delegate again stated that he was opposed to the inscription of classes in the Convention and remained in favor of a more flexible system which could be better adapted to world conditions, which he hoped would soon improve. The rigid system under consideration is not suitable, especially when an increase of expenses is anticipated. The Delegate cited the example of the League of Nations, which had to abandon a system similar to the system of the I.T.C. and the UPU and adopt a more flexible system similar to the system of the ICAO when the burden on certain countries, small or of medium size, was found to be too heavy. He would be ready to accept a larger number of classes, but he especially wished to avoid making the system rigid by inscription in the Convention.

In reply to the Delegate from Morocco the Delegate from Portugal stated that he had thought that in view of the increase in expenses for which everyone must consider himself responsible, it would not be natural to approve this increase and at the same time to reduce his contribution. He hoped that he was not being too optimistic. He pointed out that the reasoning based on ability to pay, if valid for a political organization, did not seem to him to apply to our technical Union in which scientific investigations, technical progress, consultative committees, etc., are principally financed by the large countries and are of benefit to all. It could be said that the services rendered by the Union are more important for small countries than for large countries. Simultaneous examination of the criterion of services rendered and the criterion of ability to pay, leads to a classification similar to the one which exists at present and which constitutes an acceptable compromise.

The budget of the Union is at present 600,000 to 700,000 Swiss francs. Assuming that future expenses are ten times greater, a country in the sixth class would pay about 20,000 Swiss francs a year. This sum is not sufficiently large to justify considering as essential the capacity to pay (which, moreover, is subject to rapid variation.)

The Chairman pointed out that no one was opposed to the creation of a seventh class with one unit and that this class should be considered adopted. There were no objections. The question of the top of the scale had to be considered next. Greece had proposed the creation of a supplementary class of 30 units, India a class whose members would pay 15 to 20 per cent of the total expenses. The Chairman reviewed and summed up the different statements and arguments which had been presented by the Delegates on this matter.

The Delegate from Greece thought that the creation of an eighth class with 30 units was the indispensable counterbalance for the creation of a one unit class. As regards the "luxury class" it would seem that its creation could be contemplated on an optional basis.

The Delegate from Switzerland supported the statement which had been made previously by the

Delegate from Portugal. As regards the burden on small countries, he stated that Afghanistan pays about 13,500 dollars to the United Nations as compared with 1,000 Swiss francs to the I.T.U. Even if the expenses of the I.T.U. were increased tenfold, the sum would not be too large. The "luxury class" seems somewhat strange. The Delegate was not opposed to it, with the reservation, of course, that it would confer no supplementary right.

The Chairman suggested that this discussion be continued at the next meeting.

The meeting was adjourned at 1:05 P.M.

The Rapporteur:

H. Lacroze

The Chairman:

J. T. Hwang

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 287 TR-E

August 20, 1947

Committee C

TEXT

of Resolution adopted at the
12th Meeting of Committee C,
on August 15th, 1947.

The Committee C accepts the principle underlying the Moscow Document No. 45 TR governing voting membership of the I.T.U. under the new Convention, which particularly asserts that all voting members of the I.T.U. must be independent sovereign states.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE:
ATLANTIC CITY
1947

Document No. 288 TR-E

August 20, 1947

Committee C

208 TR

ARGENTINA

Amendment to the resolution adopted
at the 12th meeting of Committee C
(Document 287 TR)

However, the application of this principle shall not have the effect of modifying the present qualification of member countries of the Union, whose established right, as such, were preliminarily recognized at the present Convention.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 289 TR-E
August 20, 1947
Committee C

EGYPT

209 TR-E

Amendments to the Resolution
Adopted at the Twelfth Meeting
of Committee C.
(Document 287 TR-E)

1. Add "as a general rule," so as to read that, as a general rule all voting members should be independent sovereign states.
2. Add the following subparagraph:
"However, the present voting members shall retain their right to vote."

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 290 TR-E

August 20, 1947

Committee C

210 TR

LEBANON

Amendment to the resolution adopted at the
12th meeting of Committee C

(Document 287 TR-E)

However, the application of this principle shall not have the effect of depriving the following countries or groups of countries of their established right to vote: Morocco, Tunisia, Belgian Congo, and the British, French, Portuguese and American Colonies.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. S91 TR-E
August 20, 1947

Committee C

Report of
Subcommittee 1
(Finance and Personal)
of Committee C
7th Meeting

August 14, 1947

The Chairman, Mr. Hwang opened the meeting at 3:35 p.m.

He reminded the meeting that the question under discussion was whether to create an additional class in the upper part of the scale.

One proposal was to add a 30 unit class which would to some extent balance the increase in the value of the unit due to the addition of the one unit class.

Another proposal was to add a luxury class which would enable certain countries, in a position to do so, to contribute to a greater extent to the expenses of the Union.

The following objections were raised to these proposals:

1. It would be unfair to ask certain countries to pay a great deal more than others and it would be unreasonable to accept such a gift.
2. In our technical Union each country is obligated to pay a share of the expenses.
3. The addition of a 30 unit class would reduce the value of the unit only 7% at most.
4. Because of the limited number of countries in a position to contribute at the rate of more than 25 units, the reduction in the value of the unit by setting up a luxury class would be very slight even if the contributions of certain countries were greatly increased. If these countries contributed at the rate of 200 units, the reduction would only be about 20%.

The Subcommittee must decide:

- either to confine itself to 7 classes (the 6 provided for in the Convention plus the one unit class),
- or to add a 30-unit class,
- or to arrange for a luxury class, in which countries would be free to contribute more than 30 units.

The Delegate from Greece wished to say a few words in explanation of that part of his proposal concerning the addition of a 30-unit class. It had been said that the value of each unit would not be substantially decreased thereby. However, even if the result is not particularly appreciable it must not be overlooked. There is no question of trying to find miraculous solutions. An improvement of 7% or 8% is worth considering. The Delegate said he thought that if an eighth class at the rate of 30 units were added, the countries now in the 3rd, 4th and 5th classes would remain in those classes. He was of the opinion that the number of units would thus be increased by about 15%.

In conclusion, the Delegate emphatically favoured 8 classes ranging from 1 to 30 units.

The voluntary luxury class which seemed to him acceptable should be in addition to these 8 classes.

The Delegate from Italy supported the statement of the Greek Delegate.

The Delegate from Portugal said he would accept the 8th class if the majority favoured it. His only fear was that the addition of this class would lead to a general reclassification which was not intended to result from the addition of a 7th class at the rate of 1 unit. The ratio between the maximum and minimum contributions is at present about 8 to 1, with the adoption of the 1-unit class it will be approximately 25 to 1, and the Delegate said he saw no reason to raise it to 30 to 1.

The Delegate from Canada said he would like the meeting first to take increased costs into account, and to set up a ratio between estimated expenses and the choice the different countries would make with regard to the different classes. While it is possible that certain countries might choose a class requiring a larger number of units because their financial position permits it, others might have difficulty in

remaining in a higher class and for the sake of all concerned such countries should not burden themselves with responsibilities they cannot carry. It is only after a general survey of all contributions that it will be possible to determine whether increasing the number of classes will lead to the desired results.

The Delegate from the United States agreed with the Canadian Delegate who had so clearly brought out the fundamentals of the matter. He said that he feared they were not considering the problem from the proper angle.

The Delegate from the United Kingdom of Great Britain said that he would prefer to retain the 7 classes, that were already accepted but that he would agree to the addition of an eighth class at the rate of 30 units. He would oppose the luxury class which would be tantamount to having one country subsidize another. This procedure which he considered fundamentally unsound can not be justified by the substantially increased costs anticipated for the future. The Delegate agreed with the Delegate from Portugal who had stated at the preceding meeting that such a system might perhaps be acceptable in a political organization but not in our technical organization in which all countries should remain free to choose their class, and in which, within each individual class, every member must make the same contribution and enjoy the same rights.

The Chairman read a letter from the Indian Delegate, who was detained at the meeting of Committee E and was therefore unable to attend the meeting. The Delegate from India was of the opinion that the class-scale should stop at 25 units and that voluntary contributions in excess of 25 units should be permitted. He said he was opposed to the establishment of a 30-unit class.

The Delegate from Canada observed that if expenses are to be multiplied by ten, he cannot commit himself in the name of the Canadian Treasury Department and he said he thought many of his colleagues were in the same position. Although he was fully aware of the need for international spirit and for participation in joint expenses, he did not know whether Canada might not decide to choose a lower class if expenses were increased ten-fold.

The Delegate from the United States wished to call to the attention of Subcommittee Doc. No. 246 TR-E, distributed that very morning, which provides for a responsible ad interim body called the Provisional Administrative Council. This Council would begin to function immediately after the conclusion of the Atlantic City Conference, with a view to effecting an orderly transition in the reorganization of the Union and preparing for the next Plenipotentiary Conference which should convene as soon as possible after the new Convention becomes effective. Document 246 TR-E provides that this Provisional Council might include in its duties the preparation of a draft scale of contributions to the expenses of the Union (in case the classes are not inserted in the Convention). This Council would be thoroughly acquainted with all the new agencies of the Union, and would have in particular a clear idea of the I.F.R.B. which will doubtless be very costly; it would therefore be in a position to prepare a budget with a sound basis in fact, and to propose minimum and maximum contributions, as is the case in the I.C.A.O., keeping in mind the results of the findings of our subcommittee, the size of the new budget, the ability to pay and the interest in telecommunications of the different countries.

The Delegate said he hoped that the provisions appearing in the new Convention would not be too rigid, otherwise they might well paralyze the Union in case certain members of the Union were no longer unable to meet their financial obligations.

The Chairman asked the Delegate from Canada whether he wished to make a concrete proposal or whether he supported the creation of a luxury class with voluntary contributions of more than 30 units.

The Delegate from Canada thought that if the present class system with free choice of class were maintained, not much would be gained by adding an eighth class. Although recognizing the need for a one unit class, we should recognize that there will be a general tendency to drop to a lower class. The Delegate doubted whether one could predict what the various countries would do. He was not interested in an eighth class. On the other hand, he agreed with the Delegate from the United States that the system under consideration was not the best one for solving the problem caused by the increase in expenses.

The Chairman reminded the meeting that the Subcommittee had accepted the class system, and that the discussion should bear on the number of classes. The question of the freedom of choice would be dealt with later.

The Delegate from Switzerland pointed out that the very interesting proposal of the United States would not relieve the Subcommittee of the necessity of studying the problem of contributions because the class system appears at present in the Convention. The Delegate insisted that, in accordance with the request of the Chairman, the Subcommittee turn again to the question of determining what classes are to be proposed by the Subcommittee. As far as he was concerned, the Delegate agreed to eight classes ranging from 1 to 30 units as proposed by Greece.

The Chairman pointed out that it would be advisable to deal with the class system in a thorough fashion. If the Subcommittee then deemed it necessary, it could reconsider the entire subject. As to the eighth class with 30 units, only the Delegate from India had opposed it and the Delegate from Portugal who was not in favour of it had stated that he would accept the decision of the majority.

The Delegate from Chile was of the opinion that the economic position of the various countries who have to contribute to several international organizations are not adapted to eight classes as this system would make it impossible for them to classify themselves in a satisfactory manner. If the unit is too high, some countries might not be able to pay a single unit.

The Chairman suggested that the proposal of India be considered as an adjustment of the 8th class of 30 units to make it more flexible. He asked whether the Subcommittee accepted this proposal.

The Delegates from Greece, the United States, Great Britain and Portugal, opposed this proposal, and it was dropped.

The Chairman asked the Subcommittee whether it agreed to accept provisionally 8 classes ranging from 1 to 30 units. All the Delegates were in agreement except the Delegate from Chile who preferred the system of the I.C.A.O. The proposal was considered as adopted.

The Delegate from Portugal wished to point out that the majority of the Delegations were in favour of increasing the expenses by setting up new organizations. The Delegations should remember that they are jointly responsible for payment. It follows then that a decrease in the total number of units due to the fact that some countries drop to lower classes should be of slight importance.

The Chairman proposed that the question of the number of units in each class should be settled. The Subcommittee had accepted a one unit class and a 30 unit class. The Chairman proposed to retain between these two extremes the six classes existing at present with 3, 5, 10, 15, 20, and 25 units respectively.

The proposal was adopted.

The question of freedom in choice of class would be dealt with at the next meeting.

The meeting was adjourned at 6 p. m.

The Rapporteur

H. Lacroze

The Chairman

J. T. Hwang

Conférence internationale
des télécommunications
d'ATLANTIC CITY
1947

Document n° 292 TR
20 août 1947
Commission C

GROUPE DE TRAVAIL 1 DE LA COMMISSION C

Projet de rédaction du paragraphe ayant trait aux
fonctions du Conseil administratif
(Moscou Document 45 TR - Art. 4, Par. 11)

International Telecommunications
Conference
ATLANTIC CITY
1947

Document No. 292 TR-E
August 20, 1947
Committee C

WORKING GROUP 1 OF COMMITTEE C

Draft Text for Section Dealing With
Functions of Administrative Council

(Moscow Document 45 TR - Art. 4, Sec. 11)

Dans l'intervalle entre les Conférences de plénipotentiaires, le Conseil administratif agit en tant que mandataire de la Conférence de plénipotentiaires dans les limites des pouvoirs qui lui ont été conférés par celle-ci.

Il est chargé de prendre toutes mesures pour faciliter la mise à exécution par les membres de l'Union des dispositions de la Convention et des décisions de la Conférence de plénipotentiaires, et d'assurer une coordination efficace des activités de l'Union.

- § En particulier le Conseil administratif
- a) accomplit toutes les tâches particulières qui lui auraient été spécialement assignées par les conférences de plénipotentiaires;
 - b) est chargé, dans l'intervalle qui sépare les conférences de plénipotentiaires, d'assurer la coordination avec les autres organismes internationaux visés à l'article de la Convention et à cet effet de nommer, au nom de l'Union, un ou plusieurs représentants pour participer aux conférences desdites organisations; ou, quand cela est nécessaire, aux Comités ayant pour objet d'assurer la coordination avec ces organisations;
 - c) nomme le Secrétaire général (et les Secrétaires Généraux-Adjoints) de l'Union;
 - d) contrôle le fonctionnement administratif de l'Union;
 - e) examine et arrête le budget annuel de l'Union;

In the intervals between plenipotentiary conferences, the Administrative Council acts on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the Plenipotentiary Conference.

It is responsible for initiating any action to facilitate the implementation by the members of the Union of the provisions of the Convention and of the decisions of the Plenipotentiary Conference, and for the efficient coordination of the work of the Union.

- § In particular, the Administrative Council shall:
- a) Perform any specific duties assigned to it by the Plenipotentiary Conferences;
 - b) In the interval between Plenipotentiary Conferences, be responsible for effecting the coordination with other international organizations contemplated in Article ... of the Convention, and to this end appoint, on behalf of the Union, one or more representatives to participate in the Conferences of such other organizations, or, when necessary, in interagency coordinating committees;
 - c) Appoint the Secretary General (and the Assistant Secretaries General) of the Union;
 - d) Supervise the administrative functions of the Union;
 - e) Review and approve the annual budget of the Union;

- f) prend tous arrangements nécessaires en vue de la vérification annuelle des comptes de l'Union établis par le Secrétaire général et les arrête en vue de les soumettre à la conférence de plénipotentiaires suivante;
 - g) convoque les conférences de plénipotentiaires et administratives de l'Union en application des Articles ... et ..., et prend les dispositions nécessaires à cet effet;
 - h) coordonne les activités des comités de l'Union, examine et prend les dispositions qu'il juge opportunes quant aux demandes ou recommandations qui lui sont soumises par ces comités, et, conformément aux dispositions des règlements, procède à la désignation d'intérimaires pour les sièges devenus vacants dans ces comités.
 - i) examine et prend les dispositions qu'il juge opportunes quant aux demandes ou recommandations qui lui sont soumises par un ou plusieurs membres de l'Union;
 - j) assume toute autre fonction prévue dans la présente Convention et, dans le cadre de la Convention et des Règlements, toutes autres fonctions qui peuvent être nécessaires pour assurer une bonne administration de l'Union.
- f) Arrange for the annual audit of the accounts of the Union prepared by the Secretary General and approve them for submission to the next Plenipotentiary Conference;
 - g) Arrange for the convening of plenipotentiary and administrative conferences of the Union as provided for in Articles ... and ...;
 - h) Coordinate the activities of the Boards and Committees of the Union, consider and take such action as it deems appropriate on requests or recommendations made to it by such boards and committees, and fill interim vacancies thereon as prescribed in the Regulations;
 - i) Consider and take such action as it deems appropriate on requests or recommendations made to it by one or more members of the Union;
 - j) Perform such other functions as are prescribed in this Convention and, within the framework of the Convention and Regulations, such additional functions as may be considered necessary for the proper administration of the Union.

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Conférence Internationale
des Télécommunications
ATLANTIC CITY
1947

Document n° 293 TR
20 août 1947

Commission C

GROUPE DE TRAVAIL 1 DE LA COMMISSION "C"

Projet de rédaction du paragraphe ayant trait
au Secrétariat de l'Union

(Moscou, Document 45TR Article 4, paragraphes 13 et 14)

International Telecommunications
Conference
ATLANTIC CITY
1947

Document n° 293 TR-E
August 20, 1947

Committee C

WORKING GROUP 1 OF COMMITTEE "C"

Draft Text for Section Dealing with Secretariat of
of the Union

(Moscow, Document 45TR, Article 4, § 13 and 14)

§ 1. Le Secrétariat de l'Union est dirigé par le Secrétaire Général, qui est responsable envers le Conseil Administratif de l'accomplissement de ses fonctions;

§ 2. Le Secrétaire Général:

a) Nomme le personnel du Secrétariat de l'Union conformément aux directives données par la Conférence de Plénipotentiaires et au règlement établi par le Conseil Administratif;

b) Organise et prend toutes les mesures susceptibles d'assurer le travail du Secrétariat de l'Union, y compris celles concernant autant de Sections spécialisées qu'il est nécessaire pour les organismes permanents de l'Union. Ces sections spécialisées sont placées sous les ordres du Secrétaire Général, à des fins administratives exclusivement, et elles travaillent directement sous les ordres des Directeurs des organismes en question. La nomination du personnel technique et administratif de ces sections est arrêtée par le Secrétaire Général conformément aux décisions prises par l'organisme intéressé et en accord avec son Directeur;

c) Assure le travail de Secrétariat qui précède ou qui suit toutes les Conférences de l'Union;

d) Assure, s'il y a lieu en coopération avec le gouvernement invitant le secrétariat de toutes les Conférences de l'Union et, sur demande ou lorsque les Règlements ci-annexés le prévoient, le secrétariat des réunions des organismes permanents de l'Union ou des réunions placées sous son égide;

§ 1. The Secretariat of the Union is directed by the Secretary General, who shall be responsible to the Administrative Council for the performance of his duties;

§ 2. The Secretary General shall:

a) Appoint the staff of the Secretariat of the Union in accordance with the directives of the Plenipotentiary Conference and the rules established by the Administrative Council;

b) Organize and make provision for the work of the Secretariat of the Union including provision for such specialized divisions as may be required by the permanent bodies of the Union. These specialized divisions are under the control of the Secretary General for Administrative purposes only and they work directly under the orders of the Directors of the bodies concerned. The appointment of technical and administrative staff to these divisions will be made by the Secretary General in accordance with the decisions of the body concerned and in agreement with the appropriate Director;

c) Carry on secretarial work preparatory to, and following all Conferences of the Union;

d) Provide, where appropriate in cooperation with the inviting Government, the secretariat of every conference of the Union, and when so requested, or provided in the Regulations annexed hereto, the secretariat of meetings of the permanent bodies of the Union or meetings placed under its auspices;

e) Tient à jour les nomenclatures officielles établies d'après les renseignements qui lui sont fournis à cet effet par les organismes permanents de l'Union ou par les administrations;

f) Publie les recommandations et les rapports principaux des organismes permanents de l'Union;

g) Publie les accords internationaux et régionaux concernant les télécommunications qui lui auront été communiqués par les parties intéressées à ces accords et tient à jour les documents qui s'y rapportent;

h) Prépare, publie et tient à jour:

- 1) Une documentation indiquant la composition et la structure de l'Union;
- 2) Les statistiques générales et les documents officiels de service de l'Union prévus dans les Règlements annexés à la présente Convention;
- 3) Tous autres documents dont l'établissement est prescrit par les Conférences et le Conseil Administratif;

i) Distribue aux pays membres de l'Union les documents publiés, proportionnellement au nombre d'unités souscrites par chacun d'eux conformément à l'Article... de la présente Convention;

j) Rassemble et publie, sous la forme appropriée, les renseignements nationaux et internationaux concernant les télécommunications dans le monde entier;

k) Rassemble et publie tous renseignements susceptibles d'être utiles aux membres de l'Union concernant la mise en oeuvre de moyens techniques afin d'obtenir le

e) Maintain the official master lists compiled from data filed with him for this purpose by the permanent bodies of the Union or by administrations;

f) Publish the recommendations and principal reports of the permanent bodies of the Union;

g) Publish international and regional telecommunication arrangements communicated to him by the parties thereto and maintain complete records of them;

h) Prepare, publish and maintain:

- 1) A record of the composition and structure of the Union;
- 2) The general statistics and the official service documents of the Union as prescribed by the Regulations annexed hereto, and
- 3) Such other documents as the Conferences or the Administrative Council may direct;

i) Distribute the published documents of the Union to members, in proportion to the number of units of subscription of each member, as provided for in Article ... of the Convention;

j) Collect and publish, in suitable form, data regarding telecommunication facilities, both international and national, throughout the world;

k) Collect and publish such information as would be of assistance to members of the Union regarding the development of technical methods with

meilleur rendement des services de télécommunications et notamment le meilleur emploi possible des fréquences radioélectriques en vue de réduire les brouillages;

1) Publie périodiquement à l'aide des renseignements réunis ou à sa disposition, y compris ceux qu'il pourrait recueillir auprès d'autres organisations internationales, un journal d'information et de documentation générales sur les télécommunications;

m) Prépare et soumet au Conseil administratif un budget annuel lequel, après approbation par ce Conseil, est transmis à titre d'information à tous les membres de l'Union;

n) Etablit le rapport de gestion financière à soumettre chaque année au Conseil administratif ainsi qu'un rapport récapitulatif à la veille de chaque Conférence de plénipotentiaires. Ces rapports, après vérification et approbation par le Conseil administratif, sont soumis par ce dernier à la Conférence de plénipotentiaires suivante pour examen et approbation définitive;

o) Etablit, sur son activité officielle, un rapport annuel transmis après approbation du Conseil administratif, à tous les membres de l'Union;

p) Assure toutes les autres fonctions du secrétariat de l'Union.

§ 3. Le Secrétaire Général et les membres du Secrétariat reçoivent des traitements calculés sur les bases fixées par la Conférence de Plénipotentiaires.

a view to achieving the most efficient operation of telecommunication services and especially to the best possible use of radio frequencies so as to reduce interference;

1) Publish periodically, on the basis of information put at his disposal or which he may gather, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunications;

m) Prepare an annual budget for submission to the Administrative Council which, when approved by the Council, shall be transmitted for information to all members of the Union;

n) Prepare a financial operating account for submission annually to the Administrative Council and a consolidated account immediately preceding each Plenipotentiary Conference. These accounts after audit and approval by the Administrative Council, shall be submitted by it to the next Plenipotentiary Conference for examination and final approval;

o) Prepare an annual report of his official activities which, after approval by the Administrative Council, shall be transmitted to all Members of the Union;

p) Perform all other secretarial functions of the Union.

§ 3. The Secretary General and the members of the Secretariat shall receive salaries on a basis established by the Plenipotentiary Conference.

§ 4. La considération dominante dans le recrutement et la fixation des conditions d'emploi du personnel doit être la nécessité d'assurer à l'Union les services de personnes possédant les plus hautes qualités d'efficacité, de compétence et d'intégrité. Sera dûment prise en considération l'importance d'un recrutement effectué sur une base géographique aussi large que possible.

§ 5. a) Dans l'accomplissement de leurs devoirs le Secrétaire Général et le personnel ne solliciteront ni n'accepteront d'instructions d'aucun gouvernement ni d'aucune autorité extérieure à l'Union. Ils s'abstiendront de tout acte incompatible avec leur situation de fonctionnaires internationaux et ne sont responsables qu'envers l'Union.

b) Chaque membre de l'Union s'engage à respecter le caractère exclusivement international des fonctions du Secrétaire Général et du personnel à ne pas chercher à les influencer dans l'exécution de leur tâche.

§ 4. The paramount consideration in the employment of the 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.

§ 5. a) In the performance of their duties the Secretary General and the staff shall not seek or receive instructions from any government or from any other authority external to the Union. They shall refrain from any action which might reflect on their position as international officials responsible only to the Union.

b) Each member of the Union undertakes to respect the exclusively international character of the responsibilities of the Secretary General and the staff and not to seek to influence them in the discharge of their responsibilities.

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R E P O R T
of the Committee on Organization of the Union
(Committee C)

11th meeting, August 14, 1947.

1. The meeting was called to order at 10 a.m. under the Chairmanship of Mr. Alexander Fortoushenko of the Soviet Union.

The Chairman submitted the reports of the 6th, 7th and 8th meetings to the Committee.

2. Report of the 6th meeting (Document No. 219 TR-E) was approved without comment.

3. Report of the 7th Committee (Document No. 221 TR-E). The Delegate from Czechoslovakia proposed the following correction: page 13, to read: "4) the Bureau of the Union as the central office and the secretariat of Conferences, of the Administrative Council, of International Consulting Committees, etc..."; and delete the text of number 5.

The Committee approved this correction and adopted the report without further comment.

4. Report of the 8th Meeting (Document No. 235 TR-E). The Delegate from China reported that on pages 8 and 9 of the English text, there were two errors in translation to be corrected. The French text was approved without comment.

5. The Committee then took up item 2 on the agenda; namely, the study of Article 7 of the Moscow Document, and resumed discussion of the obligatory nature of the Regulations.

The Chairman brought out the crux of the question, and expressed his personal opinions as follows:

The Madrid Convention provides that any party may adhere by his own choice to at least one of the Regulations but does not say to which one. Contributions are divided into two parts: one assigned to radiocommunications, the other to the telegraph and telephone (services).

Furthermore, any member country which wishes to take part in the work of the Consulting Committees, must pay a separate contribution for each of these committees. Therefore, a whole series of distinct contributions exists. This appears to be due to the fact that at Madrid, in 1932, a merger of two hitherto separate Unions had taken place. Besides, this was no more than a compromise, and the merger remained incomplete. This situation no longer seems normal, and total universality of the ITU must be made the goal. For this reason the Union organization should be established along lines which would facilitate coordination of all of these telecommunication channels. A preliminary step was taken in this direction in 1932 at the Madrid Conference. It is up to the Atlantic City Conference to take the next step, which would eliminate all remaining limitations. To arrive at this, the following principle should be laid down:

"Every member of the ITU shall adhere equally to all Regulations concerning world wide telecommunications."

This would simplify the text of the Convention and would facilitate the application of the Regulations.

At the last meeting, some countries, proceeding from the fact that their legislation prevented them from adhering to all Regulations, raised certain objections to this principle.

These objections could be overcome by specifying the compulsory nature of the Regulations in the Convention, but at the same time to permit countries wishing to make reservations as to all, or part, of one or more Regulations, to do so in an additional protocol to be annexed to the Convention. In this manner, the text of the Convention itself would contain only a single compulsory article for all members of the Union; and while taking a second step in the direction of universality, would guarantee the right of freedom of action to certain countries.

In conclusion, the Chairman observed that he was only submitting an objective proposal, which had no other purpose than to attempt to bring about unanimity among the members, in order to safeguard the interests of the Union.

He therefore asked the Committee to support his proposal which consisted essentially of: Taking as a basis the text of Art. 7 of the Moscow Draft.

6. The Delegate from India stated that the transactional draft was quite acceptable to his country.
7. The Delegate from New Zealand stated that his country had not adhered to the Telephone Regulations because they had been drawn up only for Europe. He was, however, ready to accept the principle of adherence to all Regulations as prepared by the Chairman.
8. The Delegate from the United Kingdom asked the delegates to refer to the proposals presented by his country in Document No. 9 TR-E, Art. 7. He observed that if these provisions were the same in spirit as the Moscow draft, their form was very different. Art. 7 has been divided into two paragraphs so as to clearly distinguish between the Regulations of application and the General Regulations, which were very different in nature. In fact, the latter can only be amended by the Plenipotentiary Conference, whereas the others fall within the competence of the Administrative Conferences. It was therefore necessary to be clear and precise about this matter.
9. The Chairman saw no great difference between the British draft and the Moscow draft, but he agreed that the Working Group should try to combine the two texts.

The Delegate from France accepted the Chairman's proposal, but thought it would be of interest if the countries which had not yet adhered to certain regulations would give their reasons for their attitude, since, as far as he was concerned he was unable to find any really valid ones. Setting aside the Telephone Regulations for the moment, which, as a matter of fact, were framed only for the European area but which will be revised in such a way as to apply to world-wide telephony, and the Radio Regulations which must unquestionably be adhered to by all countries, he stressed the fact that only four countries had not yet adhered to the Telegraph Regulations, and said he could not understand the reason.

It is argued in the United States that the telegraph system is operated by private companies, but the Regulations concern only international telegraphy and not domestic telegraphy. Now for international telegraphy, American companies, have at their disposal, for instance, terminals in France where they encounter no difficulty in conforming to the provisions of the Telegraph Regulations which are strictly applied in that country. Private French companies, likewise, respect

the Regulations. It was therefore difficult to see why the same thing would not be true in every country, and, if some of them were going to adhere to the Regulations with certain reservations, it would seem indispensable that they at least make their reasons known.

11. The Delegate from the United States of America thought he had already explained the position of his country in sufficient detail. He repeated that for several years the United States had been considering the possibility of adhering to the Telegraph Regulations. He said he thought that at the next Conference in Paris the United States would be in a position to adhere to the new Regulations, except for a certain number of reservations with regard to a few articles, but, as a precautionary measure categorical promises could not be made to adhere to a text which would not be made known for two years.

The United States took an active part in the C.C.I.T. Conference in Warsaw and in the Cairo Conference with the intention of adhering eventually to the Telegraph Regulations. It is still working with the same end in view, but is not convinced of the necessity for explaining its attitude.

In the matter of Telephone Regulations, the situation is different and if, at the Paris Conference, general principles are adopted, with, as an annex, provisions relevant to regional agreements, it is possible that the United States will be able to adhere to the new Regulations.

In conclusion, the Delegate from the United States pointed out that to date no confusion had resulted from the fact that his country had not signed certain Regulations. The Government of the United States, he said, is in no way hampering the universality and homogeneity of the Union.

12. The Chairman stressed that he did not want the United States to be under the impression that they were being accused of anything whatsoever. He repeated that he had already pointed out that "every State has the sovereign right to regulate its telecommunications, and that we must all respect the position of countries which are not in a position to adhere to certain regulations."

He proposed to put the following resolution to a vote:
"Committee C recognizes the necessity of inserting a provision in the Atlantic City Convention prescribing the obligatory nature of all regulations for all Union Members, while reserving the right of certain members to make reservations on separate regulations or on certain parts of such regulations. These reservations will be expressed in the form of an additional protocol annexed to the Convention at the time of its signature."

13. The Delegate from Canada stated that his country could not promise anything at all concerning its adherence to the Telegraph Regulations and to the Telephone Regulations, as it was impossible to foresee the modifications which could be made by future conferences. Canada was ready to study the possibility of eventually signing these Regulations, but certain provisions could give rise to reservations.

14. The Delegate of Belgium was in agreement with the text of the Moscow draft but he could not understand the reason for the discrepancies that appeared in it when compared with the Madrid text which, in Article 2, paragraph 1 stipulated "which shall bind only the contracting governments which have undertaken to apply them, and solely as regards governments which have taken the same obligation."

He therefore asked the following question "if the Moscow Draft was adopted without the reservations of the Madrid Text, what would be the position of countries which had accepted everything compared to those which had made reservations?"

15. The Delegate of China then made the following statement:

"The Delegation of China is fully aware that if all contracting Governments accept all sets of Regulations, our Union would have gone far toward strength and homogeneity. All delegations, we believe, are willing to strive for that end, although a few countries have practical difficulties to overcome.

In order to accomplish this purpose, we prefer to do it in a natural way. By this, we mean that we should look forward to the next Telephone and Telegraph Administrative Conference for so revising the telephone and telegraph Regulations that they will be more universal in character, more flexible and taking special notice of the difficulties of those countries that have not yet adhered to Telegraph

or Telephone Regulations, to make them generally acceptable to them. If this is done, and if those non-signatory countries to the Regulations, of which China is one, will strive on their part to meet the new Regulations and adhere to them, then, by our next Plenipotentiary Conference, we shall be in a perfect position to so revise our convention as to make all Regulations obligatory to all contracting Governments.

In our opinion, the maintenance of the present provisions of the Madrid Convention regarding its freedom of adherence of Regulations at the present Conference will not impede our progress to our final goal. And we do not see any very great advantage in forcing on compulsory provisions in our Convention with as many reservations as there are non-signatory countries to the Regulations.

Mr. Chairman, if I remember correctly, you have stated in our previous meeting, that this question is one which cannot be voted. We have every reason to agree with you. I wonder if the Chair still abides to it."

16. The Chairman expressed his agreement on the fact that it was not possible to have recourse to the vote to oblige China to adhere to one set of Regulations. But the Committee could very well employ the vote to settle the question as he had put it, without in any manner violating the sovereign rights of members of the Union.

17. The Delegate from Chile confirmed the fact that his country contemplated the obligatory character of the Regulations, but he asserted that this was a final objective, and that for the present it was necessary to provide in the Convention that this obligation would not come into force until the Telegraph Regulations and the Telephone Regulations had been modified so as to make them applicable in all countries.

18. The Chairman felt that this comment should be taken into consideration, and proposed that the Committee express its opinion on the following motion which was, in fact, the preceding proposition (C. f. No. 12) completed to take into account the comment of the Delegate from Chile:

"In order to assure the universal character of the International Telecommunications Union, Committee C considers it necessary to make the Regulations obligatory for all members of the Union.

For those members of the Union who are not parties to some sets of the Regulations, this obligation shall come in force after the Paris Telegraph and Telephone Conference.

A member of the Union who, for any reason whatsoever cannot possibly adhere to a whole set or part of one set of the Regulations, may formulate necessary reservations in an additional protocol which shall be annexed to the Convention at the time of signature."

A vote was taken by roll call.

42 countries voted in favor of this motion:

Union of South Africa; Argentina, Australia, Austria, Belgium, Belgian Congo, Bielorussia, Burma, Brazil, Chile, Denmark, Egypt, France, the French Colonies, Tunisia and Morocco, United Kingdom, Colonies, Protectorates and Territories under the sovereignty or mandate of Great Britain, Southern Rhodesia, Greece, Hungary, India, Iraq, Iran, Lebanon, Luxembourg, Monaco, Norway, New Zealand, Netherlands, Netherlands Indies, Poland, Portugal, Portuguese Colonies, Siam, Sweden, Switzerland, Czechoslovakia, Turkey, Ukraine, Soviet Union, Uruguay and Venezuela.

6 countries voted against the motion:

Canada, China, United States of America, Territories of the United States, Ethiopia and the Philippines.

5 countries abstained:

Cuba, El Salvador, Guatemala, Italy and Mexico.

24 countries were absent:

Afghanistan, Albania, Saudi Arabia, Bolivia, Bulgaria, Vatican City, Colombia, Costa Rica, Dominican Republic, Ecuador, Finland, Haiti, Honduras, Ireland, Iceland, Liberia, Nicaragua, Panama, Paraguay, Peru, Roumania, Syria, Yemen and Yugoslavia.

The motion was therefore carried.

After the Delegate from the United States had called attention to proposal No. 93 TR which contemplates the possibility of establishing a set of High Frequency Broadcasting Regulations, the Committee agreed that the Working Group should consider that the motion just adopted covers the "Radio Regulations, the Telegraph Regulations, the Telephone Regulations and the various regulations that may come into force in accordance with the provisions of Article 14."

19. Concluding these discussions, the Delegate from France thanked the Delegate from the United States of America for his statement confirming the achievement of real progress.
20. The Delegate from the French Colonies stated that the territories he represented were now ready to adhere to the Telephone Regulations.
21. 3rd item of the agenda: Qualifications for membership in the Union (Article 1).

After pointing out that it was urgent to settle this question in order to determine the procedure for the election of the Administrative Council of the Union, the Chairman stressed that, during the prolonged discussions which had taken place up to that time, two opposing views had been expressed:

- a) According to the first, all present members of the Union should continue to be members with full rights:
- b) According to the second, this Conference should define the qualifications for membership and draw up an initial list of members of the Union:

Up to that time, only the United Kingdom had submitted a list of present members in Document No. 215 TR-E.

The question of new members had been referred to the Working Group.

The Committee therefore did not need to deal with any but the present members at this time.

22. The Delegate from the United Kingdom made a statement that may be summarized as follows:

The Committee could not immediately settle the question

by making a decision on the two points of view presented by the Chairman, as the situation had not been correctly explained. The second viewpoint did not exactly represent the opinion of the United Kingdom which was based on the list it had presented on a principle. It was not a question of drafting an arbitrary list, but only of modifying the Convention. It was agreed that most of the countries that should appear in this list were the members who took part in the Atlantic City Conference.

The principle as stated by the United Kingdom which consists of admitting that only countries generally recognized as sovereign and independent in their foreign policies could be members of the Union with the right to vote - "had received considerable support by the Committee." Furthermore, principle had been affirmed by the Soviet Union (c. f. Document No. 233 TR-E, page 5) which did not wish to apply it except in the case of new members. The United Kingdom felt that it should be applied to all, but acknowledged that this application should be made with a certain amount of flexibility: in this manner it would be possible to insert in the initial list countries which would very likely be independent when the new Convention came into force. It was for this reason that two countries had been added to the list published in Document No. 215 TR-E.

The Committee should therefore discuss this principle and its application before making a final decision.

23. The Delegate from the United States of America stated his country wanted to add Burma and the Netherlands Indies to the list appearing in Annex I of Document No. 2 TR.

24. The Delegate from Argentina made the following statement:

Mister Chairman:

The Argentine Delegation can approach the so-called problem of colonial votes with the complete objectivity which has characterized all its statements at this Conference. As a matter of fact, we are not a colonial power, nor do we aspire to become one at present. Neither have we any connection with colonial powers of a nature to influence our thinking. America is the continent of liberty, and our most fervent desire would be for the very few territories that are not yet masters of their own destinies, to achieve, through peaceful evolution, and within the shortest period of time, the status of sovereign countries, not because of a mere feeling of opposition to the mother country but because we believe that the man can achieve happiness only under a free regime. We are a free country which was not born free; we have a colonial origin!

But, setting aside considerations of this kind which might lead us away from our specific task at this Conference, and limiting ourselves to the real aims of the Union, which we must repeat are essentially technical aims - cooperation without discrimination, and of absolute freedom from any considerations of a political nature, aim which we have had occasion to support in previous discussions dealing with the inclusion or exclusion of certain countries.

It was then said that an organization such as ours, in order to be fully effective, must embrace the whole world, and be restricted to technical objectives, which in the final analysis, are to insure and foster international telecommunications.

If, as we then stated, we had succeeded, beginning with the Paris Conference in 1865, through a series of modifications, including the unification achieved in 1932 by the Madrid agreement, in uniting on a technical plane under the fraternal and conciliatory aegis of the Union, without ever setting up irritating and troublesome discriminations, regardless of their name and pretext, we would today be taking a backward step and sowing the seeds of disunion or dissolution, if, through the influence of certain interests or the desire of establishing concepts whose practical need is not clearly recognized, we attempted to divide its members into two classes, one having full rights with the other having only obligations.

And we insist that the distinction which is being proposed is not justified from the standpoint of logic inasmuch as the absolute sovereignty of its members does not affect the practical purposes of the Union, since it is not a political organization in which autonomous conduct of relations with other countries is indispensable. We should not forget that the Union was created to safeguard the interests of those countries possessing telecommunication systems regardless of their political status, which is a secondary consideration.

From a different point of view, if we consider the role of the so-called "colonial countries" in the work of the Union, we inevitably come to the conclusion that their contribution is very important. Several colonial countries were, practically charter members of the Union and have contributed to its maintenance with very large sums of money by far greater than the contributions of

many sovereign countries. In day to day activities, and in fulfilling their obligations, no distinction can be made between sovereign countries and so called colonial countries. All of us have had occasion to note and I believe that all of us are grateful for the constant interest and energy of the colonial countries in connection with the work of these Atlantic City conferences.

No matter what policy is finally adopted by this Conference, justice requires that a distinction which we consider fundamental be made between: a) present members, and b) future members;

a) The Present members of the Union who do not yet enjoy the status of sovereign states but who have complete autonomy in administering their domestic and international telecommunications have in their favor a vested right which it would be very difficult for this Conference to revoke or limit without violating elementary principles of justice. Applying the well-known principle that laws are not retroactive, we might state here that any decision made by this Conference in this regard would apply only to the future, that is to say, to new members, with present members being exempt from any investigation regarding the degree of their sovereignty for purposes of changing their status as members;

b) For future members, the Conference may, in principle, establish new admission requirements, for in this case we would not be interfering with any vested rights. But these requirements should be adapted to the aims of the Union, which, as we have already stated, are technical, and not political. A criterion preferable to the criterion of sovereignty will always be the extent of the telecommunications interests that the candidate country must protect.

In conclusion, Argentina will vote in favor of including present members that have autonomy in the administration of their telecommunications in the list of countries with a right to vote in the new Convention.

25. The Delegate from Morocco strongly supported the statement of the Delegate from Argentina. He spoke as follows:

"If the Committee deems it necessary to choose criteria for the purpose of admitting new members or merely for retaining the present members of our Union, Morocco is of the opinion that these criteria should be closely related to the reasons justifying the existence of the Union,

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reasons which are essentially technical in nature. On the other hand, in view of the evident desirability of giving universal scope to the agreements worked out by the Union (particularly in the matter of radio), it is indispensable that these agreements be concluded by all the countries with the ability to organize the necessary administrative provisions and to assume the corresponding financial consequences. That is why, taking into account these two essential conditions of universality and technique, I suggested at the last meeting that membership be granted to any country which could prove:

- 1^o) the existence of an autonomous administration, namely one that has its own personnel as well as financial autonomy;
- 2^o) the ability to take freely all suitable measures which may follow from the International Telecommunications Convention and itself to ensure the execution thereof.

To act otherwise would mean to transpose the problem from the technical to the political field. Any requirement regarding sovereignty or independence in the matter of foreign policy would not fail to cause heated debates. Jurists specializing in international law recognize various degrees of sovereignty without reaching agreement, on the subject and I believe that you will agree with me when I say that the Union will not benefit from discussions dealing with such questions as *de jure* Governments, *de facto* Governments, protectorate treaties, economic treaties, advisers who are ignorant in the matter of foreign policy, etc.....If we wish to be governed by the logic of a state of pure sovereignty, we should be led to cut off from the Union a great number of its members and thus to prevent it from reaching the degree of universality indispensable for its efficiency. I am quite sure that this is not the goal you are seeking.

Frurthermore, when the Delegate from Great Britain proposes that we reserve membership with the right to vote for the States generally recognized as sovereign or independent in the matter of foreign policy, I believe that we cannot agree with him for two main reasons: first, because this proposal means giving the Union a purely political framework which would be contrary to the technical character of this Union and its need for universality; and, secondly, because the application of this proposal would not fail to give rise to great difficulties, to which the Delegate of Great Britain himself alluded, and which would only increase the difficulties which have already been encountered in working out international agreements.

In regard to the special question of Morocco, I observe with surprise and with some bitterness that this country is not included, in the initial list nor on the amended list in the proposal of United Kingdom, and that it does not appear either in the list of countries, which are the only ones, according to proposal No. 17 TR of the United States, qualified to sign the Convention. Therefore, I am forced to remind you of some of the characteristics of the country which I represent here. You know, Gentlemen, that Morocco is a new and expanding country. Its population has already exceeded the figure of 6 million inhabitants. CASABLANCA, its greatest port, the population of which has doubled since 1939, has 600,000 inhabitants. From the juridical standpoint, the French Protectorate in no way diminishes the sovereignty of the Moroccan State, which retains all its privileges, especially in legislative and administrative matters. In fact, Morocco has its own administration, which it has formed and put in operation itself. Thus, it has originated for itself a code of laws which is very different from the French Code, and its various jurisdictions are different from those of any other country. In economic matters, Morocco is indisputably independent, and the thirteen countries signatories of the Algeiras Act, which are represented at the Conference are well aware that the principle of economic liberty without distinction toward any country is applied thereto. Its economic interests are sometimes very sharply opposed to the interests of France. I will merely point out that, before the war, France several times refused to buy corn from Morocco while importing some from foreign countries. In fact the Sherif Government is master in its own land, and it is only connected with the French Government through some officials of the Ministry of the Foreign Affairs, and this slight bond would not permit France to handle our telecommunications even if it desired to do so (which, I may assure you, is not the case).

Consequently, Morocco is entirely free in its actions in the field of international telecommunications, and any Convention it would not itself ratify would not be applicable to it. In 1911, Morocco adhered to the Berlin Radiotelegraph Convention of 1906, and in 1912 to the International Telegraph Convention of St. Petersburg. Since then it has maintained its membership in this Union and has collaborated in its full development for more than 35 years. It ratified the Madrid Convention and the Cairo Regulations, and, in this connection, it may not be out of place to point out that these ratifications took place respectively 4 and 3 years before the corresponding ratifications by France, an indisputable proof of the independence of Morocco in this matter.

In conclusion, Morocco, a member of the Union, at present as well as in the past must remain a member because neither France nor any other country can sign on its behalf in this field. There can be no question therefore of excluding it when a list of members is being prepared, under pretext of certain political criteria which our Union, normally composed of technical experts and not of jurists, is not able to handle, the adoption of which could only introduce discord among the members and reduce the authority and efficiency of the Union without compensating this loss by any technical advantage whatsoever.

Morocco realizes as well as any one of you, Gentlemen, the difficulties which its absence from the Union might create for the Radio Communications of other countries, but I am sure that every one present will understand that Morocco, proud of its past role within the Union and conscious of the services which it may render in the future within this Union, that Morocco, I repeat, asserts very firmly that it could not permit consideration of any plan to lower its status, and that it could not accept any solution other than membership with the right to vote."

26. The Delegate from Cuba stated that according to the explanations which had been given - especially by the Delegate from Argentina - one of the best arguments presented was that colonial countries which have their own administration should retain their right to vote in order to solve their telecommunications problems successfully. In view of formulating a more precise criterion, he asked the Delegate from Argentina the following question:

"Is it your object to give individual and complete participation to countries that are scattered and have heretofore been represented only as a group?"

27. The Delegate from Lebanon again expressed an opinion which he had previously stated. He said:

"Why apply such a severe sanction against countries which have fulfilled all their duties as members, both in paying their dues and in observing to the letter the Convention and the Regulations? In this group, there are some which are not colonies and which greatly contributed to the victory of the Allies. In the interest of our Union, the right to vote of member countries which are not colonies and which have a telecommunications network must be preserved."

28. The Delegate from the United States of America explained that it was difficult for one individual to represent the interests of several territories since these interests are sometimes different. The solution contemplated by the United States and the United Kingdom would allow it these territories, as associate members, to present their divergent opinions. On the other hand, if all associate members had the right to vote, the colonial countries would be favored, and the United States as well as the United Kingdom do not want this to happen. Moreover, they are of the opinion that the idea of associate membership without the right to vote would make possible better protection of the interests of their colonies.

The proposal of the Soviet Union involves a contradiction in principle: membership is restricted to members of the United Nations, and for countries that are not members of the U.N. a criterion based on diplomatic independence was set; in addition, the present members would be retained.

On the contrary, the proposal supported by the United Kingdom and the United States is based on a logical and solid principle, that cannot be harmful to the colonial countries, since they would receive separate representation.

In conclusion, the Delegate from the United States pointed out that the list presented by his country was not rigid. Changes would be possible, and it would be logical to take into account the interests of some countries.

29. The Delegate from Tunisia made the following statement:

"Mr. Chairman,
Gentlemen,

I merely wish to support very briefly the statements of the Delegates from Argentina and Morocco and to sum up in a few words the statement that I have already made to this meeting. First: I am of the opinion that Tunisia rightfully has a place in the Union, because Tunisia has its own Government with a complete organization, and because the Tunisian Government has full power in the administrative domain. It therefore has the power to fulfil or not to fulfil the obligations of the Convention and the Telecommunications Regulations. No other country can by its signature. make commitments for Tunisia.

This power in the administrative domain is the only one which can logically be required of members of the Union, since it is this power which makes it possible for a country, on its own responsibility, to remain, if necessary, outside of the regulations set by the Union, and makes it possible for this country eventually to become a serious cause of trouble to other countries.

Secondly: Tunisia believes that it should be formally entered in the list of the original members of the Union.

Indeed, it is a fact that Tunisia is a member of the Union... And has been a member for 60 years... and that it signed all the Conventions, and applies all the regulations.

Tunisia would consider it highly irregular to have its status as an original member, questioned, to have its right to sign the Convention that we are drawing up at present, contested, and not to have its name appear in the list of original members of the Union.

Thirdly: If, contrary to the right to which I have drawn your attention, Tunisia were not to be entered in the list of the original members of the Union, do not think you would give her sufficient satisfaction in allowing her to enter a category as associate member.

I wish once more to affirm that, if the Conference decides to set up this new category of associate members, the limits of which are rather poorly defined and doubtless impossible to fix definitely, Tunisia would not be willing to enter this category and thus see its rights in the Union restricted.

It must therefore be feared that large countries who at present belong to the Union will not accept for themselves this new position as associate members, and that consequently vast territories will in future be beyond the jurisdiction of the regulations established by the Union.

I shall sum up my statement:

- Tunisia is of the opinion that it has a rightful place in the Union,
- Tunisia is of the opinion that it should be entered in the list of the original members of the Union,
- Tunisia will not accept entering the category of associate members, the creation of which is under consideration.

30. The Delegate from Argentina replied to the question asked by the Delegate from Cuba (c. f. point 26): Argentina maintains that all the countries which have their own telecommunications administration should be included in the list of members having the right to vote and does not wish to make a distinction between colonies and independent countries. Moreover, Argentina points out that logically, the countries which at present appear in the list of members with the right to vote, have the right to sign the new Convention.

31. The Chairman said he appreciated fully the position of the United States and the United Kingdom as regards the colonial vote. These countries are making a fair decision when they give up their supplementary vote. But he reminded the meeting that the present discussion did not refer to the question of the number of votes, but to membership in the Union.

He agreed that it was difficult for the colonies of the United Kingdom to be entered as a single member of the Union, because these colonies are widely scattered and have divergent interests. But certain doubts arise in connection with members of the Union such as Tunisia and Morocco, Belgian Congo and some others which represent quite distinct countries and interests. A question arises:

"What does the United Kingdom propose as regards countries which are at present members of the I.T.U. but which are not entered in the list submitted by the United Kingdom? Doubtless the United Kingdom also intends to draw up a list of associate members? Then, in order to facilitate the discussion, the United Kingdom and the United States should submit a second list in which the associate members that are already members of the I.T.U. would be entered. As regards the new associate members, the question would be dealt with separately in the Working Group."

The Chairman asked the Delegate from the United Kingdom a second question: "Why does the United Kingdom add to the list of completely independent countries the Netherlands Indies, which are not yet recognized as constituting a sovereign state, whereas the United Kingdom considers it impossible to include Outer Mongolia in this list?"

32. The Delegate from the United Kingdom stated that the reply was very simple: His country added the Netherlands Indies and Burma to the list of countries with a right to vote because it believed that these countries will be independent at the time the new Convention becomes effective; and this does not apply to Outer Mongolia.

But he asked a question of procedure because he was not quite certain as to the question under consideration: "Is the list of original members with the right to vote the list appearing in document No. 42 TR-E, or is it a restricted list?"

33. The Chairman proposed that the discussion be continued at the next meeting.

In conclusion, the Chairman asked the Delegate from the United Kingdom to complete his proposal by giving a list of associate members.

The Delegate from the United Kingdom took note of this request.

The meeting was adjourned at 12:35 p. m.

The Rapporteurs:

J. PERSIN

B. YUROVSKI

WALTER E. LINAWEAVER

The Chairman:

A. FORTOUSHENKO

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
Atlantic City
1947

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Document No. 295 TR-E

August 21, 1947

ERRATUM

in

DOCUMENT NO.282 TR-E

Page 4, under Norway, add:

Leif Andreas Larsen.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 296 TR-E

August 21, 1947

Committee E

TEXTS

proposed by Subcommittee E2 (Drafting Group)
of Committee E of the International Telecommunication
Conference for Articles 13, 23, 29, 30, 31,
37, 38 and 39 of the International Telecommunications
Convention.

Article 13

Special Arrangements

The Contracting Governments reserve for themselves
and for the private operating agencies recognized by
them, and duly authorized to do so, the right to con-
clude regional or other special arrangements. How-
ever, these arrangements shall not be in conflict with
the provisions of the Convention and of the Regula-
tions annexed thereto.

Article 23

Responsibility

The Contracting Governments declare that they
accept no responsibility toward users of the inter-
national telecommunication service, particularly as
regards claims for damages.

Article 29

Charges and Franking Privileges

The provisions regarding charges for telecommunica-
tions and the various cases in which free services are
accorded, are set forth in the Regulations annexed
to the present Convention.

Article 30

Priority for Government
Telegrams, Radiotelegrams and Telephone Calls

Subject to the provisions of Article 36 government telegrams and radiotelegrams shall enjoy priority over other telegrams and radiotelegrams when priority is requested for them by the sender. Government telephone calls may also be accorded priority, upon specific request and to the extent practicable, over other telephone calls.

Article 31

Secret Language

P1. Government telegrams and radiotelegrams and also service telegrams and radiotelegrams may be expressed in secret language in all relations.

P2. Private telegrams and radiotelegrams may be expressed in secret language between all countries with the exception of those countries which have previously notified through the medium of the (Secretary General) that they do not admit this language for those categories of correspondence.

P3. Contracting Governments which do not admit private telegrams and radiotelegrams 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 (27)

Article 37

False or Deceptive Distress or Safety Signals -- Irregular
Use of Call Signals

The Contracting Governments agree to take the steps required to prevent the transmission or circulation of false or deceptive distress or safety signals and the use, by a station, of call signals which have not been regularly assigned to it.

Article 34

Paragraph 3

(Formerly Article 38)

P3. Notwithstanding the provisions of P1, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such telecommunication, or by other circumstances independent of the system used.

Article 39

Installations for National Defense Services

P1 The Contracting Governments retain their entire freedom with regard to radio installations for their national defense services.

P2. Nevertheless, these installations must, so far as possible, observe the provisions of the Regulations relative to giving assistance in case of distress, and to the measures to be taken to prevent interference.

P3. These installations must also, so far as possible, observe the provisions of the Regulations concerning the types of emission and the frequencies to be used according to the nature of the service performed by such installations.

P4. Moreover, if these installations take part in the service of public correspondence or in the special services governed by the Regulations, they must, in general, comply with the regulatory provisions for the conduct of such services.

Note of the Subcommittee: The Subcommittee, in accordance with the decision of the Committee (Document 276 TR-E, page 3) made this article applicable only to radio installations of national defense services.

The Subcommittee believes, however, that it should point out that it would do well to ascertain from the International Radio Conference that there are no other radio installations which are not open to public correspondence, to the broadcasting service or to special services and which, consequently, are not covered by § 1 of Article 9.

Rapporteur:

Paul Commanay

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INTERNATIONAL
TELECOMMUNICATIONS
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ATLANTIC CITY
1947

Document No. 297 TR-E

August 21, 1947

UNESCO

FOR INFORMATION

Reference Document No. 252 TR, "Note" at top of page 2 concerning the establishment of a world-wide network and relations with U.N. in this respect.

The meetings of this Committee of Experts took place in Paris from 4 August to 9 August, inclusive. Present were the representatives of sixteen nations, the United Nations being represented by General Frank E. Stoner.

The Committee heard with interest the account given by the U.N. Representative of the plans being made for a U.N. Network and of the difficulties involved in such a project. After some discussions the following resolution was accepted:

1) The Committee recognizes the potential value to UNESCO of a World radio network.

2) UNESCO should, therefore, welcome the availability of facilities for international broadcasting which would be afforded by a U.N. Radio Network.

3) If such a U.N. Network is established, UNESCO should consider it indispensable to co-operate with the network by accepting membership in the proposed Radio Board, which will govern its programme policies, and by participating in the programming of the Network with Educational, Scientific and Cultural material. The Committee suggests, however, that, in the early stages at least, such participation must be sparing in view of UNESCO's limited budget, the high cost involved in taking on a regular and heavy programme commitment, and the claims of other projects in the field of radio.

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4) The Committee considers that it is neither feasible nor advisable for UNESCO to set up a second world network, but, if the proposed U.N. Network is not established, the possibility of establishing a UNESCO World Radio Network should be re-examined.

This resolution will be presented to the UNESCO General Conference which will take place in Mexico City on November 6th, 1947.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 298 TR-E
August 21, 1947

Committee C

FRANCE

211 TR

Amendment to the resolution
adopted at the twelfth meet-
ing of Committee C.
(Document 287 TR-E)

At the end of the resolution referred to above,
add the following text:

"However, this principle shall only apply to requests
for adherence to the International Telecommunications
Union, made after the Atlantic City Convention goes in-
to force."

Comment

This amendment is justified by considerations
outlined in Document 283 TR-E.

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August 22 -1947

Report
of Subcommittee 1 (Finance and Personnel)
of Committee C

8th Meeting
August 20 1947



The meeting was called to order at 4 P.M. instead of 3:30 P.M. as scheduled, because of difficulties in obtaining the help of interpreters.

The Chairman opened the meeting by expressing his regret for this delay. He remarked that this was not the first time this had happened and stated that a note would be sent on this matter to the Secretary-General of the Conference.

The Chairman thanked Mr. J. T. Hwang for his kindness in acting as chairman of the Subcommittee during its 6th and 7th meetings. He pointed out that the Subcommittee had provisionally accepted that, with respect to the apportionment of the expenses of the Union, the countries be divided into eight classes which would include, in addition to the six existent classes, one class of 1 unit and one of 30 units. The Subcommittee should now contemplate preparing the Article of the Convention dealing with the finances of the Union. A discussion would first be opened on the principles. A working group would then be formed to draw up the text. The documents dealing with this question are:

- 1 TR-E (Hungary) proposal 15 TR
- 2 TR-E (United States) proposal 17 TR, Art. 10
- 6 TR-E (Chile) proposal 24 TR, Art. 10, § 8
- 9 TR-E (United Kingdom) proposal 49 TR, Art. 5
- 11 TR-E (Italy) proposal 55 TR
- 14 TR-E (France) proposal 121 TR, Art. 10
- 29 TR-E (France) proposal 137 TR
- 45 TR E (U.S.S.R.) proposal 142 TR, Art. 5 of
the Convention and Art. 41 of the
Internal Regulations
- 55 TR-E (Greece) proposal 155 TR
- 147 TR-E (Tunisia) proposal 183 TR

The Delegate from China reminded the Subcommittee that these decisions were reached only tentatively at the previous meetings because of the fears expressed by several Delegates as to the efficiency of the class system with the greatly increased expenses of the Union. It would therefore be possible

to revert to the whole question and to give up the idea of entering the classes in the Convention. In this case, it would be necessary to study the manner of fixing the contribution of each, whether freely, or consistently with rules to be determined.

The Delegate from Greece felt that it was time to bring the study of the class system, to a close, since only the only remaining question was that of free or regulated entry. The Delegate was of the opinion that the choice should be free, that it should be announced at each Plenipotentiary Conference, and that it should remain invariable in the interval between two conferences. This last suggestion was made to provide for stability in this very important matter.

The Chairman pointed out that, at previous meetings, some Delegates had expressed the opinion that it would be necessary to impose conditions and determine criteria for the classification of countries. He wished to know the opinion of the Subcommittee on this matter.

The Delegate from France was of the opinion that the administrations should be free to choose their classifications. He would not oppose establishing a criterion, but as a guide, and not as an obligation.

The Delegate from the United States wanted the Plenipotentiary Conference to fix criteria with a view to establishing a scale of contributions.

The Chairman reminded the Subcommittee that according to the Final Report of Committee 5 of the I.C.A.E., this organization had taken into consideration:

- the financial capacities of member countries;
- the interest and importance of the different countries in civil aviation;
- the damages caused by the war.

The Delegate from Portugal supported the proposal of Greece. He had already pointed out that, even if the expenses of the Union were multiplied 10 or 20 times, this increase would not be a good reason for each country to try to be reclassified. Moreover, he pointed out that the I.F.R.B. had added a criterion based on population which allowed countries to choose their contribution either on the basis of this criterion or in the same manner as the I.T.U.

The Chairman proposed to take as a basis for discussion the text of the Moscow proposal worded as follows:

"Each member shall itself or through its competent Administration inform the Secretary-General of the Union

directly in which class it is to be placed, and shall not change its classification between Plenipotentiary Conferences or Administrative Conferences. This classification shall be communicated to the other members of the Union."

The Delegate from the United States asked whether under this procedure the class in which each country was to be included would be announced at the end of the Conference. If the eight-class system was to be adopted, it would be advisable to know the classes chosen as soon as possible.

The Chairman pointed out that the six-class system should be in use until the new Convention went into force. However, he proposed that the Subcommittee vote on a motion requesting each country to announce its class before the end of the Conference.

The Delegate from India wished to know the various factors which the countries would take into consideration in choosing their class.

The Chairman answered that, as far as his country was concerned, these factors would be ability to pay and prestige.

The Delegate from Portugal remarked that Portugal was mainly concerned with the development of the telecommunication system.

The Delegate from Greece emphasized the fact that the countries generally had an ambition to participate substantially in the expenses of the Union.

The Director of the Bureau of the Union believed that no country had ever classified itself in a manner which merited criticism, that is, lower than its dignity required, and its finances permitted.

The Delegate from Greece suggested, in view of the tendency towards uniting the financial questions under the jurisdiction of Plenipotentiary Conferences, amending the Moscow text and deleting the words "or Administrative Conferences," at the end of the first sentence.

The Chairman submitted this amendment to the Subcommittee which adopted it without objection.

The Delegate from Canada suggested replacing the words "and shall not change its classification" by "and shall not choose a lower classification." In fact, he believed that several countries which had suffered greatly from the war could not at present enter the class which they would normally find suitable, and he wanted in this way to allow them to return to their normal class as soon as their economy was re-established.

After a discussion in which the Delegates from China, India, Greece, Switzerland, the United Kingdom and Italy, took part, the Delegate from Canada withdrew his amendment.

The Chairman proposed to study the request of the Delegate from the United States who wished all the countries to indicate the class in which they wish to be entered before the end of the Conference.

The Delegate from the United States pointed out that, by reason of the considerable increase in the expenses and the increase in the number of classes (from 6 to 8), it would be highly advisable to know in which class each country wished to be entered. The Delegate thought that "no definite decision should be taken before this information had been supplied." He suggested that the Subcommittee send Committee C a report stating that it considered it desirable to obtain through the Bureau, and before a definite date in the near future, the indications on the classes contemplated by each country in the eight-class system. This information, coupled with the information of the total amount of the budget, would permit Committee C to make its final recommendation.

The Delegate from Switzerland was of the opinion that this procedure would bring a new element of uncertainty into the debates of the Subcommittee and of Committee C. He preferred that a definite decision be made on the question of the principle of having or not having classes. In case of an affirmative decision, how many classes and with how many units.

The Chairman decided that if a serious objection were made on the class system, the matter would be referred to Committee C. If not, the Subcommittee would retain this system and would draw up a concrete proposal. He asked the Delegate from the United States to word a draft with respect to his suggestion which could be studied at the next meeting.

The Delegate from the United States said that he took into consideration the future interests of the Union, but that if his proposal were not supported by any other delegation, he would withdraw it.

The Chairman consulted the Subcommittee to ascertain whether there were any objections to the class system. As there were no objections, he inferred that the Subcommittee would decide to retain the class system and that it would be advisable to draw up a concrete proposal.

The Delegate from China thought that if Committee C deemed it necessary, it could, during the discussion,

ask the countries for the information suggested by the United States.

The Delegate from the United States agreed and added that it would be necessary to supply Committee C with an estimate of the total amount of the expenses contemplated for the Union.

The Chairman stated that this estimate fell within the competence of the Subcommittee. He proposed a study of § 2 of Article 5 of the Moscow Document which is worded as follows: "The general annual expenses of the Union shall be fixed by the Plenipotentiary Conference. These expenses shall include the salaries and expenses of the Members of the Bureau, the Secretariat and any other permanent Members of Committees or Boards, and the expenses of the laboratories of the Union, on a basis related to the cost of living, to be established by the Plenipotentiary Conference. They shall also include the expenses of the other Members of the Administrative Council, incurred during the meetings of the Council, on a basis to be established by the Plenipotentiary Conference. The Union shall also pay such other expenses as shall be authorized by the Plenipotentiary Conference."

The Delegate from France wished to call the attention of the Subcommittee to Document 29 TR-E which draws a clear distinction between ordinary expenses and extraordinary expenses and which provides that the expenses connected with the operation of the Consultative Committees be borne by the countries belonging to it.

The Delegate from the United States wished to draw the attention of the Delegate from France to Document 748 R-E entitled "Recommendations of Subcommittee 3A for the Revision of Article 33 of the General Radio Regulations of Cairo (C.C.I.R.)", which, in Article 18, provides that the salary of the Director of the C.C.I.R. and the ordinary expenses of the specialized secretariat assigned to this Committee be included in the expenses of the Union. The expenses incurred by the plenary meetings or the meetings of the Commissions of Reporters, including the extraordinary expenses of the Director and of secretariat, would be borne by the administrations and private agencies participating in the work. This recommendation would be submitted to the Plenipotentiary Conference.

The Chairman thanked the Delegate from the United States for his explanation, but said that at present this proposal could not be examined by the Subcommittee unless a delegate presented it as his own proposal.

The Delegate from Greece pointed out that the solution of the question under discussion would depend on the decisions of Committee C. If it were decided that members of the Union belonged to all the agencies of the Union,

the participation of the Union in all the expenses of these agencies would be a logical consequence.

The Delegate from the United States pointed out that, as far as the first sentence of § 2 under discussion was concerned, Committee C had decided that the Plenipotentiary Conference would establish the bases of the budget of the Union. He added that certain proposals contemplated entrusting the Administrative Council with setting up the budget. It would be necessary to await the decisions of Committee C before drafting this paragraph.

The Chairman expressed his agreement and postponed the discussion of paragraph 2.

He proposed the study of § 3 worded as follows:

"The extraordinary expenses pertaining to the Plenipotentiary and Administrative Conferences shall be separated from the general expenses of the Union. These expenses shall be borne by the countries participating in the Conferences, in proportion to the contributions which they pay under paragraph 1 of this Article."

The Chairman consulted the Subcommittee on this paragraph. As no objection was raised, paragraph 3 stood adopted.

The Chairman proposed to postpone until the next meeting the study of paragraph 4 worded as follows:

"The members of the Union shall remit in advance their apportioned contribution for each half year."

The Subcommittee should next study Article 41 of the Moscow Document "Expenses of the Committees, Boards and Laboratories" and decide what could be taken out of this Article for incorporation into Article 5.

Before adjourning the meeting, the Chairman wanted to consult the Subcommittee on the following point: In the texts of the Convention of the Union which preceded the Madrid Convention a paragraph was included following the statement of the various classes of contribution, which was worded as follows:

"The cc efficient shall be multiplied by the number of States in each class and the amount thus obtained will provide the number of units by which the total expense shall be divided. The quotient represents the total amount of the expense unit."

Would it be expedient to revert to this paragraph to clarify the text?

The Delegates from the United States, the United Kingdom, Greece, and Canada were of the opinion that it was not advisable to insert this paragraph in the Convention.

The Delegates from China and France thought that it would be a useful classification.

The Delegates from Portugal and Italy felt that the Madrid wording was sufficiently clear, while the Moscow wording not so clear and made this classification necessary.

The Delegate from Switzerland suggested placing the classification in the list of definitions.

The Chairman stated in conclusion that this explanation should appear somewhere, either directly in the Convention, or as a footnote or note, or in the definitions. The final decision would be made subsequently.

The meeting was adjourned at 6:45 P.M.

Rapporteur:

H. Lacroze

Chairman:

Sh. Abaza



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JOINT PROPOSAL OF THE
LATIN AMERICAN NATIONS REGARDING THE
ESTABLISHMENT OF THE LANGUAGES OF THE
UNION

The Latin American nations, invoking reasons of strict justice and on the basis of purely democratic inspiration, have resolved to give their joint support to the following proposal concerning languages:

Article

1. The written and oral languages of the Union shall be:

- a) Spanish
- b) French
- c) English

2. (1) The documents of the Union, whatever their nature, shall be drawn up in the above mentioned languages with equivalent drafting of the form and content.

(2) However, the final documents of the plenipotentiary and administrative conferences, as well as their final acts and additional protocols may also be translated into Russian and Chinese, if the General Secretariat of the Union is expressly requested, in each case, to do so.

3. (1) In the conferences, sessions, and meetings of the Union, discussions shall be organized and conducted on the basis of an efficient system of reciprocal translations of the languages provided for in Paragraph 1.

(2) Nevertheless, the oral use of other languages may be employed in the discussions provided that the delegates desiring to employ such languages make available a corresponding translation into any one of the languages accepted in Paragraph 1, for eventual translation into the two other languages. Reciprocally, the delegates in question may, if they so desire, obtain translations of the discussions into their respective languages, subject to similar conditions.

23 Août 1947