



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

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 301 TR-E
August 23, 1947

List of Documents of
the International Telecommunications Conference

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INTERNATIONAL, TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 302 TR-E

August 22, 1947

Committee C

REPORT

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

9th Meeting
August 21, 1947

The Chairman, Mr. Abaza, called the meeting to order at
3:30 p.m.

The report of the 6th meeting (Document No. 286 TR-E)
was approved without comment.

The report of the 7th meeting (Document No. 291 TR-E)
was also submitted to the Subcommittee.

The Delegate from Canada requested that the follow-
ing correction be made in the English translation of this
document (Document No. 291 TR-E): the replacement of the
second sentence of the last paragraph on page 4 "Although
recognizing the need for a one unit class, we should re-
cognize that then will be....." by "In recognizing the
need for a one unit class, we have recognized that there
could be"

The report was then approved.

The Chairman recalled the terms of reference of the
Subcommittee as defined in the report of the first meeting
(Document No. 123 TR-E).

The Subcommittee had decided, in principle, to retain
the class system, to increase their number to 8, and to
allow every country free choice in the matter of class.

The Subcommittee then postponed study of § 2 of
Article 5 of the Moscow Document until Committee C should
have made general decisions on the basis for the provi-
sions contained in this paragraph.

The Subcommittee had, in principle, approved § 3 of
Article 5 of the Moscow Document, which deals with ex-
traordinary expenses. With reference to this matter, the

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Chairman wished to draw the attention of the Subcommittee to the report of the 10th meeting of Committee C (Document No. 267 TR-E), at which the Committee had decided to provide for administrative conferences with limited agendas, for regional conferences, and for resumption of the study of the question establishing an international broadcasting agency, then under consideration by Committee 3 of the Radio Conference.

The Chairman proposed that the two following questions be studied:

1. Payment of contributions in advance.
2. Provisions to be made eventually to deprive countries which have not paid their contributions of their right to take part in plenipotentiary or administrative conferences.

Discussion was opened on the first question. § 4 of Article 5 of the Moscow document reads as follows:

"The members of the Union shall remit in advance their apportioned contributions for each half year."

In accordance with the proposal of his country (Document No. 29 TR-E), the Delegate from France suggested that member countries should pay their annual contributions during the month of January of each current year.

Replying to requests from the Delegate from the United States and the Chairman, the Director of the Bureau of the Union pointed out that, at present, the books of the Union were closed at the end of the year, and that the apportionment of the balance was calculated on the number of units represented by each member. Payment was requested during the four months following receipt of the accounts. It had been noted that certain countries delayed payment of their contributions and even payment for publications ordered of their own free will for longer or shorter periods. Advance payment would work very well in theory but a bad debtor would not be any more ready to pay before than afterward. At Lake Success last June, a large number of countries had not paid their contributions in advance for the year 1947.

With respect to the amount of the advance payment, the Director of the Bureau of the Union proposed asking a sum equal to the total of the contributions for the preceding year. Like the French Delegate, he preferred an annual contribution to a semi-annual one. In conclusion, he called the attention of the Subcommittee to the fact that,

if the Swiss Government made no further advances to the Union, it would be necessary to have a working capital on hand, unless it were considered desirable to ask for credit as in the case of the United Nations.

The Delegate from Italy read the Italian proposal No. 56 TR which specified: "The sums due by the governments as their contribution must be paid half-yearly in advance on the basis of the results of the preceding year, subject to the successive settlement of eventual differences."

The Delegate from Greece felt that payment in advance was indispensable for the proposed organization. The Union could not indefinitely rely on the good-will of any one government, and while contributions would accumulate the first year, thereafter the situation would be similar to that produced by the present system. The Delegate agreed that the amount of the advance payment should correspond to the whole annual budget and that this amount should be calculated on the results of the preceding financial year, subject to subsequent adjustment.

The Delegate from Portugal said he thought that the Subcommittee was in unanimous agreement on the question of advance payment. He pointed out that, for the first payment, it would be necessary to remit contributions for two years and to establish a reserve fund, that is to say, a total of approximately the amount of three years' contributions. If, in the past, certain countries had found it difficult to pay their annual contributions, it would be easy to imagine what would happen when this first payment fell due; but no other procedure seemed possible. Portugal, therefore, declared itself in favor of an annual payment instead of a semi-annual one, but he suggested settlement in February or in March for the convenience of the various administrations. In conclusion, he would prefer that the contributions be based on the estimated budget of the Union, which would make it possible to provide for increased expenses (such as those entailed by the formation of new services, for example).

The Chairman wanted the question presented in two parts:

1. The principle of payment in advance;
2. Determination of the amount of this advance payment.

The Subcommittee was apparently agreed on Part 1. The Chairman consulted the Subcommittee, ascertained that there was no objection and announced that this item was adopted. The Subcommittee thereupon proposed that the principle of advance payment be inserted in the Convention. As for part 2, the amount might be calculated on the results of the preceding year or on the budget for the following year. In principle, after approval of the budget by the Administrative Council, there should be sufficient time to notify the various countries of the amount of their contributions and to enable them to include these contributions in their respective budget estimates.

The Director of the Bureau of the Union agreed that contributions should be calculated on the basis of the established budget.

The Delegate from Portugal pointed out that if the preceding year were used as a basis, the countries could not ascertain the amount of their contributions before the current January, at the earliest, whereas, if the estimated budget were taken as a basis, the countries could be notified in November or December, thus enabling them to make more rapid payment, and, if need be, giving them time to revise their own budget estimates.

The Chairman noted that he deemed it logical that, since the Administrative Council was to meet once a year, it should do so at the beginning of the year so that it could at one and the same time, approve the budget estimate and the accounts of the preceding year. However, he said, as soon as the Secretary General had set up the estimated budget, it would be possible to furnish the countries with the necessary data on the expenses they would have to defray.

The Delegate from the United States observed that the procedure for approving his country's budget was very long, and that he would like to see great flexibility allowed during the transition period, and to have only very general provisions established.

The Chairman consulted the Subcommittee as to the basis upon which the amount of the annual contribution should be computed.

The budget for the coming year was adopted rather than the results of the preceding year by a vote of 9 to 0.

The Chairman consulted the Subcommittee on the following point:

Shall the payments be annual or half-yearly?

The Delegates from the United Kingdom, Chile and Canada expressed themselves in favor of half-yearly payments.

The Delegates from France, Switzerland and Greece preferred annual payments.

The Chairman wished to take a test vote on this point. Six delegates voted in favor of the annual contribution, four in favor of half-yearly payments.

A compromise would be sought. The payment for a year might be asked. However, in practice, payments might depend upon sanctions provided in the case of in arrears.

Document No. 11 TR-E (Italy), proposal 56 TR, stated: "The provisions of article 19 of the Statutes of the United Nations are applicable to the countries behindhand in the aforesaid payments." This Article contemplated denying the right to vote at the General Assembly to countries in arrears for at least the amount of the contributions due for the two full preceding years. However, the General Assembly might permit such a country to vote, if convinced that the reasons for non-payment were beyond the control of the Member State.

The Delegates from Switzerland and Italy were in favor of these provisions.

The Delegates from the United States and Greece did not approve insertion of such a punitive provision in the Convention. They preferred proposing a resolution authorizing the publication of the list of members in arrears.

The Delegate from Portugal recalled that Committee 10 of the Radio Conference had studied this question. In its report to the Chairman of the Conference (Document No. 494 R-E) the Chairman of the Committee indicated that "The Committee recommends that in order to clarify the financial position of the Union, the Plenary Assembly approve of the publication in the Annual Report of details of the amounts owing by each Administration in respect of the Radiocommunications Division, in preference to the Bureau's present practice of showing merely the total number of defaulting Administrations and private enterprises as a footnote to the balance sheet." Committee 10 had no intention of offending the members in arrears, but wanted the situation clarified.

The Delegate from the United Kingdom did not favor insertion of provisions made for sanctions in the Convention, but preferred to leave the Administrative Council free to make whatever provisions it deemed necessary to bring about payment by those members in question.

The Delegate from India held the same opinion.

The Delegate from Italy stated that he would adopt the opinion of the majority, and that he did not insist upon the principle expressed in his proposal.

The Delegate from France would have preferred that provisions for sanctions be included. With far greater sums to be paid than had been the case heretofore, long delays in payments were to be feared, if no provision were made for sanctions. The Delegate said that he would not insist, but he requested that the names of members in arrears together with the sums due be published in the management report.

The Chairman consulted the Subcommittee as to whether it recommended that the list of countries in arrears, together with the sums due, should still appear in the Annual Report.

As no objection was made, this proposal was adopted.

A drafting group including France, the United States and Greece was put in charge of drawing up the new form proposed by the Subcommittee for Article 5 of the Moscow Document (with the exception of § 2, study of which was postponed).

This drafting group is to take under consideration the decisions of the Subcommittee, as well as the proposals on this subject contained in Documents 1 TR-E, 2 TR-E, 9 TR-E, 11 TR-E, 29 TR-E, 45 TR-E and 55 TR-E.

The Chairman next took up the study of the organization of the Union, and referred to the memorandum which he had drawn up for the use of the Subcommittee, to serve as a basis for discussion (Document No. 241 TR-E and its Annex 280 TR-E).

He declared that, for the present, the following structure might be considered: A Plenipotentiary Conference which would decide every 5 years on a main budget for the five succeeding years, and which would appoint an administrative council to transact business on its behalf during the intervening 5 years.

The Administrative Council, taking as a basis the 5-year budget approved by the Plenipotentiary Conference, would approve the annual budget prepared by the Secretary General.

Under the Administrative Council there would be the three existing Consultative Committees, the I.F.R.B. and the laboratories. Each of these bodies would have a director and a separate secretariat.

The Union would pay the expenses of the General Secretariat, the I.F.R.B., and the laboratories. It would pay the Directors and the secretariats of the Consultative Committees, but no decision had yet been reached with regard to the other expenses of the Consultative Committees.

The Chairman proposed that a Working Group be formed to discuss Documents 241 TR-E and 280 TR-E and to amend them so as to:

1. Prepare an article on the extraordinary expenses incurred by Plenipotentiary, Administrative and Regional Conferences, and by the Plenary Meetings of the Consultative Committees, and recommend an average rate of expenses, based on consideration of all possible varying factors, in particular, the place of meeting.

2. Study the organization of the General Secretariat and submit a report based on the content of Document No. 280 TR-E.

The working group would base its findings on present practices, and on the present salary rates of the Bureau.

After a brief discussion, the Working Group was composed of representatives from the following countries:

Portugal, the United States, Switzerland and the United Kingdom.

The Director of the Bureau of the Union agreed to take part in the work of the Group.

The Director of the C.C.I.F. would also be asked to aid in the deliberations insofar as his own budget was concerned.

The Delegate from Greece, supported by the Delegate from the United States, noted that Regional Conferences were mentioned in the terms of reference of the Working Group. The expenses of these conferences, he said, had nothing to do with the finances of the Union.

The Chairman made it clear that it was only a question of collecting data and figures for regional conferences which had already taken place for the future information of Committee C. Regional Conferences would be stricken from the terms of reference of the Working Group. As no other objection was raised, the terms of reference of the working group stood approved as amended.

The Delegate from Canada informed the Subcommittee that he was obliged to leave Atlantic City to return to Canada. He thanked the Subcommittee for the splendid cooperation he had been given in working on it. He hoped the Subcommittee would achieve complete success in its work.

The Chairman thanked the Canadian Delegate, whose departure he greatly regreted, and wished him a safe return to his own country.

The meeting was adjourned at 6:35 p.m.

Rapporteur:

H. LACROZE

Chairman:

Sh. ABAZA

August 23, 1947

Committee E

Minutes
of the
Convention Committee
(Committee E)

13th Meeting
August 20th, 1947

1. The Chairman called the meeting to order at 3:41 p.m.
2. The Minutes of the Tenth (257 TR), Eleventh (275 TR) and Twelfth (267 TR) Meetings were approved without amendment.
3. Article 34, Madrid Convention, "Intercommunication."
The Committee considered the proposal of Canada No. 19 TR in Doc. No. 3 TR.
4. The United States delegate said that he agreed in principle with the objectives of the proposal but it was, as worded, unnecessarily restrictive of freedom of radiocommunication. An Article of this nature should not be included in the Convention and the United States would not be prepared to accept similar language even in the Regulations. They objected in particular to the second sentence but also to the limitation on the number of stations imposed by the first sentence.
5. The delegate of Sweden urged the necessity for economy of use of frequencies by all countries. He suggested that the Canadian proposal should be included as a vote.
(See statement at Annex attached)
6. The delegate of India pointed out that the Radio-communication Conference was experiencing great difficulty in apportioning the limited frequency spectrum.

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He supported the proposal of the delegate of Sweden and suggested the following wording for the first sentence "the contracting governments recognise the desirability of limiting etc.

7. The delegate of Canada agreed with the idea of incorporating the amendment as a boeu.
8. The delegate of South Africa reviewed the discussions on this question which had taken place in the Radio-communication Conference and stated that he had there supported a proposal (which failed) regarding the use of wire circuits where possible. He drew the attention of the Committee to an avis of the C.C.I.F. which he felt should be given careful consideration. He felt that there should be reference in the Convention of the importance of conserving frequencies and he supported the Canadian proposal. He proposed in addition that a sentence or paragraph should be included stressing the importance of using wire circuits where possible.
9. The Indian delegate proposed the following wording:-
"The contracting governments recognise the desirability of limiting the number of stations and the number of frequencies used to the minimum number capable of adequately providing the requisite services." He further proposed that it be inserted as a provision of the Convention and not as a voeu.
10. The Canadian delegate agreed to these proposals.
11. The delegates of South Africa, Czechoslovakia, New Zealand, the United Kingdom, Australia and Sweden also agreed.
12. The delegates of Italy and South Africa considered that it should be included as a voeu.
13. The delegate of the French Colonies felt that reference to "frequencies" alone would be sufficient. He could not admit the necessity of reference to "stations."
The delegates of Sweden and of France agreed.
14. The delegate of the United States suggested the phrase "limiting the use of spectrum space."
The delegate of Canada agreed.

15. The delegates of Cuba and of South Africa preferred that both "stations" and "frequencies" should be mentioned.
16. The delegate of the United States then suggested the phrase "the number of frequencies and the frequency spectrum space used."
17. The Committee then considered the proposal of the delegate of South Africa that reference should be made to the importance of using wire circuits where possible.

This proposal failed for lack of a seconder.

18. The Committee then considered the second sentence of the Canadian proposal.

The delegate of Canada proposed that as a result of the wording now agreed for the first sentence, the word "shall" in the second sentence should be altered to "should."

19. The delegates of the United States and of Sweden opposed the incorporation of this sentence.
20. The proposal to include the second sentence failed for lack of a seconder.
21. The Committee then considered the proposal of Cuba, 185 TR in Doc. No. 171 TR.
22. The Cuban delegate stated that 185 TR was offered in accordance with the principle that members of the union should establish, under the best technical conditions, channels for fast and uninterrupted service in the international service. It was designed to secure the independence of radio so that countries would be free to communicate with the whole world by radio unincumbered by present monopolies and restrictions.

This proposal fell for lack of a seconder.

23. The Committee agreed to remit to the Drafting Group Article 34 plus the first sentence of 19 TR as amended by India and the United States viz: "The contracting governments recognise the desirability of limiting the number of frequencies and the frequency spectrum space used to the minimum capable of adequately providing the necessary services."

24. The Committee further agreed that the drafting group should be asked to consider and recommend as to the part of the Convention where this new principle should be laid down.
25. Article 35 "Interference"
- The Chairman stated that this was a continuation of the discussion at the 11th Meeting (275 TR paragraph 10). The proposal of Italy 184 TR in Document 149 TR was for discussion.
26. The delegate of Italy said that a paragraph along similar lines had already been adopted by the Radiocommunication Conference.
- The United States delegate supported the proposal.
27. The delegate of India agreed in principle but suggested that the paragraph should not be made mandatory since in India, and probably other countries too, it would affect matters which were within the scope of the Electricity Acts and were not telecommunication matters. He suggested a phrase instead of "shall" on the lines of "recognise the desirability of taking action."
28. The delegate of Italy suggested "shall take steps compatible with their domestic regulations."
29. The delegates of Sweden and Denmark supported 184 TR as amended by India.
30. The delegates of Switzerland, Cuba and the U.S. favoured the Italian delegate's latest proposal.
31. By a large majority the Committee agreed 184 TR as amended by the delegate of India.

The Committee further agreed:

- (i) a suggestion by the delegate of the United States that Article 35 should be worded to show that 184 TR as amended did not detract from § 1.
- (ii) That Article 35 as amended should be remitted to the Drafting Group..

32. Definitions

The Chairman pointed out that the definitions fell into three groups:

- (i) those which concerned only Committee E .
- (ii) those which also concerned the Radiocommunication Conference--he had discussed these with the Chairman of Committee 7.
- (iii) those which concerned Committee F--he had arranged with the Chairman of Committee F that these would be sent by Committee F direct to Committee G, which latter Committee would coordinate them with the definitions which would be submitted to it by Committee E.

33. 269 TR Report of the Drafting Group

- (i) Art. 1, § 2.

The delegate of Italy recalled his proposals that the definitions should be included in this Article.

The U.K. delegate, speaking on behalf of the Drafting Group, said that this proposal had been carefully considered by the Drafting Group.

The Committee agreed to send Art. 1, § 2, to Committee G drawing attention to the proposal of the delegate of Italy.

- (ii) The Committee agreed to send Art. 24 §§ 1 and 2 to Committee G.
- (iii) The Committee considered 44 TR containing the Netherlands proposal to amend Art. 26, § 2. and agreed on the principle that the right of governments to stop messages should apply not only to telegrams and radiotelegrams but also to telex messages. It was agreed to refer this Article back to the Drafting Group to incorporate wording to cover this principle in an appropriate form and at an appropriate place.

- (iv) The Committee agreed to send Arts. 27 and 28 to Committee G.
- (v) Art. 22. "Telecommunication as a public service"

The United States delegate preferred that the words "all private senders" as originally agreed by the Committee should be used in place of "all public correspondence." The Canadian delegate agreed.

The U.K. delegate suggested that further consideration of this Article should be deferred until the appropriate definitions had been considered.

The delegate of France suggested "for each category of public correspondence."

The delegate of Italy suggested "all classes of private correspondence".

The Committee agreed to refer Art. 22. back to the Drafting Group for reconsideration in the light of the views expressed by the delegates.

34. The Chairman said that there were some proposals not referring directly to Articles in the Madrid Convention listed at the end of TR 80 which he felt should go to Committee C. These were Doc. G TR Arts. 25-27, 63 and 64 and Doc. 14 TR Art. 27. He would contact the Chairman of Committee C about these. The other proposals in this category would be discussed at the next meeting of Committee E.

Reporters::

Chairman:

A. G. David
H. Lerognon

H. Townshend

Annex
Committee E
Article 34 Madrid Convention
Statement by delegate of Sweden

August 14th, 1947

As this proposal has been opposed by the U.S. delegation I would like to make some remarks on behalf of the Swedish delegation.

We all know the serious fact, that in many frequency ranges the available number of frequencies is very limited. The supply of frequencies in the ether is just as scarce as the supply of fuel in the majority of countries in the world of today. There is a similarity as well as a difference between the policy of using fuel on one hand, and of using frequencies on the other hand.

The similarity is that at present almost all governments - with the exception of a few rich countries - try their utmost with the help of their engineers to utilize in the most efficient way the available supply of fuel - that is to say that one endeavours to get more power or heat out of each ton of coal or of each gallon of oil. Applying the same philosophy, the same countries have to be very careful in using the available radio frequencies efficiently as they have to limit both the capital investment and the operating cost. The purpose and result of such actions taken will ultimately be lower rates to the public.

The difference is that we may entertain some hope that for the future the supply of fuel will be more abundant, but that it probably will become worse and worse to get more frequencies for new services within certain given frequency ranges.

According to my opinion we will very soon in the I.T.U. be forced to ascertain that a frequency used for a certain circuit, is fully utilized as well in the frequency spectrum as in time, before a new frequency is assigned to meet the need of increasing traffic.

Based on this reasoning, I would now like to ask the U.S. delegation the following question: "Which is the more important point for the future, telecommunication system of the world, and thus for I.T.U. and its individual members; to save frequencies or to allow certain compelling operating agencies with the consent and help of their government to occupy new frequencies before they are really needed?"

In putting this question I am fully aware that the U.S. delegation finds itself in a very delicate position, and

that it needs some time to carefully consider the proposal which-by the way - has the character of a recommendation. I would, also like to point out that most decisions, here taken, involve certain sacrifices on behalf of some countries. The adoption of the proposal will naturally be of that very nature to the U.S. delegation, but I hope that it will be possible for them to follow the proposal of their neighbour country Canada, taking into account that we all have been invited by the U.S. government in order to wisely plan for the future telecommunication system of the world.

With regard to the wording of the Canadian proposal, I consider that it should be kept in the form of a recommendation or - may be - as a voeu. I support this form although I am fully convinced that such a paragraph will be given a more and more strict wording by forthcoming plenipotentiary conferences, and finally will have to be made absolutely compulsory. The exact wording I leave to the drafting Committee.

Thank you, Mr. Chairman

Committee C.

REPORT
of
THE COMMITTEE ON ORGANIZATION
OF THE UNION
(Committee C)

1. The meeting was called to order at 10:15 a.m. under the Chairmanship of Mr. Alexander Fortoushenko (Soviet Union).

Before proceeding to the agenda, the Chairman announced that he had the great pleasure of expressing, on behalf of Committee C, "our best wishes and congratulations to the Delegation of India on the occasion of the independence of this country and of the founding of the new state, Pakistan." He thought that "the best way of expressing our feelings toward them would be to recognize the right of Pakistan to be included in the membership list of the Union, a list which is to be discussed today."

He added that it would be indispensable, at an opportune moment, to put this recommendation to the vote.

2. The Delegates from Egypt, the United Kingdom, Uruguay, Burma, Iran, Lebanon, France, Argentina, Mexico, the United States of America, Portugal, Guatemala, and Belgium successively took the floor to support, some of them "firmly," some of them "with all their heart," others "with the greatest enthusiasm," the proposal of the Chairman.

The Chairman then proposed that the Committee proceed to a vote in order to permit all the Delegations to express their opinion without delay.

The vote was taken by show of hands.

The Committee without a dissenting voice from the members present, pronounced in favor of the inclusion of Pakistan in the membership list of the Union.

3. Membership in the Union. (Article 1 of the Convention).

The Chairman reopened general discussion on this question, pointing out that the procedure would consist of bringing out the general principles first, then, of confirming the rights of countries the membership of which is unquestioned, and finally, of making a decision on the case of those countries about which some doubts have been expressed.

4. The Delegate from the French Colonies wished to restate his point of view positively and clearly. He spoke as follows:

"Mr. Chairman:

The Delegation from the French Colonies wishes to emphasize once more that the Telecommunications Offices of the Overseas Territories of the French Republic must retain the right to vote which they now exercise as a group, and that the curtailment of this right would entail the gravest consequences for the International Telecommunications Union.

The Delegation from the French Colonies is unable to understand why Telecommunications Offices which are fully autonomous and which play a very important role in the field of international telecommunications should be removed from the voting list. Moreover, in spite of certain assertions to the contrary, the interests of this group of territories can be perfectly represented and defended by a single delegation, as I shall prove to you.

In the first place, as the Delegate from Argentina has clearly shown, the new membership criterion proposed in particular by the Delegation from the United Kingdom in Document No. 215 TR-3, and based on the existence of diplomatic relations with foreign countries, introduces politics into our Union, a situation which can only produce untoward consequences. Hitherto, technical autonomy has always been considered entirely sufficient. And this autonomy exists in the Overseas Territories of France.

In fact, the territories which I represent have widely differing political statutes, with very different degrees of sovereignty. In some of these territories, like Indo-China, a very marked evolution towards independence is in progress. Other colonies have hitherto maintained the closest connections with the mother country. However, whatever the type of political statutes of the Overseas Territories of the French Republic may be, the Post, Telegraph and Telephone Offices of these territories have a common characteristic, namely, that of enjoying complete autonomy, both in the domestic field and in the field of international relations.

To prove this point, I must briefly touch on the organization of these offices. In each colonial territory, the Post, Telegraph and Telephone Office is directed by an official under the orders of the local authorities, and not of the mother country. As for the French Metropolitan Offices of Post, Telegraph and Telephone (I shall hereafter call it the P.T.T. for the sake of abbreviation), it depends on the Minister of the P.T.T. of the French Government, and this Minister has no authority to give instructions either to the local authorities of the Overseas Territories or, to their subordinate colonial offices. Therefore, no hierarchical link exists between the colonial offices and the French Metropolitan Office of the P.T.T. The colonial offices need seek no approval from the Metropolitan Office nor submit any reports and the mother country in no way interferes in the operation of the colonial offices.

The technical problems resulting from their operation are, moreover, very different from the problems of the mother country. These offices take care of their own problems; they sign agreements with foreign offices, order their equipment; establish their working plans; fix the tariffs of their internal system; establish or break off relations with foreign countries, without any interference on the part of the mother country.

Moreover, it should be pointed out that the overseas territories, have their own budget, entirely separate, both for revenue and expenses, from the budget of the mother country. The mother country exercises, no control over the budget of the telecommunications services of the colonies, and this fact alone should be sufficient to prove their independence.

This independence has just been further strengthened since the new French Constitution went into effect with its provisions for setting up locally elected assemblies having broad powers, particularly in financial matters. The local assemblies vote on the budget of each of the French Overseas Territories; they fix or approve the telegraph and telephone tariffs to be paid by the users, and control the operation of the services. It is hard to see, under such conditions, how there can be talk of dependence in such a matter.

Since the autonomy of the French colonial offices on a technical level having thus been made evident, I now wish to point out the importance of these offices in the field of telecommunications.

The Overseas Territories of the French Republic, distributed over five continents, have a total population of more than 60 million inhabitants. Their telecommunications services are in full development. From the point of view of radio, these territories have approximately 300 fixed coastal, aeronautical, and broadcast stations, among which are a large number of short-wave stations of 500 watts and 1 kW. with some of 5, 10, 20 or 50 kW. Moreover, an extensive program for the installation of new stations for external and internal circuits is now being put into operation.

Allow me to remind you that the French colonies are among the oldest members of the Union. The colonial offices became members individually, at different dates, before the Madrid Convention which authorized their representation in a collective form. The head of the French Delegation has given you, the figures, and I need not repeat them.

Finally, the French Colonies have always scrupulously respected their membership obligations by paying their dues and observing all the regulations.

I now wish to answer the criticisms which have been made concerning the collective representation of the French colonies by a single Delegation.

Yesterday, the distinguished Delegate from the United States of America, if I have well understood his position, maintained that one delegation could not represent a number of territories distributed throughout the world with divergent interests. He said that only a separate representation of each of those territories could ensure an adequate defense of their interests.

As to the impossibility of one delegation adequately representing the interests of a number of territories differing in their geographic location, area and climate, the

problems of which are in fact most varied with respect to telecommunications, this question had already been raised by the Delegate from the United States during the sixth meeting of our Committee. In reply to, his Delegate who had cited the example of Indo-China and St. Pierre and Miquelon, I stated that the interests of these two territories were indeed quite different, but that there was no reason why both of them could not be represented by one and the same person.

In fact, interests may very often be different without being opposed, and indeed frequently it is when two countries are concerned in the same problems and have the same needs that conflicts arise. To return again to the example of Indo-China and St. Pierre and Miquelon. If they had to carry on identical telecommunication services and needed the same frequencies, then there might be a conflict. But as their problems are entirely different, the allocation of certain frequencies to one of them would in no way interfere with the radio service of the other, and conversely.

It would not be difficult to find more examples, and I maintain indeed that in fact one single case cannot be cited where the same question is of concern to Overseas Territories at the same time and in a conflicting manner. In other words, no case exists where the interests of two French colonies in matters of telecommunications are in conflict.

Therefore, the representation by only one Delegation, despite what has been maintained, in no way endangers the interests of the French colonies, but on the contrary assists them.

In fact, many of the French Overseas Territories could neither bear the expense of sending a separate delegation to international conferences nor provide the necessary technicians. It is therefore plainly indicated that those countries should entrust their representation to a delegation composed of members who are well acquainted with the overseas countries and familiar with specific colonial problems, as a result of the technical studies which were long ago entrusted to them, all the territories of the French Union.

The representation of the French Colonies in a collective form, as established in Madrid is therefore perfectly justified for the time being, and the French Colonies must be retained in the membership list of the Union in this form."

5. The Delegate from Egypt pointed out that several countries, colonies or protectorates had been mentioned, but that no mention had been made of the territories under mandate. It should be observed that these territories were not colonies but that they too were tending to become independent.
6. The Delegate from the Portuguese Colonies made the following statement:

"Mr. Chairman, Gentlemen: .

The Delegation of the Portuguese Colonies also has a few words to say to us at this time to make its position clear on this question of colonial votes.

If the fundamental difference which is the basis of our different points of view is considered, it will be easy to see that the problem of the colonial vote can only be solved in a way which would be acceptable to all if it were put in different form.

We are all in agreement on the principle that the new structure of the Union should enable it to increase the efficiency of all its present activities. Agreement is not complete when it comes to deciding on the road to take to reach this goal.

Some people are under the impression that the first thing to do to arrive at this result is to get rid of the colonial votes. In our opinion this method is precisely the most questionable. This decision would have extremely serious consequences. You can see that dissension would enter our Union.

Colonial administrations have charge, it is well known, of very important telecommunications services in the international field. Far more important than those of many so-called sovereign countries.

As for the Portuguese Colonies, I have already had the opportunity of informing you that not only the radio services but also those of the P.T.T. are entirely independent from those of the mother country. I will tell you today that only the two colonies of Angola and Mozambique are operating telecommunication networks with more than thirty thousand kilometers of telegraph lines and nearly 100 radio stations. And I might add that they operate them with full autonomy, and with an independence which enables them to make agreements with other countries.

And it is such administrations, which are responsible for services of such great importance in the field of international telecommunications serving regions that comprise millions of square kilometers with populations of millions of inhabitants which have their right to vote placed in question.

I know full well that we are told in reply that we will continue to be members of the Union, that we will become associate members. As far as the Portuguese Colonies are concerned, I can definitely tell you, Gentlemen, that they will always refuse to become associated with anyone, unless they have equal rights, that is, equal obligations. The Portuguese Colonies were the first members of the Union with two separate administrations and with a distinctly different representation; until Madrid, and they still pay separate dues to the Bureau of the Union.

Therefore, if the Portuguese Colonies contribute to the development of international telecommunications in the large measure I have just outlined to you, it would be difficult to understand why anyone should want to deprive them of their full membership in the Union. In order to place them in the category of mere associate members. That is the reason that I repeat to you that they will never adhere to a formula which deprives them of their legitimate rights."

7. The Delegate from Chile wanted to know how a colony would be considered which was not yet a member of the Union and which in the future would have an autonomous telecommunication administration.

8. The Delegate from the United Kingdom stated that as a result of the discussions which had taken place up to now, the Committee was now able to make a decision on the principle to be adopted. He recalled that three different criteria had been proposed, namely:

1. Sovereignty and independence in foreign relations; this had been approved by the five countries represented at the Moscow Conference and as a result the great majority of present members would remain members of the Union; "and doubtful cases would be clarified later."

2. Administrative Autonomy which was advocated by the representative of the French Colonies; it has the handicap of being practicably inapplicable due to the fact that it is difficult to define, and would have regrettable practical consequences.

3. The importance of telecommunications which is also inapplicable due to the fact it is not precise enough; in fact, can the importance of telecommunications be measured by the number of circuits, the number of international agreements, etc.? This criterion is impossible to define.

He concluded by stating that the Moscow proposal was wise and that it should be respected. He added that whatever principle was adopted, it should be applied to all and particularly to the case pointed out by the Delegate from Chile (c.f. item 7). In addition, he did not think that any of the countries which would not obtain satisfaction at the time of the setting up of the list of members having voting rights, could possibly think of taking measures which would harm international telecommunications; such country could in fact keep or obtain the right of participating in the Union without voting rights.

The Delegate from France made the following statement: "It is evident that the objective of the preceeding conferences was to give a universal character to the Union.

How did one arrive at this?

The Madrid Convention comprised three types of countries:

- 1°- countries having a government;
- 2°- countries under authority which do not directly contract and for which the mother country makes contracts in their name (these countries are referred to in paragraphs 1, 2, 3, 4 and 5 of Article 5 of the Madrid Convention).
- 3°- countries under authority referred to in paragraph 6 of Article 5 of the same Convention.

Such countries have acquired a legal entity in regard to the Union due to the fact that they are enumerated in the preamble of the Convention and have signed and ratified this act.

How are such countries divided up with respect to Article 5 of the Madrid Convention, that is to say the countries under authority?

Those answerable to the United Kingdom and the United States of America have not directly contracted; the mother countries contracted in their place.

Those answerable to Belgium, France and Portugal have contracted directly as separate entities from their mother country. They are enumerated in the preamble of the Convention, an act which their representatives have signed and of which ratifications have been duly filed.

In the case of the United Kingdom and the United States of America, the countries under their authority do not have the qualification of membership and with respect to at least one of the mother countries, the countries under mandate do not pay dues to the Union.

In the case of Belgium, France and Portugal, the countries under authority have the qualification of membership in the Union to which they have never ceased to pay their dues since belonging to the organisation.

The reason in this is that these countries have a separate administration from that of the mother country, which is capable of negotiating and directly contracting on an international level. This qualification as member has again been confirmed by the present conference which has recognized their individuality and granted them the right to vote. The question of the right to vote. In reality, the entire question gravitates around the right to vote. The term plural voting is used and mother countries are reproached for disposing of multiple votes.

To what extent does plural voting exist? If we refer to the Madrid Convention, the following countries employ plural voting: Germany, the Soviet Union, the United Kingdom, and the United States of America.

With respect to the two first countries, the question has been settled. With respect to the United Kingdom and the United States the question is still pending, since, during this conference, the same delegation votes for two. And the position of these two countries is due to the fact already mentioned that they are acting on behalf of the territories placed under their authority.

With respect to Belgium, France and Portugal, there is no more plural voting; the voting right devolving on countries under authority is the natural result of its membership, because whoever contracts obligations must participate in the decisions which create these obligations.

As specified at Madrid and at Cairo, the voting right is the result of compromises and these compromises have created certain rights, and we intend to see that these rights are respected.

What has happened since Moscow? According to the terms of Article 1, paragraph 2, of Document No. 4ter of Moscow "parties to the present Convention constitute the I.T.U."

This text, according to the Moscow Document, did not form the subject of any reservations on the part of the Delegations from the United Kingdom and the United States. However, if the Atlantic City Conference adopted this text, this would mean that the I.T.U. would be constituted by the countries represented at this Conference which will be signatories of the new Convention.

Proposal of the United Kingdom supported by the United States. The position of these two countries seems to be dependent on directives inspired by the U.N. Allusions to countries "generally" recognized as independent contemplate criteria which are valid for the U.N. and which they would like to oblige us to accept in the I.T.U.

Let us note first that the specialized agencies admit countries which are not members of the U.N. The reason therefor is that these agencies all pursue essentially technical objectives, for the success of which they must be as universal in character as possible.

A striking example: that of the Universal Postal Union: The Convention drawn up in Paris retained the colonies as members of the U.P.U. following a favorable vote of 40 votes against 28 with 5 abstentions. Nevertheless, the United Nations made no difficulties with the U.P.U. in negotiating the agreement establishing relations between the two organizations.

What more is wanted?

Respect for established rights. Generally speaking, laws create new legal rights, without violating established rights, especially when the holders of these rights are irreproachable.

The draft of the United Kingdom and the United States of America does not take into account any of the rights acquired by countries which are in process of attaining a more definite legal personality and a greater autonomy.

An action which would amount to an ungentlemanly gesture. What would happen if the suggestion of the United Kingdom was followed? The inviting nation took the responsibility of not inviting Spain and the Baltic States to Atlantic City. On the other hand, delegations of countries under authority have come to take part in the activities of the two conferences on its invitation. The inviting country proposed in Article 18 of the Internal Regulations that these delegations be admitted to take part in our work and in our voting. No objection was raised.

These delegations will sign a Convention, the preamble of which will state: the French Colonies, the Belgian Congo, the Portuguese Colonies, Morocco, Tunisia have decided on the following Convention.....

And in Article 1 of the Convention a series of names of countries will follow, which will constitute the new Union from which the following will be excluded, with their present qualifications, the French Colonies, Belgian Congo, Portuguese Colonies, Morocco and Tunisia.

I am certain that no one here wishes to associate himself with such a decision since it would be possible to act differently. It would be possible to avoid sending the invitations, and asking the Conference to pronounce judgment on these cases as it was called upon to do in the cases of Spain and the Baltic States. Thus, these countries which have been faithful servants of the Union would have been spared great expenses and an unprecedented affront.

The position of Metropolitan France in this affair.

I am speaking only on behalf of the mother country which faces its own responsibilities. The role of the protecting nation is to respect the rights of the peoples under its protection and to see to it that they are respected. These rights are incontestable. They are the result of an old and uninterrupted membership in the Union. I cite at random: Guadeloupe 1866, Madagascar 1903, Morocco 1912, Reunion 1866, Senegal 1885, Tunisia 1888, Somali 1916..... There are countries whose titles of seniority are greater than those of the United Kingdom which adhered only in 1871, and those of the United States whose adherence only dates from 1922.

Take care of the veterans of the Union. You have all the more reason to do so that they are not a burden to you because, in addition to the dues paid by Morocco and Tunisia, the French Colonies as a group bring into our budget the equivalent of 51 units. That is slightly more than the amount paid by the United States and the United Kingdom together.

What may happen if you do not listen to our voices.
We are no longer in the colonial era when mother countries spoke of their possessions. We do no longer possess, we administer - with varying collaboration from native elements - immense territories inhabited by 60 million people.

The status of Morocco and Tunisia has been explained to you by the representatives of the two protectorates.

The other territories under French authority - which form the French Union - are, for the most part, endowed with local deliberative assemblies. They are represented by 60 members in the French Parliament.

What will happen if these countries lose their rights in the Union.

The Sultan of Morocco, the Bey of Tunis, might very well refuse to allow the new Convention to be enforced in their territories, and as you know, anyone who does not adhere to the Convention cannot adhere to the Regulations.

It may also happen that the French Parliament, at the request of the native representation, will refuse the government the right to ratify a Convention which prevents the exercise of sacred rights.

And the consequence would be that France, the originator of the International Telegraph Union which was formed in Paris in 1865, would be obliged to withdraw from this Union.

To conclude, the French Delegation asks for a decisive vote on a definite motion: "The following countries, members of the Union: The French colonies, Belgian Congo; Portuguese Colonies; Morocco and Tunisia, shall remain members of the Union with their present qualifications, notwithstanding any modification contemplated in the structure of the Union."

10. The Delegate from Cuba stated that in all international conferences his country had always maintained that all nations should participate with equal voting rights. He pointed out that the committee was confronted with two entirely different problems: membership and the right to vote.

With respect to membership, the proposal of the United States and the United Kingdom was very clear and simple, and showed progress, because it ensured separate representation for countries or territories which had hitherto been represented by a single delegation.

With respect to the right to vote, the Delegate from Cuba was absolutely opposed to the plural vote; it was for this reason that he doubly supported the proposal of the United Kingdom. He added that colonies recognized only as associate members could not, should the occasion arise, retire from the Union without the consent of their mother country. In addition, these colonies might develop after the example of Cuba, "which had the courage to struggle for its independence" or the example of India and Pakistan which have been able to carry a policy of negotiation to the successful ending which we are celebrating today.

11. The Delegate from Portugal confirmed the statement of the Delegate from France insofar as it affected the Portuguese Colonies. He pointed out that the position of these colonies was mainly due to the Constitution of his country which prohibited the subordination of the colonies to the mother country. He believed that the exclusion of the Colonies from the Union might induce the Portuguese government not to ratify the new Convention.

He concluded by citing an example: "By a happy coincidence, India is achieving independence this very day, and on this occasion, we present our most sincere congratulations to the representatives of the two states, India and Pakistan. But would India, which was the first country to hold a colonial vote, regret the first step she took in 1869 towards independence?"

In conclusion, Portugal hoped that the desire expressed by the Plenary Assembly of the Cairo Conference would be respected, and the votes of the colonies retained. He therefore firmly supported the viewpoint expressed by the Delegate from France.

12. The Delegate from the Belgian Congo was recognized and spoke as follows:

"I thank the Delegate from France for presenting the defense of that group of countries called Colonies. I wish to complete his statement by describing the conditions peculiar to the Belgian Congo.

In view of the amplitude of these discussions on the right of Colonies to vote, I made a report to the government of the Belgian Congo on this question. I received a telegram instructing me to defend the present position of the Belgian Congo, and giving me some exact information on the nature of the sovereignty of this country.

I am not a jurist, and all I can tell you at present is this:

The Belgian Congo was, originally, the Independent State of the Congo, under the sovereignty of Leopold II, who was also King of the Belgians; in creating this State the Great Powers drew up for it a Charter, which comprised various international obligations.

I shall mention:

- Complete differentiation between the laws of the Congo and those of Belgium;

- The so-called 'open door' regime which, from a commercial standpoint, places all countries on an equal footing in the Congo, that is to say, does not permit the establishment of a tariff-wall from which Belgium or another State may benefit;

- Complete independence of the Colonial Army, also called the Public Force, in which no Belgian can be compelled to serve;

- The existence of a flag of the Belgian Congo, blue with a yellow star;

- The existence of its own bank of issue and currency: the assets and liabilities of Belgium and the Belgian Congo are separate.

- Leopold II called upon the Belgian State to take over from him the direction of the Independent State of the Congo; from this fact the name Colony of the Belgian Congo came into existence, replacing the name, the Independent State of the Congo, without any change in the status of the Independent State.

Belgium, who, twice in 25 years, has fought for the cause of freedom, knows its worth too well to dream of suppressing or diminishing the liberty of others.

I shall conclude my remarks from a legal standpoint, by pointing out that in foreign policy, by virtue of Article 27 of the Charter, it is the King who makes the treaties which concern the Congo; the treaties concluded by Belgium are binding only upon itself, except where special mention is made.

- Hence the adherence of the Belgian Congo to the Convention and the Regulations of the I.T.U. is in no way fictitious. It is expressed by an entirely free vote guided only by the general interest and the interest of the Belgian Congo.

The subject with which I am best acquainted is the position and importance of the Belgian Congo from the standpoint of telecommunications. In this territory, eighty times greater than Belgium and situated in the heart of Africa, we have at present, without counting private installations, more than a hundred official radio transmitters, twenty-four of which have the HF power included between 50 kW and 1 kW.

These transmitters, with wire installations, are centralized in a single service which carries on at one and the same time the public telegraph and telephone service, broadcasting and the radio protection of the aeronautical service.

Education and an increasingly large utilization of the native element in this work, as well as the rapid economic development of the country permit us to calculate that the number of stations will be doubled in two years. We are in touch with all the bordering countries and, in addition, we are carrying on a direct telecommunication service with Belgium, Great Britain, the U.S.A., Lebanon, with Egypt in the near future, and, we hope, with the Union of South Africa. If other relationships do not exist, that is independent of our will. Belgium in no way interferes in this field, any more than she controls our participation in the African Telecommunications Union.

I shall make only a brief mention of broadcasting. It is the same in our country as in other tropical countries. I shall, however, point out that Belgium would not be qualified to defend these questions on our behalf, because her experience and needs in this field are essentially different from ours.

From the point of view of aeronautics, we have, in the first place, the inland navigation lines which cross the Colony and represent a daily route of several thousand kilometers. All the airplanes following an international course in Western Africa usually stop over at Leopoldville. Five large companies come there regularly; the Pan American Airways, the KLM, a Portuguese company, Air France and La Sabena. Two other lines, coming from Egypt and the Nile Valley, traverse the territory of the Belgian Congo in the east.

But all this necessitates international connections: Brussels, Kano, Lagos, Roberts Heights, Roberts Field, Juba, etc.

Is it a good policy, then, to complicate our task by taking away from us our present membership in the Union? This would, in fact, bring us to a point where we were no longer able to maintain our opinions, where we could negotiate only through Belgium but, in any case, only in a less direct and effective manner than at present.

In my opinion, that would constitute a serious set-back and would be prejudicial to the economic development, in short to the emancipation of the Belgian Congo. This situation seems even less comprehensible to us because on July 1 of this year the Prince Regent of Belgium promulgated a decree transferring to the Belgian Congo the majority of this country's services formerly operating in Belgium.

There remain in Belgium only the indispensable liaison agencies. In conformity with these new provisions for the autonomy of the Belgian Congo, for the first time officials have come from the Belgian Congo to represent this country at international telecommunications conferences. You will realize that we did not feel very much encouraged.

A third point that I must bring to your attention is the situation of Africa from the standpoint of the telecommunications organization which would ensue if the colonies were deprived of the right to vote.

The only countries of Africa which can deal directly and effectively with telecommunication questions would be Egypt, Ethiopia, Liberia and the Union of South Africa.

I imagine that the I.T.U. would not desire to be the cause of the set-back that this situation would entail on the communications, the development and, in short, on the emancipation of the whole African Continent.

Do you not believe under these conditions, in the need for the creation of an African Telecommunications Union? This union would group all the African countries with equality of rights. It would, perforce, work outside the International Union, which would lower the standing of the latter.

I am certain, Gentlemen, that this is not what you desire and I ask you to vote accordingly."

13. The Delegate from Greece explained very clearly his reasons for supporting without reservation the principle of sovereignty proposed by the United Kingdom and the United States. He explained in particular that in his opinion the application of this principle, far from leading to the breaking up of the Union, would aid in strengthening its universality without introducing the equivocal element of the plural vote.
14. The Delegate from Belgium confirmed in every respect the statement of the Delegate from the Belgian Congo.
15. The Delegate from the Union of South Africa stated that in his opinion it was premature to vote on this very important question immediately. The Belgian Congo had been mentioned often in the statements just made.

However, on the African Continent, south of the 50th parallel, there are fifteen countries, some of them very large, whose telecommunications systems are somewhat limited; these fifteen countries are all members of the African Telecommunication Union, but Belgian Congo alone is represented in this Union, which includes in particular two other colonies: Angola and Mozambique. If the Union of South Africa wished to support the viewpoint of the Belgian Congo, it should propose that the two Portuguese Colonies should both be given a separate representation in our Union.

Stating that he wished to be fair towards his colleague from Belgian Congo, the Delegate from the Union of South Africa asked for a little time to think the matter over and requested that the decision be deferred to the next meeting.

16. The Delegate from Monaco made the following statement:
"The Delegation from Monaco has examined Document No. 215 TR-E presented by the Delegation from the United Kingdom and, unless there is a gross error or an omission on the part of the author of this document, it feels impelled to make the following comments concerning the proposed list:

The Principality of Monaco, which is neither a colony nor a country under protectorate, mandate or trusteeship, but a sovereign country with its own administration, does not appear in this list, although Document No. 42 TR-E mentions it under No. 52 of Article 18. The Delegation from Monaco is particularly grateful to the Government of the U.S.A. for having invited its Country to participate as a member in the Atlantic City Conferences, and it sincerely thanks all the Delegations for unanimously approving this action (including the distinguished Delegation from the United Kingdom).

However, the Government of Monaco would be hard put to understand why it was especially invited by the Government of the United States with everyone's approval, on the one hand to discuss and vote, as a member, on a General Convention, and on the other hand to vote for its own exclusion as a consequence of a proposal which it considers arbitrary.

The Delegation from Monaco would like to confine its statement within these limits, in order not to take from the limited time at the disposal of the Committee to-day the amount of time needed to explain that the Principality of Monaco was and is an independent state de jure and de facto, with its own sovereign whose dynasty has been reigning for over seven centuries, its constitution, its government, its national Parliament, its own judicial and administrative organization, its magistrature, its own civil and penal code, its own legislation, its own minister of foreign affairs, its plenipotentiary ministers, its consuls, etc.....

The Delegation would not make this statement, which would necessarily be very long, since its independence dates back more than 300 years, unless its independence were really questioned. But MONACO, the smallest country represented here, has so far encountered so much understanding and courteous sympathy everywhere that it is convinced that this brief statement will be sufficient for safeguarding its rights."

17. The Delegation from the United Kingdom agreed that a final decision should not be made at that time, but he thought that the Committee might decide immediately upon the principle it intends to adopt for preparing the list of the original members of the Union.

He proposed the following motion:

"The Committee 'C' accepts the principles underlying the Moscow Document (Doc. 45 TR-E) governing voting membership of the I.T.U. under the new convention, namely, that all voting members of the I.T.U. should be independent sovereign states."

18. The Delegate from France stated that he was in complete agreement that the Moscow draft should be referred to, but since the discussion pertained to present members of the Union, the committee should refer to § 2 and not § 3, which deals with future members.

19. At the request of the Chairman, the Committee decided after a vote by a show of hands to close the general discussion on the principle to be adopted for preparing a list of the original members of the Union.

20. The Delegate from Morocco was of the opinion that the Committee should be given information about one particular point: a Negotiating Committee of the I.T.U. had met with representatives of the U.N. with a view to perfecting a draft agreement between these two organizations. It was likely that during the discussions the question of membership in the I.T.U. had come up. It would be appropriate for the Committee to be given information on this subject particularly on the objections or requirements made regarding colonial votes.

21. The Chairman of the Negotiating Committee of the I.T.U. answered that in the draft agreement decided upon by the Plenary Assembly of the present Conference there was no clause concerning membership. Also during the negotiations the question of colonies had hardly been touched upon and no opinion had been expressed on this subject by either of the Chairmen of the two Negotiating Committees.

22. The Delegate from Canada pointed out that his Delegation had insisted in Committee D that the idea of membership be included in the draft agreement with U.N. Also, he fully supported the proposal of the United Kingdom concerning membership.

23. The Delegate from France requested that the Committee take a stand on the following motion:

"The Committee considers that the following countries, which are members of the Union, should remain members with their present status regardless of any contemplated change in the structure of the Union: French Colonies, Portuguese Colonies, Belgian Congo, Morocco and Tunisia."

24. The Delegate from the French Colonies wished to make the following statement before the vote was taken:

"I wish to draw the attention of the Committee to the consequences which would result from the application of the principle proposed by the Honorable Delegate from the United Kingdom.

By virtue of the legislation in force in the French Union, the Government of the Mother Country, contrary to what was said by the Honorable Delegate from Cuba, is in no way free to impose its views on the locally elected Assemblies.

What would be the reaction of these Assemblies if the status of associate member were proposed for overseas territories?

In my opinion, we have every reason to believe that the local Assemblies would immediately reject such a proposal. But this would mean that a member of the Union with complete autonomy in the field of activities covered by our Union, operating important telecommunications services, without ever occasioning the slightest criticism would lose the vote which rightfully belongs to it.

What would then be the reaction of the territories I represent? Would these Offices which have thus far participated in the preparation of the Conventions and Regulations, have imposed heavy burdens on themselves and have greatly restricted their freedom of action in order to respect them - submit to being stricken from the list of members and would they be satisfied with the status of associate member? In other words, would they agree to continue fulfilling their obligations while losing their rights?

I do not think so, and moreover, I am convinced that the local Assemblies of the French Union would immediately reject such a proposal. They would certainly not permit the territories which elected them to be burdened with heavy financial commitments and with troublesome restrictions in the use of equipment and the operation of services without these territories being accorded the just counterpart which is the right to express themselves and to uphold their views by voting.

Therefore in this case, which I hope will never arise, I have no doubt that the Colonial Offices would refuse the status of associate member which would be offered to them and would simply withdraw from the Union."

25 The Chairman proposed to put to the vote the motion put forward by the Delegate from the United Kingdom (see point 17).

26 The Delegate from France stated that he was ready to withdraw his motion which seemed incomplete to him, and that he now proposed an amendment tending to complete the motion of the United Kingdom as follows:

"...with the exception of present members of the Union."

27 The Committee proceeded to a vote by roll call on the motion presented by the United Kingdom. A further vote could then be taken on the amendment proposed by France.

By 28 votes to 13 (15 abstentions, 21 absent) the Committee adopted the motion of the United Kingdom (see point 17).

Voted for: Union of South Africa and Territory under the Mandate of South-West Africa; Albania; Australia; Austria; Bielorussia; Canada; Chile; China; Cuba; United States; Territories of the United States; United Kingdom of Great Britain and Northern Ireland; Colonies, Protectorates, Overseas Territories and Territories under the Sovereignty or Mandate of Great Britain; Southern Rhodesia; Greece; Hungary; Iraq; Iran; Mexico; Norway; New Zealand; Netherlands Indies; Poland; Czechoslovakia; Ukraine; Union of Soviet Socialist Republics; Venezuela and Yugoslavia.

Voted against: Argentina; Belgium; Belgian Congo and Territories under the Mandate of Ruanda-Urundi; Egypt; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and Tunisia; Lebanon; Liberia; Monaco; Portugal; Portuguese Colonies and Switzerland.

Abstained: Afghanistan; Burma; Brazil; Denmark; El Salvador; Guatemala; India; Ireland; Italy; Netherlands, Curaçao and Surinam; Peru; Siam; Sweden; Turkey and Uruguay.

Absent: Saudi Arabia; Bolivia; Bulgaria; Vatican City; Colombia; Costa Rica; Dominican Republic; Ecuador; Ethiopia; Finland; Haiti; Honduras; Iceland; Liberia; Nicaragua; Panama; Paraguay; Philippines; Roumania; Syria and Yemen.

28. The Delegate from the United Kingdom said that he did not understand the meaning of the amendment drawn up by the Delegate from France. "Are the members of the Union those which appear in the list? Would the result of this amendment, if it were accepted, be that the present members would remain members or that their status would be studied individually later?"
29. The Delegate from France answered that there was no equivocal meaning: the present members are the Madrid members (unless excluded). The list of these members is to be found in Article 18 of the Internal Regulations. On the other hand, if the amendment were adopted, it goes without saying that the present status of these members would be preserved in the new Union.
30. The Delegate from the United Kingdom then said that he did not agree with the procedure; it was understood that only the matter of principle would be dealt with at that meeting; the amendment, however, does not deal with the principle but with individual cases. Consideration of this amendment should therefore be deferred.
31. The Delegate from France did not accept this point of view. He asked the Chairman to request the Committee to decide whether his amendment should be put to the vote immediately or during the next meeting.
32. The Chairman was of the opinion that the simplest procedure would be to vote on this amendment since each Delegation was then sufficiently well informed to be able to make a decision.
33. The Delegate from Cuba stated that the French amendment seemed confusing to him. The Convention refers to Contracting Governments and not to members. He requested further explanation.
34. The Delegate from France pointed out that this remark should also apply to the proposal of the United Kingdom. He said: "Let us not indulge in casuistry. We must not deceive ourselves. Is there anyone here who does not have a definite idea about the members of the Union?" He added that the Delegate from Cuba might advisably refer to the provisions of Article 5 of the Madrid Convention on this subject.

35. The Chairman was of the opinion that the Delegate from Cuba was right up to a certain point, as the amendment of France was not very clearly expressed. He proposed the following wording:

"The Committee agrees that among the voting members there may be countries which, although not fully politically independent, were nevertheless parties to the Madrid Convention.

36. The Delegate from France said that in spite of the great respect that he ordinarily showed for the Chairman, he found it difficult to follow him in his proposal which would lead to a vote without any clear significance. "Juridically, the cases are the same and we shall gain nothing by settling them separately according to the idea that is so dear to small business. This discussion is on a much higher plane. The question must be settled as a whole."

He then proposed that his amendment be worded as follows: ".....with the exception of present members of the Union according to the terms of Article 18 of the Internal Regulations."

37. The Chairman said that the proposal of the Union of South Africa to defer the decision until the next meeting seemed very appropriate to him. There would be time until then to prepare a definitive wording of the amendments.

The Committee supported this point of view and decided to defer the discussion until the next meeting.

38. Before adjourning the meeting, the Chairman gave the floor successively to the Delegates from India and Pakistan and then to Sir Harold Shobert, who expressed their appreciation to the Chairman and the members of the Committee for the kind words addressed at the beginning of the meeting, to the countries they represent, and for their friendly gesture in proposing unanimously that Pakistan be admitted to membership in the Union.

The meeting was adjourned at 1:05 p.m.

The Rapporteurs:

J. Persin,
B. Yourovski,
W. E. Linaweaver,

The Chairman:

A. Fortoushenko,

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 305 TR-E

August 23, 1947

S W E D E N

DRAFT RECOMMENDATION

to be made by the Plenipotentiary Conference of Atlantic City with the aim of hastening, during the transitory period, the work to be accomplished by the C.C.I.R.

The last Plenary Assembly of the C.C.I.R. in Bucharest in 1937 gave Sweden the honor of organizing the next Plenary Assembly of this Committee, which, however, has not yet taken place because of the World War. The Swedish Administration now desires to do everything possible in order to accomplish its mission.

The work to be accomplished by the C.C.I.R. is confronted at the present time by certain difficulties due in part to the Committee's long period of inactivity, as well as the reorganization of the C.C.I.R. to be effected by the present Atlantic City Conference. It is important, however, not to waste time needlessly, and in view of the large number of I.T.U. Conferences that must take place in the near future, it does not appear practical to call a Plenary Assembly which would have the sole purpose of naming a Director, formulating questions for study, and constituting the necessary Committees. It would be better to begin now the study of certain technical questions with a view to submitting them, if possible, for decision to the next Plenary Assembly.

The realization of this plan, however, meets with certain difficulties. A number of questions, which were prescribed for study by the Plenary Assembly at Bucharest have now lost immediate interest, and others have arisen and have been referred to the C.C.I.R. by the Radio Conference of Atlantic City. Certain countries that had undertaken the duty of centralizing countries are no longer in a position to collaborate.

A possible means of solving these difficulties would be to leave the inviting country free during the transitory period that would end at the next Plenary Assembly, to take temporary measures with a view to expediting in agreement with the countries that are ready to collaborate, the study of certain questions designated as urgent. With this in view, it would be desirable to obtain the authorization in general terms, of the present Plenipotentiary Conference, to take action along these lines.

The Swedish Delegation therefore takes the liberty of proposing that the Plenipotentiary Conference make the following recommendations intended to guide primarily the work of the C.C.I.R., but which at the same time, might apply by analogy to the activity, during a preliminary transitory period, of certain other bodies of the I.T.U.:

1) The administration of the inviting country shall send, as soon as possible, via the General Secretariat, to administrations that have agreed to act as centralizing administrations for certain groups of questions submitted for study, a request to know whether they are still in a position to carry out this function.

2) In case an administration that is designated as a centralizing administration for certain groups of questions, is unable to carry out this function, as well as in case of new questions submitted for study, the inviting country, through the General Secretariat, shall endeavor to have the administration that seems to it to be capable of carrying out this function, temporarily accept the role of centralizing administration.

3) Centralizing administrations instituted according to 1) and 2) above, shall themselves invite the administrations and enterprises that they believe to be concerned and ready to collaborate in the study of the questions involved, to cooperate and shall send to the General Secretariat a list of such administrations and enterprises.

4) The information received by the General Secretariat with regard to study groups so constituted shall be published in the Secretariat's Notifications and in the Telecommunications Journal. This will permit other administrations and enterprises which desire to participate to notify the centralizing

administration of their intention in this connection.

5) The study groups so constituted, shall immediately go to work with a view to drawing up opinions and recommendations to be submitted to the next Plenary Assembly.

6) A report of the measures taken by the inviting administration shall be submitted to the Plenary Assembly for approval.

7) The Plenipotentiary Conference invites all administrations to cooperate with the administration of the inviting country in order to accomplish the plan under consideration.

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August 24, 1947

Committee E

MINUTES
of the
Convention Committee
(Committee E)

14th Meeting, August 22nd, 1947

-
1. The Chairman called the meeting to order at 3:40 P.M.
 2. Doc. No. 296 TR. Report of the Drafting Group,
(Committee E.2)

a) Article 13. Madrid Convention "Special Arrangements."

It was agreed to defer consideration of the text prepared by E.2. until the United States Memorandum contained in Doc. No. 285 had been discussed.

b) Article 23. Madrid Convention "Responsibility."

The delegate of Turkey proposed that the words "caused by service faults" should be added after "damages."

This proposal failed for want of a seconder.

The Committee agreed to adopt the text submitted by E.2. and to forward it to Committee G.

c) Article 29. Madrid Convention "Charges and Franking Privileges."

The United Kingdom delegate proposed subject to the comments of his U.S. colleague on the Drafting Group that the title in the English text should be altered to read "Charges and free services."

This change of titles was adopted, the text submitted by E.2. was approved and it was agreed to forward it to Committee G.

d) Article 30. Madrid Text - "Priority for Government, Telegrams, Radiotelegrams and Telephone Calls."

Article 31. Madrid Text - "Secret Language."

The Committee agreed to adopt the texts of these two Articles submitted by E.2. and to forward it to Committee G.

Madrid Convention

- e) Article 37 "False or Deceptive Distress or Safety Signals - Irregular Use of Call Signs."

The Committee adopted the text submitted by E.2. with the correction of a typographical error ("call signals" to read "call signs" in both references) and agreed to forward it to Committee G.

- f) Article 34 § 3. (formerly Article 38. Madrid Convention) "Limited Service."

The Committee agreed to adopt the text submitted by E.2. and to forward it to Committee G.

- g) Article 39 - Madrid Convention "Installations for National Defense."

- (1) Article 39 § 1

The delegate of Sweden enquired what stations were intended to be covered by § 1. For example, were weather reporting stations included?

The delegate of the United Kingdom considered that only military stations of the navy, army and air forces were contemplated.

The delegate of Canada pointed out that this question was connected with the deletion of reference to Article 9. In the Madrid text reference had been made to Article 9 so as to exclude stations operated by the armed services which were not of a military nature.

The United States delegate proposed that the phrase "military radio installations" be used or some similar phrase clearly indicating this. He drew attention to the fact that if the individual services were referred to the word "Naval" should be used so as to include the U.S. Coast Guard Service.

The delegate of Italy proposed that the original Madrid text be retained. The delegates of Iran and the Argentine supported this. The latter pointed out that in the Argentine, where telecommunication services were run by the Government the concept of "national defense services" included all such services, not only military ones. He felt that the wording proposed by the

United States delegate was too restrictive.

The delegate of Greece was opposed to reversing a decision already reached in committee.

The delegate of Canada supported the proposal of the United States delegate.

The delegate of Chile suggested that the released Article in the Chilean proposal (Doc. 6 TR) would meet the points raised.

The Chairman suggested that the Article should read "... military radio installations of their Army, Naval and Air Forces."

The Committee approved in principle the text submitted by E 2 but agreed to refer it back to that group for verbal amendment only along the lines of the wording suggested by the Chairman.

(2) The Committee approved the texts of § 2 and 3 submitted by E 2.

(3) §4. The Canadian representative pointed out that the term "special services" used in § 4 was included in the definitions and proposed that the text be referred back to the Drafting Group for verbal alteration so that the paragraph should cover any services contained in any new definition of "special services". He suggested that "the services" might be used.

The Committee agreed to refer the § 4 to the Drafting Group for amendment along the lines suggested by the Canadian delegate.

3. Article 36 Madrid Convention "Distress Calls and Messages"

The Chairman stated that at the 12th Meeting the question whether Article 36 should be applied to telegraph and telephone stations was deferred to a later meeting.

The delegate of Portugal proposed that Article 36 should have general application and that a fresh article incorporating the French proposal should be prepared and inserted elsewhere in the Convention.

The delegate of France considered that all stations should deal with distress messages and that a second paragraph, to this effect, should be inserted in Article 30.

The delegate of Canada considered that the provision should be in the Regulations rather than in the Convention. Once a distress message sent by a mobile station was received on land and action was taken on it, it became no different from any other message making known a disaster.

The delegates of the United Kingdom and of Italy pointed out that there was already adequate provision in the Regulations but were not opposed to a provision in the Convention.

The delegate of India agreed that provision should be made in the Convention for an article to cover all stations but pointed out that Article 36 as it stands conflicts with Regulations and suggested that the new article should be worded so as to avoid this.

The delegate of Czechoslovakia agreed with the delegates of Portugal and France but also considered that the new article should be worded so as to avoid conflict with the Regulations.

The delegate of Sweden agreed in principle with the delegate of India. The Swedish Administration had recently introduced a system in its internal services whereby anyone witnessing a disaster at sea was, by calling the telephone operator and asking for "sea rescue" immediately connected with the nearest coastal station. This procedure might involve foreign ships or aircraft.

The delegate of the United States approved the principle of widening the scope of Article 36 to include telegraph and telephone services but thought that the wording of the new article should be framed so as to exclude such messages relating to sickness, accidents, hospital cases etc. as were not strictly distress calls or messages.

The delegate of Cuba also supported the proposal to extend Article 36 to the telegraph and telephone services but considered that the new article should refer specifically to international telecommunication only.

The delegate of France pointed out that the "Aims" of the Union as incorporated in Article 1 drafted by Committee E included a reference to the safety of human life. It would therefore be logical to implement this by an Article translating the aims into reality.

The Committee approved, by a large majority, the principle that messages relating to the safety of human life should be given priority on the international telegraph, telephone and radio services and agreed that the Drafting Group should be requested to prepare a suitable text for incorporating this principle in the Convention.

4. Article 33. Madrid Convention "Rendering of Accounts."

The Committee considered Doc. No. 268 TR.

§ 1. was approved and the Committee agreed to refer this to the Drafting Group with a request that they resolve a difference between the French and English texts.

§ 2. The French delegate proposed that the paragraph be altered so as to make mention of the Regulations at the beginning instead of at the end of the paragraph.

The Committee approved § 2. and agreed to refer it to the Drafting Group with a request that they take the proposal of the French delegate into account when preparing their text.

§ 3. The Chairman speaking as United Kingdom delegate explained that this paragraph was designed to recognize the fact that settlement must be in accordance with the general international financial arrangements between member countries.

The French delegate could not agree since the paragraph as drafted made no mention of the Regulations. This would prevent those who adhered to their provisions regarding settlement from following them. He suggested that it should be rewritten so as to include mention of the Regulations and of special arrangements.

After prolonged discussion further consideration of § 3. was postponed pending an alternative text prepared by the French delegate.

5. Doc. No. 6 TR.

Article 45

The Chilean delegate withdrew this proposal as the question had been fully covered in the proposed new Radio-communication Regulations.

6. Proposal 27 TR. Doc. No. 7 TR.

The delegate of Italy withdrew this proposal as it was now covered by the new Article 1. drafted by Committee C.

7. Examination of Arts. 46, 51, 54 and 65 of the Chilean proposal (Doc. 6 TR) and Art. 46 of the French proposal (Doc. 14 TR) was postponed until a later meeting at the request of the Chilean and French delegates.

8 The Chairman adjourned the meeting at 6 P.M.

Rapporteurs:
A. G. David
H. Lerognon

Chairman:
H. Townshend

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 307 TR-E

August 25, 1947

Committee E

WORKING GROUP E 1

The working group examined, in accordance with the mandate given to it by the Committee, the documents mentioned in Document No. 80 TR-E, 2 TR-E (United States of America) 79 TR-E (U.S.S.R.), 6 TR-E (Chile), 7 TR-E (Italy), 9 TR-E (United Kingdom) 11 TR-E, (Italy) 14 TR-E (France) 13 TR-E (China). A document distributed in committee provided a basis for comparison of these various texts. The working group endeavored to retain, in order to incorporate them into a new draft, those suggestions in each of these texts which seemed likely to contribute to the drawing up of a comprehensive, coherent and simple text. This text, approved by the Representatives of Chile, China, the United States, Italy, and France, countries which are members of the Working Group, is reproduced below. However, certain reservations concerning this text were made, in particular by the Delegate from China, regarding the new form of the text which tends to place in an annex to the Convention the methods of arbitration.

Draft of Working Group E 1

In the Text of the Convention -

Article ----

Settlement of Differences

The Members of the Union may settle their differences on questions relating to the Convention or to the Regulations contemplated in Article --- through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon. In case none of these procedures is adopted, any member of the Union party to a dispute may submit such dispute to arbitration in accordance with the procedures defined in Annex ---.

26 Août 1947

Annex -----

1. The party appealing to arbitration shall be considered as the plaintiff, and the party against which complaint is made shall be considered as the defendant.
2. The plaintiff shall initiate the arbitration procedure by transmitting to the defendant a notice of the submission of the dispute to arbitration.
3. The parties shall decide by mutual agreement if the arbitration is to be entrusted to individuals or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree whether the arbitration shall be entrusted to individuals or to governments, it shall be entrusted to governments.
4. If arbitration is entrusted to individuals, the arbitrators must be neither nations of the countries involved in the dispute, nor have their domicile in such countries, nor be employed in their service.
5. If arbitration is entrusted to governments, these must be chosen from among the members of the Union which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.
6. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall designate an arbitrator.
7. If more than two parties are involved in the dispute, each group of plaintiffs or defendants shall designate an arbitrator according to the procedure indicated above.
8. The two arbitrators thus designated shall agree upon the designation of a third arbitrator who, if the first two arbitrators are individuals and not governments, must fulfill the conditions indicated in paragraph 4 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators in the choice of a third arbitrator, each of these two arbitrators shall propose a third arbitrator who is in no

way concerned in the dispute. The (Secretary-General) of the Union shall then designate the third arbitrator by drawing lots.

9. The parties to the dispute have the right to settle their difference by a single arbitrator designated by common agreement or in accordance with the procedure prescribed in the preceding paragraph.

10. The arbitrators shall decide freely upon the procedure to be followed.

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

12. Each party shall bear the expenses it shall have incurred in the investigation and presentation of the dispute. The costs of arbitration other than those incurred by the parties to the dispute.

13. The Union shall furnish all information relating to the dispute which the arbitrators may need.

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August 25, 1947

Committee C

213 TR

EGYPT, IRAK

Proposal for modification of Article 21
of the Madrid Convention

Article 21
Languages

§1. The languages used in drafting the acts of the conferences and for all the documents of the Union, as well as in the discussions of conferences shall be French and English.

§2. Speeches made in French shall immediately or simultaneously be translated into English, and vice versa, by official interpreters of the Union.

§3. Other languages may also be used, on condition that the delegates who so desire provide for the translation of their own speeches or documents into French or into English.

§4. Likewise these delegates may, if they so desire, have speeches or documents in French or in English translated into their own language.

Reason

1. There are no official or unofficial languages; the languages of all nations are official.

2. There is no reason for adopting official languages without laying down a criterion. Arabic is as important as any of the other proposed languages in its individuality of expression, the great extent of its use in the world, and the number of inhabitants in the countries which employ it.

3. As a matter of fact, there is in existence a regional telecommunications union of the Arab League. The only language employed in this union, both for discussion and for documents is Arabic.

4. More than one tenth of the total number of the members of the Union use Arabic as their official language.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 309-TR-E

August 25, 1947

INTERNATIONAL
HIGH FREQUENCY BROADCASTING
CONFERENCE
ATLANTIC CITY
1947

Document No. 56 Rhf-E

August 25, 1947

F R A N C E

This document replaces Documents Nos. 237 TR-E and 20 Rhf-E.

214 TR/65 Rhf-E

Principles for the International
Organization of Broadcasting.

Insofar as it constitutes a branch of telecommunications, broadcasting shall depend entirely on the I.T.U., as do the fixed, mobile and aeronautical services.

The engineering principles of broadcasting are for the most part closely allied with those of other radio-communications services. It would therefore hardly seem necessary to establish an independent broadcasting organization within the I.T.U. itself. This was not considered necessary in the case of the aeronautical services. As a matter of fact, this would tend to deprive the various services of the mutual benefit to be gained by the experiences of each of them.

One of the most important aspects of broadcasting is its "program" aspect. Just as the I.T.U. cannot be expected to become involved in the general operation of the aeronautical services, just so would this Union be going far beyond its competence if it claimed to supervise the "continuous" aspect of broadcasting.

These various considerations, plus the desire to set up an organization which would be effective and at the same time as economical as possible, have led the French Delegation to present the following proposals relating to the principles for the organization of broadcasting.

27 Août 1947

1. Role of the ITU.

Broadcasting, considered in its technical aspects, shall be regulated by International Telecommunications Conferences, both Administrative and Plenipotentiary. The agencies of the ITU shall be the agencies qualified to apply the decisions of International Conferences.

The I.F.R.B. shall be in charge of putting into effect the frequency allocation plan, as established by special plenipotentiary conferences:

- A) regional for long and medium waves
- B) world-wide for short waves.

The I.F.R.B. with the help of the Governments and radiocommunications services directly concerned, might be led to propose and carry out changes in this plan.

Taking into account the requirements and difficulties of the other services, the I.F.R.B. would strive to improve the transmission and reception of broadcasting programs, by means of proposals presented at Administrative or Plenipotentiary Broadcasting Conferences.

The existing C.C.I.'s: the C.C.I.F., the C.C.I.T., and the C.C.I.R. should take a more active part in the studies and activities relating to broadcasting. They could effectively and under satisfactory economic conditions divide among themselves the work of regulating technical standards of telecommunications with regard to broadcasting, which, according to the technique involved, may have recourse to each of these three committees.

This result might be achieved should the following two conditions prevail:

1. The various C.C.I.'s, like the C.C.I.F. shall include duly constituted committees of rapporteurs to ensure continuity of the work during the intervals between committee meetings.
2. Within the various C.C.I.'s themselves, broadcasting engineers should take an active part in the studies and discussions. For this purpose, the C.C.I.'s should establish committees of rapporteurs entrusted with the

investigation of technical problems from
the particular point of view of broadcasting.

Beyond any doubt, it would be possible to set up an organization specifically connected with broadcasting, to study the technical aspects of this service. The French Delegation however believes that this is not desirable. It would in reality be equivalent either to casting aside other radio experts, and therefore doing without their advice which is often valuable; or inviting them to participate in the work of this broadcasting organization, that is to say, to make further studies of questions already discussed in their own C.C.I.

It is therefore both more satisfactory logically and also very much more economical to maintain the three C.C.I. now in existence by improving them so as to increase their effectiveness and to enable technical experts on broadcasting to participate closely in their work.

II. Role of Broadcasters

Broadcasters must come to an agreement among themselves 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. all technical aspects included in the domain of telecommunications,
 - b) in liaison with the United Nations or any of its specialized agencies, 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) without prejudice to the aspects belonging to them.

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 (II-A).

(1) The word "federation" is purposely used because of its broad meaning which permits the inclusion of all kinds of modalities of association.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 310 TR-E

August 25, 1947

Committee C

215 TR

THE NETHERLANDS

Proposal for the revision of the International
Telecommunications Convention

Art. 21.

LANGUAGES

1. The official language of the Union and of its Conferences and documents, shall be French.

2. In addition are permitted the other official languages of the United Nations. However the cost involved in the use of any such additional language at conferences and for documents shall be charged to the countries making use of it.

The French text shall be binding in case of differences in the interpretation of the text in any other language.

3. The working languages are French, English and Spanish. The cost involved by the use of French is born by the Union and that by the use of English and Spanish by the countries using the corresponding languages.

4. The practical application of this article is provided for in the General Regulations.

REASON

The Netherlands delegation does not object to the use of Spanish in addition to French and English nor to the use as an official language of the two other UN-languages: Russian and Chinese. However, the Netherlands delegation feels it unjust that the cost of the use of any language in addition to French should be borne by all members of the Union, instead of being charged to only those members who benefit of the use of such language.

Specially for the smaller nations, whose language is not used, it would represent too high a burden, if the high cost of translating and printing in all these official languages would have to be shared by them. There is no justification for such charge.

It must be taken into consideration that the smaller nations have to translate in their own language the final acts and documents and have them in their language printed for the use by the services and employees at home. These are additional costs, which these nations have, whereas the nations speaking the official languages, would not pay the proper cost, but only a fraction of it, as all members would contribute to the translation, preparation and printing of the acts and documents prepared for these nations.

Also the high cost involved by the use of so many languages verbally during the conferences should be charged to those countries who are using such language when speaking or listening, and who consequently have the advantage of using their own language instead of having the disadvantage of expressing themselves in a foreign language, fi. French.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 311-TR-E

August 26, 1947

Committee B

R E P O R T
of the Credentials Committee
(Committee B)

5th Meeting

August 23, 1947

The meeting was called to order at 4 p.m. by Mr. Samatios Nikolis, the Vice-Chairman.

The Committee approved the report of the 4th meeting.

The Chairman reminded the Committee that, in a previous meeting it had determined the conditions to be required in the credentials submitted by the Delegates in order for them to be considered as duly empowered to sign the Convention.

Carrying out this decision, the Committee had drawn up the three following lists:

- 1) a list of the countries which have furnished for their delegates full powers recognized as being in order.
- 2) a list of the countries, whose delegates have not submitted full powers.
- 3) a list of the countries whose delegates have submitted full powers which did not seem to fulfill the conditions decided upon by the Committee.

The Committee then agreed that all countries or groups of countries would sign the Convention in accordance with the designations appearing in Article 18 of the Internal Regulations.

Consequently, Mr. van der Veen, the Delegate from Surinam and Curaçao, would be able to sign with the Delegation from the Netherlands under the heading: Netherlands, Curaçao and Surinam.

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Canada: It was recognized that Mr. Thomas S. Stone was duly empowered to sign the Convention. Canada's name would therefore be removed from list 2 and inscribed on list 1.

Mexico: List 1 would be completed by the names of Mr. Emilio Azcarraga Vidaurreta, Chairman of the Delegation, and Mr. Lazaro Barajas Gutierrez.

Burma: The letter granting full powers came from the Ministry of Communications and not from the Ministry of Foreign Affairs. Consequently, Burma would be inscribed on list 3.

Ecuador: The previous decision of the Committee was upheld. Ecuador remained on list 3; a personal letter sent to a delegate does not constitute regular full powers.

Poland: The Committee was of the opinion that Poland could be inscribed on list 1 in spite of a gross error in the letter conferring full powers.

Communications from Albania and Bulgaria concerning vote by proxy were referred to the Secretary General; as a matter of fact, since the Delegate from Albania had not submitted full powers for himself, it did not seem that he was able to confer a proxy.

The Committee decided to ask the Secretary General to request the Delegations which had not yet submitted satisfactory full powers to do so before September 5.

The Rapporteurs:

Leproux
David

The Chairman (p.i.):

S. Nikolis

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 312 TR-E

August 26, 1947

Committee C

• AGENDA

for the meeting of Wednesday, August 27, 1947`

at 3:30 P.M.

(Hotel Ritz - Trellis Room)

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1. Approval of the reports of the 11th and 12th meetings
(Doc. Nos. 294 TR-E and 304 TR-E).
 2. Study of paragraph 2 of Article 5 of the Moscow
Documents (Doc. No. 45).
 3. Continuation of the discussion and decision on the
subject of Article 12 (Languages) (Doc. No. 45).
 4. Study of the proposals of the United States of America
relating to the coming into force of the revisions of
the Convention (Doc. No. 2).

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August 26, 1947

Committee C

REPORT

of the Committee on Organization of the Union
(Committee C)

13th Meeting

August 20, 1947

1. The meeting was called to order at 10 a.m. by the Chairman Mr. Alexander Fortoushenko (Soviet Union).

The Committee adopted without comment the reports of the 9th Meeting (Doc. No. 253 TR-E) and the 10th Meeting (Doc. No. 267 TR-E)

2. Continuation of the discussion on Membership in the Union
(Article 1 of the Moscow Draft).

The Chairman reminded the Committee that at the last meeting it had adopted a resolution submitted by the United Kingdom, tending to establish the fact that only sovereign countries, with independent foreign policies may be voting members of the Union. He pointed out that the French Delegation now proposed in Document No. 283 TR-E an amendment to this resolution. Before putting this amendment to a vote he said that he wished to make certain remarks:

The resolution adopted at the last meeting, he said, is extremely important, and one cannot fail to commend the stand taken by the United Kingdom and the United States, which have given up their colonial votes by supporting the principles that all voting members of the Union shall be sovereign states with an independent foreign policy.

There is no doubt that an amendment to this resolution must be adopted, but it is necessary to

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determine to what extent exceptions may be made to this principle. Reference to Document No. 215 TR-E shows that the United Kingdom proposed two exceptions in favor of the Netherlands Indies and Burma, which will in all probability be independent states when the new Convention goes into effect. There is no reason to oppose this viewpoint. The idea of making exceptions might be amplified, however, along the lines proposed by France; and countries which took part in the Madrid Conference, Morocco, Tunisia, and the Belgian Congo, for example, might be allowed to profit thereby.

The French amendment would be entirely acceptable if the following modifications were made:

1. delete the expression "or groups of countries";
2. complete the sentence by "but which are not yet fully recognized as independent nations."

It would then be possible to make exceptions in the case of the Netherlands Indies, Burma, Morocco, Tunisia, the Belgian Congo, and also perhaps in the case of still other countries.

3. The French Delegate said he regretted that he could not accept these modifications. He proposed, on the other hand, that the expression: "under the terms of the Madrid Convention" in his amendment be replaced by "under the terms of Article 18 of the Internal Regulations (Document No. 175 TR-E)."

He then stated that it must no longer be taken for granted that the question has anything to do with a given number of votes. Even if an equal number of votes were conceded to French territories, France would still be opposed to this solution. A question of principle is at stake: colonial countries which are currently members of the Union, have their established rights and the Committee must make up its mind whether or not it intends to respect these rights. The French Delegation, he said, drafted an amendment in Document No. 283 TR-E and it insists that this amendment be put to a vote.

Furthermore, §2 of the Moscow proposals does not provide authority for drafting a resolution along the lines chosen by the United Kingdom. The United Kingdom could, on the contrary, take §3 as a basis.

On the other hand, the text proposed by the Soviet Union in Document No. 141 TR-E reflects the French viewpoint in regard to the place to be made for former members of the Union.

Questions must be taken in order. There are certain established rights which must be respected. The United Kingdom and the United States of America signed the Madrid Convention, and they are certainly not unaware of the Cairo recommendation, made on an American suggestion, and which provides that "the countries listed in article 21 of the Internal Regulations of the Cairo Conferences will, as a matter of right, be entitled to vote at future telecommunications conferences."

Lastly, the words "groups of countries" should not be contested. The territories of the French Union are in a state of rapid evolution. In a year or two, their situation will have been clarified and France will not refuse at that time to reconsider the question. The French Union has a statute in the National Constitution of France and has in the French Parliament an important representation which states its views and defends its interests. A new entity is being formed. It must be allowed to develop.

In conclusion, the French Delegate requested that the Committee express its opinion on his amendment as modified by him.

4. The Delegate from the United Kingdom then expressed his opinion on the French amendment and on the Amendment of the Soviet Union (this latter being the French amendment, modified in accordance with the proposal of the Chairman, speaking in behalf of the Soviet Delegation).

French Amendment:

- a) The United Kingdom agrees with the Delegate from France in recognizing that the question is one of voting, of principle, "and nothing else."
- b) The argument of the French Delegate with regard to § 2 of Article 1 of the Moscow Draft, is without foundation since this paragraph concerns the new Convention and not the Madrid Convention.

- c) The theory of established rights cannot be applied here. Under the terms of the charter of the Universal Postal Union, membership automatically confers the right to vote, but this is not the case with the I.T.U., in which it is incumbent upon each plenipotentiary conference to draw up the list of countries entitled to vote. "For the time being, no one is entitled to vote. The question is to decide who will have this right in the future."

The United Kingdom has no desire to drive any country from the Union, nor to forbid admission to any country. It is merely a question of withdrawing the right to vote from certain countries which acquired it only through rulings of certain plenipotentiary conferences. Furthermore, if, as the Delegate from France pointed out, certain territories are advancing along the road to independence, the United Kingdom anticipates their participation in the Union.

Amendment of the Soviet Union

According to this amendment, the principle adopted by the Committee should not be applied to countries which are members of the Union under the terms of the Madrid Convention but which are not yet fully recognized as independent nations. The application of this restriction would give rise to discussion. Moreover, if the reference to Madrid is deleted, the principle is no longer respected.

It is for this reason that the United Kingdom agrees with the Delegate from France in rejecting this amendment.

The resolution adopted by the Committee corresponds in spirit and letter with the Moscow document. The United Kingdom does not exclude anyone, but merely changes the idea of the right to vote by introducing a principle.

5. The Delegate from the Vatican was then recognized and made the following statement:

"The question is simple, but it reveals a distressing aspect -- and which nevertheless may also be agreeable, as it permits one to see the possibility of a compromise."

If it is proposed to take away the right to vote -- even temporarily -- from a certain number of old -- and even noted -- members -- then we are asked to do an injustice. This act, I cannot carry out. I am well aware that this temporary elimination is not a sign of hostility, but only the result of the exigencies of a logical nature which, having presented a principle, does not wish to contradict itself.

I am very understanding when it is a question of consistency with principles, but I am trying to see whether it is not possible to avoid doing an injustice here and yet to safeguard principles. But France has shown us the road to follow.

Although one must adhere to principles and legality, it is necessary to note that in practice, the same question may be solved satisfactorily in several ways. It suffices to have a little flexibility for adaptation to certain circumstances.

When a law is made, one must not fail to note whether it has a retroactive quality. Principles generally exist but they are for the future.

When the question of legality is introduced it is necessary to recall a principle of Roman law: 'summum ius summa iniuria.' A great master of law also speaks of 'the unjust obstinacies of justice.' This principle of law was enumerated in the case of usurpers whose power must after all be recognized and respected if time and circumstances make them the only ones who have the power of maintaining order in the public interest. If this principle is applicable to usurpers, we may reasonably apply it to members of the Union who long ago acquired their rights in a perfectly legal manner. I believe that this conciliation is very prudent, as the measure that may bring about the exclusion of certain members would be disagreeable and risk compromising confidence in the Union as well as its stability. Furthermore, one must consider that it is not helpful to exclude those who may aid us in carrying on the heavy task entailed in the organization of the new Union. Then again, I can well understand that those who are deprived of the right to vote would no doubt adopt an attitude of resistance.

The question will be taken up again in Plenary Assembly. It is therefore not necessary to complicate our discussions. I furthermore think that it would not be to the advantage of the principle advocated by the United Kingdom, as this very same principle would again be discussed in Plenary Assembly. I was absent at the time the question was brought up here, but I do not very well understand the necessity of this principle. I wonder whether we would not do better to base ourselves on independence in the matter of telecommunications. Suppose that the colonies who have been refused the right to vote abstain from applying the regulations. The sovereign countries would not have the means of preventing them. The field to be considered is that of telecommunications.

I cannot logically see why we should be so rigid as to demand retroactive application of a new criterion.

For this reason I very, very firmly support the amendment made by France and as modified by France."

6. The Delegate from Belgium referred to the statement made by the Delegate from the United Kingdom which affirmed that no member can avail himself of acquired rights, for each Conference is free to decide as to who has the right to vote.

He affirmed that there was a question of a juridical error: Acquired rights result from a fact that occurs again and again and is not necessarily based on written law. But since the existence of the Union, various Conferences have regularly recognized the right of Colonies to vote. These members have therefore certainly an acquired right to vote.

7. At the request of the Delegate from Egypt, the Chairman read the text of the resolution proposed by the United Kingdom and read during the last meeting. He then proposed to put to a vote the amendment as modified by France.

First of all, however, he wished to explain why the Soviet Union was unable to accept this amendment. The reason was that this country had protested against

the form of Article 18 of the Internal Regulations and that, under such circumstances, it could not agree with any resolution based on this Article. Furthermore, the new statement by the Delegate from the United Kingdom advocated the general principle accepted by the Soviet Union. The latter therefore fully supported the United Kingdom on this question.

8. The Delegate from Argentina, reaffirming his position once more with regard to this particular question, proposed a modification in the amendment made by France, which should read, instead of "according to the terms of the Madrid Convention," "whose acquired rights as such had been recognized prior to the present Convention." He believed in fact that it was necessary to utilize a more general formula which contemplated all the hypotheses the Committee would like to prescribe in this matter. Furthermore, he felt it was not fitting that in the text of the Convention reference should be made to the provisions of the Internal Regulations, the statutes of which were not defined by our Conference. A Convention that could only be modified by the Plenipotentiaries could not be subordinated to the provisions of Internal Regulations.

At the request of the Chairman, the Delegate from Argentina explained that the expression "prior to the present Convention" concerned all of the texts prior to those of the Atlantic City Convention, and particularly the Cairo recommendations.

9. The Delegate from Egypt proposed two amendments to the resolution made by the United Kingdom:

1. Begin the sentence by "As a general rule,...."
2. Add at the end: "However, the present members should keep their right to vote."

In his opinion, it was not necessary to have any reference to the Convention or to a regulation.

10. The Delegate from France addressed the Delegate of the Soviet Union who was Chairman:

"You have been frank enough to say that the French amendment does not suit you. That is natural. You have very legitimate interests to defend. France, in principle, has backed you. But allow me to say that the reasons which prevent you from upholding the French amendment are not acceptable."

The text proposed by the United Kingdom perhaps favors your purposes. You have pleaded the independent character of the countries which you would like to see in the Union and the proposal of the United Kingdom is of such a nature as to permit you to obtain satisfaction. Perhaps the French text does not satisfy you well as us.

But it must be noted that we are now dealing with the past, on the subject of which the Delegate from Belgium has defined acquired rights. The future is a very different matter which must be differentiated from and which does not call for the same solution at the same time. On this second point, the resolution of the United Kingdom is compatible with your interests.

This is my reason for asking you to endeavor to reconsider your position.

11. The Delegate from Peru considered this to be an important problem. He concluded: "The amendment of France upholds the principle of justice and protects the rights of the countries who have contributed to the stability and progress of our Union. Therefore, I am in favor of this amendment."
12. The Chairman again told the French delegate that the Soviet Union considered the underlying principle of the resolution approved at the last meeting to be very fair and that, as a compromise, the USSR was ready to back certain exceptions to this principle. But in order to back it in this way the Soviet Union must be able to endorse the French proposal of amendment; but it could not do so because this proposal referred to Article 18 of the Internal Regulations. He would sooner support the initial proposal appearing in Doc. 283 TR-E.
13. The Delegate from France stated that it was quite possible to break off the text at the word "Union." Perhaps this would settle the matter.
14. The Chairman objected that the question of membership in the Union was contentious and concluded that the formula now proposed would not be of any help. Either Madrid, or Article 18 of the Internal Regulations must be referred to; the idea of Membership in the Union in itself did not lead to anything because it was not defined.

15. The French Delegate replied that this idea was, nevertheless, specific enough. The Members of the Union were:
- those who have signed and ratified the Madrid Convention,
 - those who have joined since then,
- with the exception of those whose names have been crossed off.

16. The Delegate from Guatemala believed that as far as voting rights were concerned, one cannot speak of acquired rights. However, certain countries deserve special consideration by virtue of their contributions to the Union. But the case of each of these countries must be examined individually because there was a great difference in degree in the nature of the external relations of such states:

In Madrid, the political implications were different from what they are now. Also, the convention has only recorded a compromise.

Today it would be more logical to discuss country by country.

The French amendment to Doc. No. 283 TR-E could be completed as follows.

"...of the following countries or groups of countries, which are members of the Union according to the terms of the Madrid Convention, and have the right to vote:...."

Then, the case of each of these countries which will be classified in one or the other of the two groups proposed by the United Kingdom and the United States of America was examined.

17. The Delegate from Morocco made the following statement:

"The honorable Delegate from Great Britain has insisted on the fact that his proposal does not intend to oust from the Union the countries from which he considers withdrawing the right to vote. I would like to recall that during the second Plenary Session, the honorable Delegate from the United States of America, intervening in the discussion relative to the right to vote of eight countries whose qualifications as members

of the Union had been contested, stated 'I cannot for a moment conceive that any Delegation would remain here without the right to vote.'

The thinking of the Delegation from Morocco on this subject is exactly the same as that of Mr. Colt de Wolf, and I feel that none of the countries or groups of countries that at present have the right to vote in this Conference, will accept the lesser situation as associate member, and, that if, contrary to our hope, the Conference should decide on their exclusion as qualified members with the right to vote, they will be obliged to retire from the Union purely and simply and resume their full freedom in the field of telecommunications.

This new situation, furthermore, might possibly react in their favor, whereas it could only be harmful to the proper functioning of telecommunications in all the other countries. However, as far as it is concerned, Morocco does not seek nor desire this situation. On the contrary, it hopes that it has been heard and understood by all and strongly desires to be able to continue to work with you with a view to the development and prosperity of our Union."

18. The simultaneous interpretation system having broken down, the Chairman proposed that the meeting be recessed for 10 minutes.

(The meeting was recessed from 12 noon to 12:15 p.m.).

The meeting was called to order, but the Chairman noted that the interpreting system was still out of order.

The Committee therefore agreed to adjourn the discussion.

The meeting was adjourned at 12:20 p.m.

Rapporteurs:

Chairman:

J. Persin
B. Yourcvski
W.E. Linaweaver

A. Fortoushenko

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 314 TR-E
August 26, 1947

Committee E

This document concerns only the
French text.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 315 TR-E
August 28, 1947

REPORT
OF THE COMMITTEE ON ORGANIZATION OF THE
UNION
(Committee C)
14th Meeting, August 22, 1947.

1. The meeting was called to order at 10 a.m. under the chairmanship of Mr. A. D. Fortoushenko (Soviet Union).

The Chairman reminded the Committee that it should try on that date to close the discussions on Union membership.

He outlined the problem before them: the previous discussions had shown the necessity for a clear definition of voting membership in the I.T.U.; the Committee had adopted the resolution of the United Kingdom which was precise and clear (all voting members of the I.T.U. must be sovereign states which were independent in their foreign policy); the amendments to this resolution should not be inconsistent with the principle adopted.

Four amendments had been submitted to the Committee, presented respectively by Argentina (Doc. No. 288 TR-E), Egypt (Doc. No. 289 TR-E), France (Doc. No. 298 TR-E), and Lebanon (Doc. No. 290 TR-E).

2. Speaking on behalf of the Delegation of the Soviet Union, the Chairman said that he was not in a position to vote for any of these four amendments which were all inconsistent with the resolution adopted by the Committee. He agreed to make several exceptions when it was a question of evaluating the degree of sovereignty of certain states, and, he proposed the following fifth amendment:

"By exception, the Committee deems it possible to include among the voting members of the I.T.U.: Morocco, Tunisia and the Belgian Congo."

He proposed putting the five amendments presented to the vote successively.

3. The Delegate from Guatemala repeated his proposal:

- In the amendment proposed by France, add the word "following" before the word countries and give the list of the countries in favour of which an exception to the principle would be made.



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The amendment would then read:

"However, the application of this principle shall not have the effect of modifying the present qualification of the following countries or groups of countries which are members of the Union under the terms of the Madrid Convention and which have also the right to vote...."

The Chairman noted that this was the sixth amendment to the resolution previously adopted.

4. The Delegate from the United Kingdom put two questions:

1) According to the proposal of the Soviet Union, would Morocco and Tunisia have two separate votes, or, on the contrary, would they continue to hold only one common vote?

2) Why did the Soviet Union not include Southern Rhodesia among the exceptions it proposes?

5. The Chairman answered:

1) In the case of Morocco and Tunisia, the question of principle was not to ascertain whether they would have two separate votes but whether they would be voting members. In the opinion of the Soviet Union, these two countries might well be independent and separate members.

2) Southern Rhodesia was included as an associate member in the list proposed by the United Kingdom in Document No. 261 TR-E, and no one had suggested including it among the voting members. It should be pointed out that the countries in the favor of which the Soviet had suggested exceptions had spoken here in defense of their rights and that the reasons adduced were very convincing.

6. The Delegate from Egypt pointed out that no one had remembered to talk about certain countries which were neither colonies nor sovereign states, but which had an intermediary status: that of countries under mandate. This was the case of Palestine which was on the road to sovereignty.

He asked, therefore, whether the Soviet Union was ready to make an exception in favour of this country.

The Chairman answered that the present discussion concerned only members of the Union which were parties to the Madrid Convention. The question of the admission of new members, which the Committee had decided to deal with separately, would be studied later.

The Delegate from Egypt stated that Palestine was not a new member; it had been collectively represented at Madrid by the United Kingdom.

The Chairman replied that this interpretation was not convincing. He deemed it preferable not to modify the amendment which he had submitted on behalf of the Soviet Union and to postpone until a later date the examination of Palestine's position, which is like that of several other countries.

The Delegate from Monaco recalled that he represented an independent and sovereign state which should appear in the list of members with voting rights.

8. The Chairman pointed out that if Monaco were an independent and sovereign state, its Delegation did not have to worry about its status. The question of its voting rights would not arise. We are now studying the list of countries which are not independent. It is therefore unnecessary to speak of those which are or consider themselves independent.

He suggested voting on the various amendments which had been proposed.

The Delegate from the United Kingdom wanted first to propose that Southern Rhodesia be added to the list of countries cited in the amendment of the Soviet Union.

He pointed out that: no reason had been adduced which justified including the three African territories among the voting members of the Union as an exception without making a similar exception in favour of Southern Rhodesia which has the right to vote at the present Plenipotentiary Conference; if exceptions were to be made, they should be made on a logical and reasonable basis.

10. The Chairman stated that the delegation of the Soviet Union was always very logical and that it agreed to have its amendment worded as follows: "Exceptionally, the Committee deemed it possible to include Morocco, Tunisia, the Belgian Congo and Southern Rhodesia among the voting members of the I.T.U."

11. The Delegate from Egypt proposed that Palestine should also be added.

The Chairman replied that, unfortunately, this was not possible. Even if Rhodesia were admitted to the present Conference with voting rights, Palestine, as a new member, was not on the same footing.

12. The Delegate from the United States of America stated that he had great respect for the logic of the Soviet Union delegation but he could not understand the distinction which was being made between countries like Morocco, Tunisia and the Belgian Congo on the one hand, and on the other hand the groups of French, British, and American colonies, etc...

To clarify the debates, he asked that the Committee should take a vote on the amendment proposed by France: in this way it would be clear whether the status quo should be maintained or whether the principle set up by the United States and the United Kingdom should be applied. He noted, however, that the result of this vote would give only an indication, as there would probably be a very small majority one way or the other, and the question could not be settled definitely on such a slight margin.

13. The Delegate from Argentina was entirely in favour of this procedure.

14. The Delegate from France said that he was completely satisfied with the statement of the Delegate from the United States of America. He said that he had worded his amendment, eliminating all the terms which might lead to misunderstandings, in the hope that a unanimous agreement might thereby be attained.

Addressing the Delegate from the Soviet Union, he continued:

"But you have just dispelled our joy. You have again propounded the whole question in asserting that the French amendment will run counter to the principle laid down by the United Kingdom. I had, however, proved that the French proposal was a necessary amendment to the resolution presented by the United Kingdom which does not reflect the spirit of the Moscow draft.

"We do not agree to your compromise, because of two principles:

1) The Delegate from the Vatican has stated here that it was a question of justice; but, in matters of justice, no compromise is possible.

2) It is also a question of morality; France cannot bring herself to benefit in any way whatsoever to the detriment of countries whose position is the same as ours. We shall either win together, or together we shall be beaten."

In conclusion, he requested the Committee to vote immediately on the French amendment.

15. A vote after that, was taken by roll call on this amendment which was worded as follows:

"However, this principle shall apply only to requests for admission to the International Telecommunications Union made after the date on which the Atlantic City Convention became effective."

The result of the vote was as follows: YES 28, NO 17, Abstentions 16, Absentees 16.

The following voted in favor of the amendment: Union of South Africa, Argentina, Austria, Belgium, Belgian Congo, Burma, Brazil, Vatican City, Colombia, Dominican Republic, Egypt, France, the French Colonies, Morocco and Tunisia, Greece, Lebanon, Luxembourg, Monaco, Netherlands, Netherlands Indies, Peru, Portugal, the Portuguese Colonies, Siam, Switzerland, Turkey, Uruguay and Venezuela.

The following voted against: Albania, Australia, Bielorussia, Canada, Chile, Cuba, the United States of America, the United States Territories, the United Kingdom, the Colonies, Protectorates and Territories of Great Britain, Southern Rhodesia, Iran, New Zealand, Poland, the Ukraine, the Soviet Union and Yugoslavia.

The following abstained: China, Denmark, El Salvador, Ecuador, Guatemala, Honduras, India, Iraq, Ireland, Italy, Mexico, Nicaragua, Norway, Philippines, Sweden and Czechoslovakia.

The following were absent: Afghanistan, Saudi Arabia, Bolivia, Bulgaria, Costa Rica, Ethiopia, Finland, Haiti, Hungary, Iceland, Liberia, Panama, Paraguay, Roumania, Syria and Yemen.

After announcing the result of the vote, the Chairman congratulated the Delegate from France on his success.

The Delegate from France replied:

"I thank you for your congratulations, but I wish to stress the fact before the Committee that the International Telecommunications Union alone, has emerged victorious from this test. I am very happy to note this fact, and I believe that we can all congratulate one another."

16. The Chairman concluded that this vote greatly simplified the problem. There only remained the task of drawing up an initial list of the members of the Union.

However, a fairly long discussion began, in which the Delegates from the United States, Egypt, France, Greece, Lebanon and the United Kingdom took part, on the question of deciding what principles and documents should serve as a basis for the establishment of this list.

Finally, the Committee agreed that the list of countries appearing in Article 18 of the Internal Regulations of the Conference, to which Pakistan would be added, should be taken as a basis.

17. The Chairman, speaking on behalf of the Delegation from the Soviet Union, then asked that a sovereign state also be added to this list, namely, the Outer Mongolian People's Republic. He recalled the fact that since the opening of the present Conference, the majority of the delegates had had the opportunity of becoming acquainted with the Outer Mongolian People's Republic, and said that he had with pleasure noted confirmation of this fact when the High Frequency Radio Conference had unanimously admitted this country to participate in its work with the right to vote. He also stressed the fact that the admission of Mongolia had at that time been supported by the Delegations from Cuba and Colombia, - he had felt that this fact was most encouraging, because it proved that the countries of Latin America recognize and respect the sovereignty and independence of countries, and that they are ready to defend this sovereignty and independence.

A fair decision had been taken with regard to Pakistan. The same decision could be taken in favour of the Outer Mongolian People's Republic. The latter has been, in fact, an independent state for many years. In 1946 it was officially recognized by China, who thus confirmed its independence. This being the case, there was no doubt that the Outer Mongolian People's Republic was an independent and sovereign state, and that it had an incontestable right to be a member of the I.T.U. Moreover, everyone knew that the Outer Mongolian People's Republic had observed all the necessary formalities in adhering to the Madrid Convention and to all the regulations through the intermediary of the government of the Swiss Confederation. The Soviet Union therefore asked all the members of the Committee to support this proposal and include this country in the initial list of the members of the Union.

18. The Delegates from the United Kingdom, Egypt, and Argentina stated in turn that the task of solving this question should be left to the Plenary Assembly.

19. The Delegate from Argentina then formally proposed that the following procedure be adopted for the establishment of the initial list of the members of the Union:

1. To establish a basic list by taking the countries whose names appear in the Madrid Convention and who have not ceased being members of the Union;
2. To complete this list by taking as a basis Article 18 of the Internal Regulations.

20. The Delegate from Lebanon agreed that the list appearing in Article 18 of the Internal Regulations should be taken as a basis, and that Pakistan "or any other country" should be added to it.

He further stated: "In order to give satisfaction to Argentina, I request that the name of Spain be included in the Atlantic City list, with the following reference: Spain is excluded provisionally, and shall have the right of becoming a member of the I.T.U. again when the causes of her exclusion shall have been eliminated."

21. The Delegate from Argentina thanked the Delegate from Lebanon for his statement. He added: "Since a definite allusion has been made to Spain, the delegation from Argentina makes a categorical reservation with regard to the incontestable and sacred rights which Spain acquired as a member of the I.T.U. The Union has deprived the Government of General Franco of the right of having Spain represented at our Conference. This measure is only a temporary suspension. In addition, Spain is a signatory to the Madrid Convention and has never stated that she would withdraw from the Union; indeed, on the contrary, she wishes to remain in the Union."

22. The Chairman thought that this question fell within the competency of the Plenary Assembly. The Committee shared this opinion.

The Chairman summed up the general opinion:

--The initial list of the members of the Union shall include the countries appearing in Article 18 of the

Internal Regulations with the addition of Pakistan;

--The case of the Outer Mongolian People's Republic and the case of Spain shall be studied by the Plenary Assembly.

Approved.

23. The Delegate from the United Kingdom thanked the Chairman for the impartial way in which he had dealt with the case of the Outer Mongolian People's Republic and various other questions.

(Very hearty applause)

The Chairman expressed his thanks. He added: "I hope that you will express your gratitude even more effectively before the Plenary Assembly when you will unanimously support my proposal to include the Outer Mongolian People's Republic in the initial list of the members of the I.T.U." (Again, there was hearty applause.)

24. The Chairman wanted the Committee to take a decision now with regard to the qualification as associate member. He recalled that in No. 93-TR-E the United States had made a concrete proposal on this subject.

He put to the vote the principle of the creation of a category of associate member. There was a vote by a show of hands.

The Committee decided unanimously to adopt this principle. It agreed that the questions of detail raised by the application of this principle should be studied by Working Group No. 1.

25. The Chairman read aloud a letter he had received from Mr. Charles R. Denny, Chairman of the Conference, the text of which appears in the annex to the present report.

The Committee approved the proposal contained in this letter and decided that Working Group No. 1. should study the question of voting and the regulations referred to.

26. The Delegate from Egypt, in his capacity as Chairman of the Subcommittee of Finances and Personnel,

referring to the provisions of Article 5 of the Moscow Draft, (Document No. 45-TR-E, page 9), asked the Committee to decide as soon as possible as to whether the text which provides that all the expenses of the Union shall be borne and shared by the members, as a whole, shall or shall not apply to the expenses incurred by the International Consultative Committees.

The Chairman stated that this question was indeed urgent and important, and he proposed that it appear in item 2 of the agenda of the next meeting.

Adopted.

27. Examination of Articles 32, 33, 34, and 35 of the Moscow Draft.

The Chairman recalled that these articles dealt respectively with the ratification of the Convention, the implementation of the Convention and of the regulations, the adherence to the Convention and the Regulations, and adherence to the Convention and to the Regulations of colonies, protectorates, and overseas territories, etc.....

He thought that it was not necessary to get into a discussion on these articles which were dealt with in decisions which had already been adopted on the subject, particularly with respect to the qualification of membership and the compulsory character of the regulations. He, therefore, proposed that the examination of these provisions be entrusted to Working Group No. 1 which would be guided by the decisions of principle adopted by the Committee.

Adopted.

28. The Delegate from the United States of America drew attention to the proposal made by his country in Article 40 of Document No. 2-TR-E. It involved inclusion of a provision which would permit partial amendment of the Convention without the necessity of making a total revision. This might be the case, for example, if, in five years time, it appeared that the provisions relating to the Administrative Council would have to be modified.

The Chairman thought that this was more a question of principle to be decided by the Committee,

and since the delegations were not prepared to discuss it, he proposed that the examination be postponed to the next meeting.

Adopted.

29. Examination of Article 12 (Languages) of the Moscow Draft.

The Chairman recalled that numerous proposals were similar in the sense that they suggested that the languages of the Union should be the same as those of the U.N. He shared this point of view.

30. The Delegate from Egypt stated that he did not find any reference to the use of languages in the U.N. documents.

31. The Chairman remarked that the provisions relating to languages would appear in the Internal Regulations and not in the U.N. Charter, which had adopted,

- as official languages: French, English, Spanish, Russian, Chinese;
- as working languages: French and English.

He added that since language difficulties were the same in all international organizations, and the U.N. was the most progressive of the international organizations, it was logical to adopt the same languages as the United Nations.

32. The Delegate from Guatemala stated that for many years it had been agreed that sovereign countries should be considered on an equal footing in international negotiations. This concept was one of the highest principles of democracy. Taking this into account, the particular language aspects and the percentage of countries speaking the same language should not be lost sight of. Statistics showed that 75% of members of the Union were English, French, and Spanish speaking countries.

In view of this fact, the Spanish-American countries had drawn up a draft article relating to the languages of the Union which considered the proposals submitted by all the other countries: Provisions proposed by the Moscow Conference can be found in this draft, as well as proposals by the United Kingdom, the United States, Argentina, Uruguay, Chile, the Dominican Republic, etc...

The proposal also took into account the languages of the U.N.....

This proposal was as follows:

"Article.....

§ 1. The written and spoken languages of the Union shall be as follows:

- a) English
- b) Spanish
- c) French

§ 2. (1) The documents of the Union, whatever their nature, shall be published in the languages enumerated above, and their wording shall be equivalent in form and context.

(2) However, the final documents of the Plenipotentiary and Administrative Conferences, the final minutes and the additional protocols may be also translated into Russian and into Chinese if a special request is made to the Secretary-General of the Union.

§ 3. (1) During the course of the Conferences, meetings and sessions of the Union, the debates shall be conducted according to an efficient simultaneous system of translation in the languages provided for in § 1.

(2) However, other spoken languages shall be used during the course of the debate on condition that the delegates who desire to use them themselves provide for their translation in any one of the languages provided for in § 1 with a view to their eventual translation in the other two languages. Reciprocally, the same delegates, if they so desire, may require the debate to be translated in their respective language in accordance with the same process."

33. The Delegate from the Dominican Republic stated that he supported the proposal made by Guatemala on behalf of Spanish-American countries and he withdrew the proposal made by his country on the same subject.

34. The Delegate from Mexico made the following statement:

"Mr. Chairman:

When the Mexican Delegation left for these International Conferences it came with the firm purpose of presenting a resolution that Castilian be considered an official language. On arriving in this city, we were informed--and this gave us profound satisfaction--that it had been accepted as a working language and that the Argentine Delegation had conveyed to you a document asking you to consider Castilian as an official language. I am laying stress on this situation, Mr. Chairman, so that you may observe that, without previous consultations or exchange of opinions, there is a vehement spiritual longing common to all countries where Spanish is spoken, that their language be embodied in the functional structure of the I.T.U. This longing is based only on idealistic foundations; but reasons of a practical nature impel us firmly to support the proposal of our 19 Spanish-speaking States present at these Conferences. These practical reasons are primarily the necessity for closer and more cordial relations to attain greater understanding among the peoples of the world; it is beyond question that making ourselves understood in our own language, as I have just said, not only has a purely idealistic importance but has as a reason our wish to express our thoughts in our own tongue in a clear and decisive form. Throughout the work of the International Conferences, in progress in Atlantic City we have seen that the facilities which the use of Castilian affords us are of incalculable value. On the other side, no difficulties can be found and this leads us to suppose that a maximum of perfection can be achieved in the use of the official languages which are definitively approved by the Conference. Furthermore, we believe that the petition drawn up by Latin America to the effect that the Castilian language be an official language of the I.T.U. is just, logical and consistent, and Mexico, especially, firmly declares its support of this proposal and asks the Honorable Assembly to give its consideration and approval in the absolute belief that a favorable decision made by this meeting will be of benefit not only for the Latin American countries but for all the delegations, since they will be in a position to grasp the thought of the delegates who speak Spanish. It must, in addition, be a subject for serious consideration that this decision would be a great and profound motive for attaining a closer relationship and a better understanding among

all the peoples of the world at this moment when they are vital for the sure maintenance of a peace which will exalt mankind."

35. The Delegate from Argentina enthusiastically supported the proposal which had just been made by Guatemala. He, therefore, withdrew the proposal made by his country in Document No. 21 TR-E.

36. The Delegate from Lebanon in view of translation difficulties and inconveniences which might entail, believed that under the circumstances, it was not desirable to follow the U.N. procedure... In his opinion, the inconveniences of translations should be avoided at all costs. If the majority of countries did not pronounce in favor of the status quo, he would propose that the Arabic language, which is spoken by a hundred million Arabs and understood by 150 million Moslems, also be chosen as an official language of the Union, as it would only be just and equitable not to discriminate against it with respect to other languages.

37. The Chairman stated that this was a difficult question which could not be decided then. He proposed that the discussion be referred to the next meeting. Until then, the different delegations would have time to study the proposal submitted by the Spanish-American countries which would be distributed by the General-Secretariat.

38. The Delegate from Egypt stated that the use of the Arabic language had already been brought up at the Radio Conference and that the question had been referred to the Plenipotentiary Conference. He supported the proposal of the Delegate from Lebanon, and pointed out at the same time that certain countries had concluded regional agreements of which the documents had been published in the Arabic language.

39. The Delegate from Sweden had no objections in principle to make in the matter, but he would like to have a reply to the following question:

"What would be the expenses entailed by the addition of two or three supplementary languages?"

40. The Chairman stated that one should really take into consideration the financial consequences of the contemplated measures and he asked the Chairman of the

Finance and Personnel Subcommittee whether he could give any information on the matter.

The Delegate from Egypt, Chairman of the Finance and Personnel Subcommittee, replied that he would try to furnish the required information at the next meeting.

The meeting adjourned at 12:45 P.M.

The rapporteurs,

J. PERSIN,
B. YUROVSKY
W.E. LINAWEAVER

The Chairman,

A. FORTOUSHENKO

ANNEX

Mr. Alexander D. Fortoushenko,
Chairman, Committee C,
International Telecommunications Conference,
Atlantic City, New Jersey.

My dear Mr. Fortoushenko:

I am informed that in some instances Committees C and F are considering the same subjects. In this connection, where matters of substance are involved, I consider it advisable for Committee C to make the decision. Then, should further details be necessary to amplify the decision, it would be incumbent upon Committee F to provide such details in the Internal Regulations wherever this was indicated.

The following are noted as specific examples of items which should properly be decided by Committee C:

- (a) Whether the provisions on voting should be incorporated in the Convention itself or left to the General Regulations.
- (b) The amount of force that should be given to the General Regulations, i.e., whether they should be on an equal basis with the other sets of regulations (radio, telephone, telegraph) and, as such, require signature and be binding on future conferences; or
- (c) whether they should be annexed to the Convention and merely serve as a guide for future conferences.

I shall appreciate your bringing the above items to the attention of Committee C for decision at your earliest convenience.

Sincerely yours,

Charles R. Denny
Chairman

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 316 TR-E

August 27, 1947

Committee G

REPORT
of the Drafting Committee
(Committee G)

2nd Meeting, August 23, 1947

1. The meeting was opened at 10:15 a.m. under the chairmanship of Mr. J. Laffay (France).

The only countries represented were France, the United States and the United Kingdom. As, moreover, the texts given to the Chairman up to the present seemed incomplete, the Committee decided to study only questions of a general nature today.

It examined successively the question of re-shaping the plan of the Convention, and the working method to be adopted in order to arrive, at a rapid completion of the different articles.

2. Plan of the Convention:

The Chairman remarked that if the Committee was to restrict its work to improving the form of the texts without altering their substance, it had a certain initiative as regards the classification of the articles. He proposed that this opportunity should be used for the improvement of the classification of the Madrid Convention, which in several points did not seem very satisfactory.

The Delegate from the United States also held the opinion that a regrouping of the articles was necessary. He stated that the order maintained in the American and in the French proposals respectively, indicated a preference which could be used as a basis for the study of the Committee.

After a short discussion, the Committee decided to ask the Secretariat to prepare a document in which the plans proposed by the United States and France should be placed side by side. In the next meeting a plan for the Convention which would obtain the support of the different delegations could thus be rapidly completed.

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3. Working methods.

After a short exchange of views, the Committee agreed that for the time being, all the texts should be directly examined in the Plenary Session. The committee considered as a matter of fact, that the number of the Members of the Committee is limited, that the text of the Convention is not very extensive, and that the same terminology should be used in the different articles beginning with the first draft of the Convention.

Therefore, Subcommittees or Working Groups would possibly only be constituted if it should later become apparent that there was a necessity for such Subcommittees.

4. The Chairman asked in what form the text to be completed should be presented by the other Committees.

The three Delegates present rapidly agreed on the following method:

Committees shall draw up documents containing the texts decided upon in the Plenary Session, including, for each Article, - and if necessary by paragraphs or subparagraphs, -- the reference to the Report of the meeting describing the discussions which led to the adoption of the conveyed text.

In order to enable all the delegates to become rapidly familiar with the subject dealt with and the references which they might have occasion to consult, the first page of the document containing the texts of the committees could be worded according to the model given in the Annex to the present Report.

The Committee agreed that the Chairman should write a letter to this effect to the Chairmen of the other Committees.

As no other question arose, the meeting was adjourned at 11:00 a.m.

The Rapporteurs:

J. Persin

F. A. Trail

The Chairman:

J. Laffay

Annex to the Report
of the Drafting Committee
(Committee G)

2nd Meeting, August 23, 1947

Doc. No.
Committee X

Texts Given to the Drafting Committee
(Committee G)

by

Committee X

Indication of the Articles.

Report of Committee X
to be consulted.

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Document No. 317 TR-E

August 27, 1947

Committee F.

REPORT OF THE
COMMITTEE ON GENERAL REGULATIONS
(COMMITTEE F)
15th Meeting
August 21, 1947

- A. The Chairman called the meeting to order by submitting for approval of the Committee the reports of the three previous meetings, Documents Nos. 254, 263, and 265 TR.

The Delegate of the U.K. requested that the third sentence of paragraph 2 of Document No. 263 TR be amended to read as follows:

"The differences between the point of view expressed by the U. S. Delegation and that expressed in the report of the Working Group could not be adjusted by the small Drafting Group."

- B. The three reports in question were approved by the Committee.

The Chairman then read the following letter from the Chairman of the Conference with regard to the interdependence of Committees C and F in the progress of their respective tasks.

Mr. Albert Mockli
Chairman, Committee F
International Telecommunications Conference
Atlantic City, New Jersey

My dear Mr. Mockli:

I am informed that in some instances Committees C and F are considering the same subjects. In this

28 Août 1947

connection where matters of substance are involved, I consider it advisable for Committee C to make the decision. Then, should further details be necessary to amplify the decision, it would be incumbent upon Committee F to provide such details in the Internal Regulations wherever this was indicated.

The following are noted as specific examples of items which should properly be decided by Committee C:

- (a) Whether the provisions on voting should be incorporated in the Convention itself or left to the General Regulations. .
- (b) The amount of force that should be given to the General Regulations, i.e.,
 - 1. whether they should be on an equal basis with the other sets of regulations (radio, telephone, telegraph) and, as such, require signature and be binding on future conferences; or
 - 2. whether they should be annexed to the Convention and merely serve as a guide for future conferences.

In view of the foregoing I have requested Mr. Fortoushenko to bring the above items to the attention of Committee C for decision at the earliest practicable date. Accordingly, it is requested that Committee F defer further action in this regard pending the decision of Committee C.

Sincerely yours,

s/ Charles R. Denny
Chairman

- C. . The Chairman then took up the study of Articles 16 to 20 and 24 to 28 of the Internal Regulations transmitted by the Drafting Group and contained in Document 271 TR.

Article 16: Approved:

Article 17: The Delegate from Italy believed that it was best to leave § 1 as it was without taking into account the comments of the Drafting Group. The Article was provisionally approved and will be transmitted to the Drafting Committee subject to the decisions of Committee C and the final wording of Articles 2 and 2 bis.

Article 18: Approved, with the reservation by the U.S. that the wording may be changed after Art. 2 and 2 bis are finally drafted.

Article 19: The English text contained a remark by the Drafting Group (omitted by error in the French text) calling attention to the fact that no distribution procedure is provided with regard to proposals submitted before the opening of the Conferences. The Committee noted the fact, and, after a lengthy exchange of views, decided on the creation of a new Article 17 bis, the text of which would be as follows:

"Proposals presented before the Conference.
The proposals presented before the opening of the Conference shall be distributed by the Plenary Assembly to the appropriate Committees established according to Article 9."

The remark appearing after § 1 of the English version of Article 19 therefore became superfluous, and therefore could be deleted. Article 19 was then approved by the Committee.

The Delegate from the United States agreed that the text of the new Article 17 bis should also be subject to a second reading by the Committee. The Committee agreed.

Article 20: Approved.

Article 24: Approved.

Article 25: Approved.

Article 26: The English text contained several errors. The title was missing, the word "assembly" was missing in the first sentence of § 1, the word "deleted" was missing before "passages" in the second sentence of the same paragraph, and the paragraph had been unnecessarily divided into two sub-paragraphs.

After these corrections of a typographical nature, the Committee approved this Article.

Article 27: Approved.

Article 28: Approved.

D. The Chairman indicated that he intended to give the Drafting Committee the approved texts of Articles 24 to 28 which appear in the Annex to the present report, and to wait, with regard to Articles 16 to 20, until Article 17 bis has undergone a second reading, as a reservation had been made with regard to Article 17. The Committee approved.

The meeting was adjourned.

Rapporteur:

Armand H. Wolf

Chairman:

Albert Mockli

ANNEX

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

Numbering

§ 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 Assembly. The passages added shall bear provisionally the numbers bis, ter, etc. and the numbers of deleted passages shall not be used.

§ 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 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
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E
Document No. 318 TR-E
- - - - -
August 27, 1947

Committee F.

Article 17 bis.

(As reviewed by the Drafting Group)

Proposals Presented Before the Opening of the
Conference.

Proposals presented before the opening of the
Conference shall be allocated by the Plenary Assembly
to the appropriate committees appointed in accordance
with Article 9.

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27 Août 1947

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INTERNATIONAL
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CONFERENCE
ATLANTIC CITY
1947

E
Document No. 319 TR-E

August 27, 1947

Committee E

A G E N D A
for the
15th and 16th Meetings of
the Convention Committee
(Committee E) to be held
respectively on Friday 29th and
Saturday 30th August

-
1. Consideration of the Minutes of the Thirteenth (303 TR) and Fourteenth (306tTR) Meetings.
 2. Consideration of any further material from the drafting group.
 3. Consideration of Doc. No. 285 TR, U.S. Memorandum on proposed revision of Article 13. Madrid Convention.
"Special Arrangements"
 4. Consideration of Annex to Madrid Convention, Definitions.
 5. Consideration of Doc. No. 307 TR, Report of Subcommittee E.1. on Article 15. Madrid Convention "Arbitration"
 6. Any other business.

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Document No. 320 TR-E
August 27, 1947

Committee C

LIST
OF DOCUMENTS CONCERNING THE
C.C.I.D.

- Doc. 6 TR (Chile), Art. 4 - 7; (prop. 24 TR-E);
Doc. 9 TR (United Kingdom) (prop. 49 TR-E), Annex 6,
section III, art. 25;
Doc. 31 TR (Switzerland) (prop. 138 TR-E);
Doc. 53 TR (United Kingdom) (prop. 146 TR-E);
Doc. 55 TR (Greece) (prop. 153 TR-E);
Doc. 235 TR (United States) (prop. 196 TR-E);
Doc. 236 TR (United Kingdom) (prop. 197 TR-E);
Doc. 309 TR (France) (prop. 214 TR-E);
Doc. 234 TR (Informal Broadcasting Conference, Paris, 1946)
-
- Doc. 13 R (United Kingdom) (prop. 1455 R-E);
Doc. 24 R (United States) (prop. 1617 R-E);
Doc. 27 R (Chile) (prop. 1672 - 1677 R-E);
Doc. 37 R (United Kingdom) (prop. 1721 R-E);
Doc. 79 R (Colombia) (prop. 2292 R-E);
Doc. 109 R (Ecuador) (prop. 2366 R-E);
Doc. 144 R (Informal Broadcasting Conference, Paris);
(see doc. 234 TR-E)
Doc. 446 R (Committee 3);
Doc. 478 R (Belgium) (prop. 2547 R-E);
Doc. 570 R (Committee 3);
Doc. 570 R (United Kingdom) (prop. 2553 R-E); (see doc. 236
TR-E)
Doc. 574 R (Committee 3);
Doc. 606 R (Committee 3);
Doc. 700 R (Committee 3);
Doc. 737 R (Committee 3);
-
- Doc. 14 Rhf (United States);
Doc. 56 Rhf (France) (prop. 65 Rhf-E). (see doc. 309 TR-E).
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ATLANTIC CITY
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Document No. 321 TR-E
August 27, 1947

Committee C

Addenda to Document No. 300 TR-E

Publication of the Documents of Union in several languages.

The Documents of the Union, whatever their nature, shall be drawn up in English, French, and Spanish.

On this point it is pertinent to make the following observations:

When the documents in question are compilations, that is, when they comprise data published in the form of tables, only the preface, the titles and the notes will need to be translated and set up in the two additional languages. This revision of the composition and the preparation for the new printing will not entail any very great expense.

The same cannot be said for documents largely made up of texts. In such cases, the whole document must be translated and completely recomposed in each language. This type-setting in foreign languages is generally more expensive. Furthermore, the number of copies printed in each edition will not be the same in the different languages. As a result, there will be a substantial difference in the cost of the different printings.

However, since the three languages are accepted on the same footing, that is, since they are all equally official, the sum of the costs of the three printings may be divided by the number of copies printed in each edition, and the result obtained would be a single flat price applicable to each of the above-mentioned languages.

If no other supplementary languages should be officially recognized, in case of a printing in these languages, the edition would be limited to the needs of the subscribers only and would be made wholly at their expense, insofar as the special translation and composing is concerned, subject, however, to a deduction of a reasonable amount corresponding to the cost of free distribution.

(Addenda to Doc. 300 TR-E)

It is also necessary to specify further whether the texts shall be printed on opposite pages in the case of certain documents. This method permits of easy comparison of texts but incurs additional expense for this special type of layout.

With regard to the publication of documents in Russian, Chinese, or Arabian, it would be advisable to define explicitly the terms of reference of the Conference in regard to the apportionment of expenses. The translation might be submitted by the Administrations concerned, to the General Secretariat, which would undertake to have photostatic reproductions made. The cost of translation would be met by the Union, that is, the different Administrations concerned would be reimbursed.

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Estimated Costs

On the basis of the estimated budget for 1948.

Publication of official documentation in two
supplementary languages (in addition to French)
additional expenses for 1948.....\$97,500

Publication of the Atlantic City Documents,
the Convention and the Regulations
additional expenses (in addition to French) 65,000

Total - for translation and printing
in English and Spanish..... \$162,500

Interpretation and Translation

During the Conference

(Documentation supplied by the interpretation
and translation Services on the basis of
existing expenses.)

Expenses for 1 Month

	<u>English</u>	<u>French</u>	<u>Spanish</u>	<u>Russian</u>	<u>Total</u>
	\$	\$	\$	\$	\$
<u>Interpreters</u>					
English 8	6200				
French 8	.....	6200			
Spanish 7	.....		5500		
Russian 5	.....			4200	
28	.....				22,100

Translation

English 7	4000				
French 7	.....	4000			
Spanish 4	.....		2300		
Russian 4	.....			2300	
22	.....				12,600

Typing (for Translation service only)

English 12	4900				
French 8	3300			
Spanish 4		1650		
Russian 4			1650	
28				11,500

78	15100	13500	9450	8150	46,200
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Technical Equipment and Technicians

	3200	3200	2800	2000	11,200
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Totals	\$ 18,300	16,700	12,250	10,150	57,400
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ATLANTIC CITY
1947

Document No. 322 TR-E.

27 August 1947

Committee C

AGENDA

FOR THE MEETING OF THURSDAY

AUGUST 27, 1947

AT

HOTEL RITZ -- TRELLIS ROOM

1. Continuation of the discussion and decision on the subject of Art. 12 (languages). Doc. No. 45 TR-E.
2. Study of the proposals of the United States of America relating to the coming into force of the revisions of the Convention (Doc. No. 2) Article 40.
3. Consideration of Documents Nos. 809 R, 810 R, 823 R submitted by Committee 3 of the Radio Conference.
4. Consideration of various proposals on Committees of the I.T.U. (proposal of Norway Doc. No. 43 TR-E) on unification of C.C.I.T. and C.C.I.F.) and proposals of U.K. and U.S.A. on the establishment of International Committee on Radio Broadcasting.

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INTERNATIONAL
TELECOMMUNICATION
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 323 TR-E

August 28, 1947

CORRECTION

to Doc. No. 320 TR-E

Line 6: Replace "Doc. 235 TR-E (United States) (Prop.
196 TR)" by "Doc. 281 TR-E (United States) (Prop. 206 TR)."

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INTERNATIONAL
HIGH FREQUENCY BROADCASTING
CONFERENCE, ATLANTIC CITY
1947

DOCUMENT NO. 324 TR-E

August 28, 1947

DOCUMENT NO. 62 Rhf

August 28, 1947

Amendment
to Document No. 309 TR-E - 56 Rhf-E

August 25, 1947

French Proposal 214 TR/65 Rhf-E (Principles for the
International Organization of Broadcasting).

Page 1. last line of third paragraph, replace....
supervise the "continous" aspect of broadcasting
by....take cognizance of the "content" aspect of
broadcasting.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 325 TR-E

August 28, 1947 .

Committee F

A G E N D A

of the meeting of Friday,
August 29, 1947
3:30 p.m. ---- Trellis Room

-
1. Approval of the report of the 15th meeting
(Doc. No. 317 TR-E).
 2. Consideration of the texts proposed by Working
Group 1 of Committee C with regard to the C.C.I.
These texts will be distributed at the meeting.
 3. Article 20 of the Convention (Doc. No. 212 TR-E).
-

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 326 TR-E

August 28, 1947

UNITED STATES OF AMERICA

Work of the CCIR during transition period.

Since the Atlantic City Radio Conference is finding it necessary to refer a number of questions to the CCIR, it is desirable that the CCIR undertake active work at the earliest practicable date. In order to avoid delay until the new Convention and Radio Regulations come into force, transition arrangements must be considered. Such arrangements are proposed in Document 305 TR, submitted by the Swedish Delegation. The present document supplements that proposal.

The questions referred to the CCIR by the Atlantic City Radio Conference are timely and the need for prompt solutions is generally acknowledged. It is therefore suggested that these questions be taken as the primary basis of the immediate work of the CCIR, and that the questions proposed by the 1937 Bucharest meeting be coordinated with these, insofar as the Bucharest questions are now timely.

An examination of the questions indicates that they can all be grouped under five major subjects. These five subjects might well be the basis of the establishment of five Commissions of Reporters, according to the scheme of organization for the CCIR developed in Committee 3 of the Radio Conference (Document 809 R) and now being considered by Committee C of the Plenipotentiary Conference. These Commissions of Reporters may well do their work by correspondence between now and the time of the next Plenary Meeting of the CCIR, at which time each Commission of Reporters may well hold a meeting just before, and at the place of, the Plenary Meeting.

A possible division of the work is shown in the attached "Tentative List of Subjects for Study by Commissions of Reporters of CCIR." (The references to the questions proposed by the 1937 Bucharest meeting give the question number and the name of the country that had been designated as centralizing administration). The Chairman of each Com-

30 Août 1947

mission of Reporters should have complete freedom to subdivide the work of his Commission into smaller groups. The emphasis during this transition period should be on speed, with the idea that all work not finished by the time of the Plenary Meeting of the CCIR would be re-examined and possibly reassigned to newly appointed Commissions of Reporters by the Plenary Meeting.

It is suggested that:

- (a) The present Plenipotentiary Conference adopt recommendations to guide the work of the CCIR during the transition period.
- (b) To this end, a meeting of the interested delegations at Atlantic City be held within the next two weeks to draft recommendations for consideration by a plenary session of the Plenipotentiary Conference. The time for this meeting might be set by the Heads of Delegations.
- (c) The meeting adopt a program of work for the CCIR along the lines of the attached outline.
- (d) The meeting formulate a request that the Swedish Government:
 - (1) organize the Commissions of Reporters as indicated;
 - (2) request them to go to work immediately;
 - (3) keep the Bureau of the Union fully informed so that it may publish suitable notices affording opportunity to all administrations and private enterprises to participate as they may desire;
 - (4) organize a Plenary Meeting of the CCIR immediately preceded by actual sessions of the Commissions of Reporters.
- (e) The plenary session designate the chairmen of the Commissions of Reporters if it is found possible to arrange this in time, otherwise give the authority to make such designations to the Swedish Government.

Attached: Tentative List of Subjects for Study by Commissions of Reporters of CCIR.

Tentative List of Subjects for Study
by Commissions or Reporters of C. C. I. R.

Commission
of
Reporters

Subject

Reference

CR1

SEPARATION BETWEEN FREQUENCIES ASSIGNED TO
RADIO STATIONS

The C.C.I.R. is asked to study as soon as possible the following points arranged according to their urgency.

Atl. City
Doc. 643 R,
Report of
Chairman of
Subcommittee
7B, July
27, 1947.

1. In respect of the various types of emission in use the bandwidth strictly necessary to ensure service of the appropriate quality and practical methods of measuring the bandwidth actually occupied by each particular emission.

2. The bandwidth which should be accepted by the various types of apparatus used for the reception of different types of emission in the different services, the filter characteristics and especially their effectiveness in eliminating interference outside the nominal acceptance band; the practical methods of obtaining the necessary characteristics and the appropriate methods of measurement.

3. The level of radiofrequency harmonics radiated by the stations of the different services, the level to which it is practicable to reduce such harmonics, the appropriate methods of achieving this result, as well as the appropriate methods of measurement.

4. The desirable overall conditions to be fulfilled by the systems employed by the different services in order to determine the required technical performance of the equipment, including the station terminal apparatus, the antennas and the measuring apparatus used to ascertain whether or not the equipment satisfies the recommendations of the C.C.I.R.

Commission
of
Reporters

Subject

Reference

It is further asked that the C.C.I.R. should permanently carry on the study of the above mentioned questions and their possible revisions be published as the work progresses.

Measurement of Receiver Selectivity. Study of Methods and Apparatus to be used in the entire frequency range, especially for frequencies above 3 megacycles (Wavelengths below 100 Meters).

Bucharest
Q. 1
- France

Use (a) for Radiotelephony, (b) for Telephone Broadcasting, (c) for visual broadcasting of systems eliminating in whole or in part one of the sidebands and possibly the carrier wave (Opinion 77)

Bucharest
Q. 4
- U.S.A.

What are the selectivity requirements to be imposed upon receivers in order to decrease the separation between adjacent emissions in the different services, in the entire frequency range, and especially for frequencies above 3 megacycles (Wavelengths below 100 meters)? (Opinion 83)

Bucharest
Q. 6
- U.S.A.

Study of the minimum practicable separation between stations working on adjacent channels in the fixed and mobile services.

Bucharest
Q. 11
- U.S.A.

What is the minimum practicable separation in kilocycles per second between stations working on adjacent channels, for the following services:

1. Fixed services:

- (a) Radiotelegraphy;
- (b) Radiotelephony (other than broadcasting);
- (c) Transmission of pictures and facsimiles;
- (d) Other types.

2. Mobile services:

- (a) Radiotelegraphy;
- (b) Radiotelephony (other than broadcasting);
- (c) Transmissions of pictures and facsimiles;
- (d) Other types.

Commission
of
Reporters

Subject

Reference

For maritime mobile services, however, the study should be limited to ships using shared bands.

In the study of this question, special attention should be given to the effect of directional antennas for both transmission and reception as well as geographical separations, etc.

Field intensity required for reception in the different cases (Opinion 90)

Bucharest
Q. 14
- U.K.

Background Noise in Receivers

Bucharest
Q. 16
- Italy

Study of "background noise" in the case of broadcast receivers (aural and visual), in the case of radiotelephone receivers (fixed service and mobile service), and in the case of radiotelegraph receivers (fixed service and mobile service):

- (a) Definitions;
- (b) Methods of measurement;
- (c) Tolerances.

Sensitivity of Receivers

Bucharest
Q. 17
- Italy

1. Exact definition of the sensitivity of a receiver;
2. Measuring methods to be recommended;
3. Comparative curves and tables on the sensitivity of receivers in use in the different services.

Frequency-band width occupied by emissions

Bucharest
Q. 19
- U.S.A.

1. What changes should be made in the "Table of Frequency-Band Widths Occupied by Emissions" appearing in appendix 2 of the Madrid General Radio Regulations?

2. What requirements should be imposed upon the transmitters of the different services, with respect to the elimination of non-essential frequencies, with a view to reducing the total frequency-band width effectively occupied by the emissions?

Commission
of
Reporters

Subject

Reference

CR2

RADIO PROPAGATION

Recommendation for CCIR on the international coordination of investigations on propagation.

Atl. City
Doc. 675 R
Report of
Chairman of
Subcommittee
7C. Adopted
by joint
meeting of
Committees 3
and 7,
August 14,
Doc. 806R

The C.C.I.R. is requested to initiate, and thereafter to continue on a permanent basis, the coordination of observations on propagation carried out by different countries, in order to provide, on a world-wide basis, coordinated data immediately applicable by the Telecommunications services and, in a more general way, to ensure the speediest possible progress in scientific knowledge and corresponding techniques.

In this respect the C.C.I.R. should consider, in particular, the following matters:

1. Standardization of symbols and of the presentation of the results of ionospheric sounding and, if appropriate, of certain methods of measurement, in order to ensure that measurements from different sources may be directly comparable.
2. Suitability of geographical location of existing ionospheric sounding and other observation stations and requirements for future observations at new locations.
3. Coordination of investigations on absorption carried out by means of measurements at vertical and oblique incidence, by recording of field strengths of existing radio stations, or by any other method.
4. Coordination of investigations of natural radio noise.
5. Determination of the best practical means for a rapid exchange, on an international basis, of propagation information of all kinds.

Commission
of
Reporters

Subject

Reference

6. Determination of the best practical means for the publication of scientific and technical investigations submitted by member Administrations and in addition periodical publication of results such as propagation forecasts having immediate applications to radio services.

7. Review of the value and importance of various phases of propagation work and of publications relating thereto, and publish regular recommendations accordingly.

8. Any other new matter of general interest.

In order to attain the maximum possible degree of cooperation with organizations concerned with propagation work such as the International Scientific Radio Union, the C.C.I.R. shall consult regularly with such organizations.

Draft text relative to respecting the citation of sources and copyright in exchanges of information and publications made by the C.C.I.R.

A question has arisen in connection with a draft resolution requesting the C.C.I.R. to undertake the coordination of investigations on propagation. Since the resolution provides (in paragraphs 5 and 6) for the exchange of information through the C.C.I.R. as well as of publications issued by it, it has been deemed necessary that at the time of these exchanges the citations of sources (agency and author) of the documents be retained, and that the corresponding copyrights be safeguarded. Considering that this question seems to be of general interest since it may well arise in connection with other activities of the C.C.I.R. it appeared advisable to submit it to Committee 3, calling its attention to the fact that this question might eventually form the subject of a text included in the operational regulations of

Atl. City
Doc. 731R
amending
report of
Subcommittee
7C, Doc.
601R.
Atl. City
Doc. 720R;
Report of
Meeting of
Committee 7,
August 6,
1947, p.11,
Annex II.

Commission
of
Reporters

Subject

Reference

the C.C.I.R. If this general text is not contemplated, it would be desirable to deal with this case in an amendment to the resolution submitted herewith.

Methods of measurement of the field intensity of signals and of noise in the radio transmitting medium.

Bucharest
Q. 2
- France

1. What are the most suitable methods of measuring the field intensity of radio signals in the various frequency ranges?

(a) In the measurement of the electromagnetic field at a given point, what are the elements of a complete analysis of a field to be measured and the local conditions which it is of especial interest to know? Study of the elliptically polarized fields, terminology to be used.

(b) How should field measurements be effected and expressed--

(1) In the case of modulated transmissions?

(2) In the case of transmissions without carrier wave?

(c) What wave collectors can be used to make field measurements and how should the measurements made be compared? What are the most suitable collectors for such measurements in the various frequency bands?

(d) To make these measurements, may one resort indiscriminately to either of the two methods now used, namely;

(1) Method in which the attenuator is incorporated in the standard generator.

Commission
of
Reporters

Subject

Reference

(2) Method in which the attenuator is incorporated in the receiver.

(e) What is the desirable precision, in the field measurements of a radio signal, for the various frequency bands and for the different intensities? What precision may be obtained, in practice, in these various cases?

(f) In the case of waves the field of which varies constantly (fading), a fact which implies the necessity of a statistical method, how should measurements be made and what form should such statistics take?

(g) To make it possible to compare measurements made by the various administrations and give an accurate answer to the question of the field intensity necessary for reception in the different cases, it is indispensable to first solve the following question: How should an apparatus for field measurements be constructed so that the value of the field intensity, at a given moment, may be deduced from its readings?

II. What are the most suitable methods of measuring the field intensity of noise?

(a) Should parasites of all origins be taken into account?

(b) What is the effect of the characteristics of the passband, according to the kind of disturbances caused either by parasites or by the unmodulated carrier wave (that is, by its influence or the amplification of noise); what is the effect on the detection circuits of the receiver?

(c) What are the most suitable wave collectors to make measurements of the field of noise and how should the measurements made be compared? What are the most suitable collectors for such measurements in the various frequency ranges?

(d) 1. In what manner should the influence of noise in the radio transmitting medium be studied and expressed in order to give a complete analysis of the effect exerted on

Commission
of
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Subject

Reference

reception by the different types of noise and their different components?

2. What should, therefore, be the characteristics of measurement circuits at the receiver output?

Study of the Propagation of Radio Waves (Opinion 87)

Bucharest
Q. 12
- U. K.

CR3

STANDARD FREQUENCY AND TIME SIGNAL BROADCASTS

Recommendation for C.C.I.R.
Concerning Standard Frequency and
Time Signal Services

With a view to determining the technical means appropriate for the realization of the objective specified in the, the C.C.I.R. is instructed to:

Atl. City
Doc. 676 R,
Report of
Chairman of
Subcommittee
7C, adopted
at joint
meeting of
Committees
3 and 7,
August 14,
Doc. 806 R.

1. Examine in cooperation with the International Committee of Time and other competent international organizations having a direct and substantial interest in this subject, suitable methods of assuring the coordination of the various standard frequency and time signal transmissions.

2. (a) Recommend to administrative conferences such action as is necessary to attain the objective specified in the

(b) Study the operation and functioning of these coordinated services.

(c) Recommend further improvements to make these services more generally useful.

Commission
of
Reporters

Subject

Reference

CR4 MONITORING

The administrative Radio Communication
Conference recommends:

Adopted by
joint meet-
ing of
Committees
3 and 7,
August 28,
Atl. City
Doc. _____ R

- (1) that the C.C.I.R. should be charged as an urgent matter with
- (a) making technical recommendations for a coordinated world-wide service of monitoring to fulfill the requirements stated in Protocol No. _____, (titled "International Monitoring") referring also to Article 6 bis;
 - (b) recommending technical standards and procedures of measurement to be adopted by stations participating in the service, taking into consideration the requirements of the International Frequency Registration Board; such recommendations to indicate the field of activity of each class of station and the technical standards required for each type of measurement undertaken
 - (c) recommending the forms in which results of observations and measurements should be presented.

Commission
of
Reporters

Subject

Reference

CR5

GENERAL TECHNICAL QUESTIONS

- a. Recommendation to the C.C.I.R. Relative to the Study of the Efficacy of Signals "Mayday" and "Pan"

Atl. City
Doc. 840 R
p. 18. Text
presented
to the Draft-
ing Committee
by Working
Group 1.

The International Radio Conference at Atlantic City (1947) considering:

- a) number 550 of the Radio Regulations (Atlantic City Revision), quoted as follows:

"In radiotelephony, the distress signal consists of the word "Mayday", pronounced as the French expression 'm'aider'";

- b) number 604 of the Radio Regulations (Atlantic City Revision), quoted as follows:

"In radiotelephony, the urgency signal consists of three repetitions of the vocable "Pan", pronounced as the French word 'panne'. It is sent before the call";

- c) a proposal presented during the Conference to substitute the spoken letters "SOS" for the word "MAYDAY";

- d) the reasons, according to those to whom the use of the word "MAYDAY" presents difficulties, are that this word does not have in all languages the significant meaning of distress, that operators of different nationalities have difficulty in pronouncing it, and that it is not capable of modulating fully radiotelephone emissions, and

- e) a proposal presented during the Conference to replace the vocable "PAN" by the word "URGENT":

Commission
of
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Subject

Reference

requests the C.C.I.R.

- to study the suitability of the signals "MAYDAY" and "PAN" with a view to determining if other signals are more suitable, and
- to formulate the necessary recommendations.

b. Facilitation of the watch on Maritime Mobile Radiotelephone Service calling and distress frequency 2182 kc/s by mechanical and aural means

The International Radio Conference at Atlantic City (1947)

Considering:

- a) Article 7 of the Radio Regulations (Atlantic City Revision) allocating a world-wide calling and distress frequency of 2182 kc/s for the Maritime Mobile Service (A3 only);
- b) Article 31 of the Radio Regulations (Atlantic City Revision) concerning the regulations governing the use of 2182 kc/s for the above purposes;
- c) that the purposes of establishing such a frequency is to promote the safety of life involving vessels equipped with radiotelephony over as large an area of the navigable waters of the world as possible and to facilitate communication between stations in the Maritime Mobile Radiotelephone Service;
- d) that, to implement the purposes for which this frequency is allocated, ensurance of the watch on 2182 kc/s by ships and coast stations must be encouraged to the maximum extent possible;

Atl. City Doc. 762 R Referred to Working Group of sub-committee 8 B to review language Aug. 21, 1947 Doc. 825R paragraph 2.

Commission
of
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Subject

Reference

- e) that the development of simple, reliable, economical automatic devices for maintaining a watch on 2182 kc/s would enhance safety by permitting more extensive watching on this frequency than by aural means alone;
- f) that the development of such devices necessarily requires international agreement on the signal or groups of signals to be used to actuate these devices for distress calls;
- g) that, if practical, certain advantages would accrue in using the same automatic devices for selective calling of coast stations for other purposes by using different signals than those employed for distress;
- h) Number 554 bis of the Radio Regulations (Atlantic City Revision), quoted as follows:

"The distress call, when sent by radiotelephony is, in general, preceded by the signal produced by a whistle or any other suitable means."
- i) that the signal in (h) is intended as an attention signal to "pierce" or "cut through" other transmissions on 2182 kc/s;
- j) that, in view of (h) and (i) above, a common actuating and aural attention signal or group of signals for both aural and automatic reception would be desirable, if practical;

Recommends that the C.C.I.R.:

study the problem of automatic devices with a view to determining whether a practical solution can be found, and, if so, to formulate the necessary recommendations.

Commission
of
Reporters.

Subject

Reference

c. Identification of stations, with parti-
cular reference to call signs in Inter-
national Morse Code

Atl. City Doc.
791R, para-
graph 6, Re-
port of Sub-
committee 8A

Study of the Results of Research on Mea-
surement Methods and on Tolerances for
Electrical Interference in Radio Recep-
tion (Opinion 88)

Bucharest
Q. 8
- Germany

OBSOLETE OR NON-URGENT QUESTIONS
(Status to be decided by next Plenary Session of C.C.I.R.)

Reference

- Methods of insuring rapid and safe establishment of communications in the wavebands of frequencies above 6,000 kilocycles (below 50 meters of the maritime mobile service (Opinion 91)). Bucharest
Q.3
- Denmark
- Study of receiving antenna-systems of broadcasting designed to overcome fading. Bucharest
Q.5
- Germany
- Preparation of a vocabulary of radio terms in several languages (Opinion 84). Bucharest
Q.7
- France
- What is the best method of indicating the radiation power of a transmitter with a directional antenna. Bucharest
Q.9
- Poland
- Revision of the table of frequency tolerances and instabilities. Bucharest
Q.10
- U.S.A.
- Characteristics of the different waves used for radio direction-finding (Opinion 80). Bucharest
Q.13
- U.K.
- Background noise in transmitters. Bucharest
Q.15
- Lithuania
- Study of radio conditions affecting particularly photo-electric transmission. Bucharest
Q.18
- Japan
- Elimination or amendment of opinions expressed by the first four C.C.I.R. meetings, and publication of opinions retained by the said meetings and of those expressed by the fifth meeting. Bucharest
Q.20
- Italy

August 29, 1947

216 TR

UNITED STATES OF AMERICA
PROPOSAL ON SEAT OF THE UNION

The United States initially proposed (Doc. 2 TR, Article 11) that the seat of the Union should be at the same location as the permanent headquarters of the United Nations. This proposal was formulated before New York was decided upon as the location of the headquarters of the United Nations. It was based on the principle that the work of the Union would be facilitated if it could maintain liaison with the United Nations and its specialized agencies in fields related to telecommunications.

The United States, however, has recognized that many of the members of the Union adhere to the view that the seat of the Union should be continued in Switzerland. In order to avoid controversy on this subject, and promote a harmonious agreement, the United States withdraws its original proposal, and affirmatively sponsors Switzerland as the seat of the headquarters of the Union.

The United States believes that the location of the seat of the Union in Switzerland should be moved from Bern to Geneva. The facilities at Bern are inadequate for the expanded functions of the Union, and for the sessions of the PFB which are to convene at the seat of the Union in January 1948 (see Document 821 R). Geneva, on the other hand, has ample facilities, is the subsidiary headquarters of the United Nations, and is a French-speaking city. In order to provide facilities for the PFB at the seat of the Union, the Swiss Government should be requested to establish an office of the Union at Geneva by January 1948, and to take steps immediately to move the existing Bureau from Bern to Geneva as soon as practicable.

* * * * *

Under the new proposed structure of the Union, new organizations are to be created, and certain of the existing organizations are to be reorganized. The question as to the seat of these organizations must be considered. At present, one of these organizations, the CCIF, has its seat in Paris.

If this practice is to be continued of having organizations of the Union continue their headquarters at locations other than the principal seat of the Union, the United States would welcome having the CCIR establish its headquarters at a convenient location in the United States, such as New York or Washington. It is proposed (Doc. 809 R)

29 Août 1947

that the CCIR shall have a permanent Director to be assisted by a small specialized secretarial staff. It is believed that the location of this office in the United States would serve the convenience of the CCIR, in view of the availability in the United States of technical data, resources and personnel. Moreover, the development of radio experimentation and research in the United States would provide an appropriate atmosphere for the headquarters of the CCIR.

If, however, it is decided that all bodies of the Union are, without exception, to maintain their headquarters at the seat of the Union, the United States would have no objection to this centralization of function.

* * * * *

There is attached a Resolution which would effect the proposal of promptly-establishing an office of the Union in Geneva, in order to administer the work of the PFB, and of moving the existing Bern functions to Geneva. An appropriate resolution on the location of other bodies of the Union can be prepared when a decision on this subject has been reached.

PROPOSED RESOLUTION TO BE RECOMMENDED
TO THE PLENIPOTENTIARY CONFERENCE BY COMMITTEE C

Committee C has considered the question of the location of the seat of the Union, and recommends that the Plenipotentiary Conference adopt the following resolution:

WHEREAS, the headquarters of the International Telecommunications Union should be moved for convenience of administration from its present location at Bern, Switzerland, to Geneva, Switzerland;

IT IS RESOLVED by the International Telecommunications Conferences of Atlantic City that the Swiss Government be requested to arrange for the establishment of an office of the Union at Geneva, Switzerland, not later than January 1, 1948, and to take immediate steps to transfer the existing Bureau from Bern to Geneva as soon as practicable.

August 29, 1947

UNITED STATES OF AMERICA

PROPOSAL FOR TRANSITIONAL ARRANGEMENTS

217 TR

Note: This Document supersedes Document 246 TR, which also contains a proposal for transitional arrangements. Since the present proposal presents a general integrated program for bringing the new Secretariat and bodies of the Union into operation, it may differ in minor particulars from individual proposals being formulated in specific committees of the Conferences, which have not yet been coordinated with each other.

A. Summary of Proposal

The present Conferences are providing for a new structure of the Union, by creating such new organizations as the Administrative Council and the I.F.R.B., and by expanding the functions of the Secretariat and other existing bodies. The new organizations should be created and organized before the present Conferences close. However, they derive their authority from the new Convention and cannot assume their permanent duties until the new Convention becomes effective. Accordingly, it is necessary to formulate a program whereby these organizations can (1) be established at the Atlantic City Conferences; (2) remain in existence on a provisional basis until the new Convention becomes effective; and (3) be prepared to take over their permanent duties without further procedure, upon the effective date of the new Convention.

In addition, it is necessary to provide for the orderly transfer of responsibilities from the existing Bureau of the Union to the new Administrative Council and Secretariat, and to fix a basis for the Union's budget for this transitional period and for the remaining period prior to the next regular Plenipotentiary Conference.

To accomplish the foregoing, the United States proposes that the Plenipotentiary Conference of Atlantic City should adopt the following four-point program:

- 1 Sept. 1947

1. Effective date of new Convention. Provide in the new Convention that it becomes effective on January 1, 1949. The United States believes that January 1, 1949 is the latest possible date on which the new Convention should become effective. This date, rather than an earlier one, is proposed because of considerations of administrative convenience, specified below.

2. Creation of new organizations. Elect or appoint the members of the Administrative Council and the I.F.R.B. as well as the Secretary-General and two Deputies Secretaries-General, in charge of the new Secretariat. These bodies should hold organizational meetings at Atlantic City and should remain in provisional status until they assume their permanent duties under the new Convention. Their functions while in provisional status are described in more detail below.

3. Fixing basis of budget. Authorize the upper limit for the budget of the Union to cover the year 1948, giving consideration to the expenses of the transitional arrangements, including items necessary to cover uncollectible obligations and to place the Bureau's accounts on a sound basis, in preparation for the transfer of budgeting responsibilities to the Administrative Council and the new Secretariat as of January 1, 1949. In addition, an upper limit should be placed on the annual budget of the Union for the period beginning January 1, 1949, when the new structure of the Union will be in effect under the new Convention.

4. Financing and auditing. Request the Swiss Government to continue its function of advancing funds for meeting the Union's expenses, and of auditing the Union's accounts after the expenditure of these funds. Upon the effective date of the new Convention, the Administrative Council will assume the responsibilities the Swiss Government now exercises under Article 17, § 4 of the Madrid Convention, for supervision over the central office of the Union, including the regulation of its organization and the supervision of its finances. The Swiss Government, however, will continue to make the necessary advances of funds and to audit the Union's annual accounts. This proposal assumes that the seat of the Union will be maintained in Switzerland. The United States has made a proposal on this subject, set forth in Document 327 TR-E.

* * *

The foregoing program will permit the Atlantic City

Conferences to take steps which will be self-administering, and will bring the new structure of the Union into automatic operation upon the effective date of the new Convention. This will make unnecessary the convening of another Plenipotentiary Conference simply to carry out the decisions already made at the Atlantic City Conference.

There is set forth below a further specification of the items summarized in the foregoing program.

B. Specification of Proposal

1. Effective Date of the New Convention

It is advisable that the new Convention should come into effect as quickly as possible. Fifteen years have elapsed since the Madrid Convention was drafted, and the need for a new Convention which would meet the requirements of telecommunications in the present day world has been keenly felt. The Plenipotentiary Conference of Atlantic City will have deliberated for two and a half months, and there should be no artificial or unnecessary delay in putting its decisions into effect. The Madrid Convention provided (Article 40) for its effectiveness on a designated date. Such a procedure provides certainty, and permits efficient administrative planning.

Although it would be possible to make the new Convention effective as early as July 1, 1948, the United States proposes January 1, 1949 as the effective date in an effort to avoid controversy on this subject, and for the following additional reasons:

a. Such an effective date will facilitate a clear division of responsibility by permitting the existing Bureau to administer the budget for 1948, with the new Administrative Council and Secretariat beginning its administration with the fiscal year 1949.

b. It will provide ample opportunity for all members to ratify the new Convention.

c. It will provide ample time to plan and effect transitional arrangements, and to permit the new organizations to acquaint themselves with their functions. Moreover, one of these organizations - the I.F.R.B. - will be occupied during 1948 on the special preliminary task of assisting in the preparation of the new International Frequency List.

2. Creation of new Organizations.

The Atlantic City Conferences will make all necessary decisions on the composition, method of election, and permanent functions of the various new organizations to be created within the structure of the Union (See Documents 823 R, 292 TR and 293 TR). Having made these decisions, the Plenipotentiary Conference has ample authority to elect the members of these new or reorganized organizations and should do so, in order that these organizations may be prepared to take over their permanent functions as soon as the new Convention becomes effective.¹⁾ Upon the effective date of the new Convention, these new and reorganized organizations derive their authority from such Convention, and do not require any further Plenipotentiary Conference to sanction them. Until the new Convention becomes effective, such organizations should remain on a provisional basis, and should confine themselves to preparatory work in anticipation of the assumption of their permanent functions. While on a provisional basis, these organizations would operate as follows:

a. The Secretariat. Under the procedure contemplated by Committee C of the Plenipotentiary Conference (Document 292 TR), the Secretary-General and his principal staff assistants would be appointed by the Administrative Council. However, since the Administrative Council is itself being newly established, and will itself be on a provisional basis until January 1, 1949, the United States proposes that for this occasion, the Plenipotentiary Conference itself should directly appoint the Secretary-General and two Deputies Secretaries-General. It is further proposed that for continuity of administration, the present Director of the Bureau be appointed as Secretary-General, and that the present Vice Directors of the Bureau be appointed Deputies Secretaries-General. The personnel of the new Secretariat should be substantially the same as that of the existing Bureau, with such reinforcements as are necessary. This will avoid duplication in expense and organization and will facilitate the following program for transition:

1) Provision, however, should be made that countries elected to membership on the Administrative Council or the I.F.R.B. shall have ratified the Convention before they are permitted to take their seats on these permanent organizations after the effective date of the new Convention.

Until January 1, 1949, the present Bureau will be responsible for carrying on the functions assigned to it under the Madrid Convention, including the administration of the budget. In addition, the present Bureau will make plans for the transfer of its functions and accounts to the new Secretariat as of January 1, 1949. The new Secretariat, operating on a provisional basis until January 1, 1949, and consisting substantially of the same personnel as the present Bureau, will coordinate the plans for transfer of functions with the Bureau, and will take over its permanent duties, without any interruption of administration, on January 1, 1949.

b. The Administrative Council. During the transitional period this body will meet once or twice to review the plans made by the Bureau and the new Secretariat for the transfer of functions, and will acquaint itself in detail with the administrative and fiscal problems of the Union, so that it will be prepared to take over its permanent functions on January 1, 1949.

c. The IFRB. During the transitional period, this organization will devote itself to the special preliminary task of assisting in the preparation of the new International Frequency List (see Document 821 R). After the effective date of the new Convention, when the new List has been approved, it will assume its permanent duties of processing notifications of frequency assignments and carrying on the related work specified in the statute of the IFRB.

3. Budgeting Problems.

It would be desirable for the Plenipotentiary Conference of Atlantic City to establish a basis for the budget of the Union, so that agreement of all members can be obtained with respect to the level necessary to meet expected expenses until the next Plenipotentiary Conference. Appropriate limitations on annual expenditures can be fixed, without sacrificing flexibility, by having the Plenipotentiary Conference follow the usual procedure of fixing an upper annual limit of expenditures for the period until the next regular Plenipotentiary Conference. This problem divides itself into two aspects, the first of which is directly related to the plan of transitional arrangements.

First, the Plenipotentiary Conference should fix an upper limit of expenditures for the year 1948, to cover transitional arrangements and place the Union's finances and accounts on a sound basis for transfer to the new

Secretariat and Administrative Council on January 1, 1949. In fixing an upper limit for the year 1948, consideration should be given to the following elements: (a) the normal expenses of the Union; (b) the expenses incident to the preparation of the new Frequency List; (c) the expenses of the transitional arrangements, including the transfer of the location of the Bureau from Berne to Geneva; (d) the added annual payment necessary to place the Retirement Fund on a sound actuarial basis; and (e) the liquidation of uncollectible accounts due from countries whose status has been changed as a result of the war. The last two items are discussed in Document 494 R, the Report of Committee 10 of the Radio Conference.

Second, the Plenipotentiary Conference should fix an upper limit for expenditures of the Union for the remaining period after the effective date of the new Convention, when the new structure of the Union is in permanent operation.

It is believed that the present Director of the Bureau and his staff are in the best position to make a reliable estimate regarding the upper limit which should be set for the annual expenses of the Union for the year 1948, and also for the following years, until the next Plenipotentiary Conference. It is therefore recommended that the Director of the Bureau be requested to prepare a report presenting such an estimate, and showing in detail, by categories of items, the basis for his estimates. This report would then be presented to a Plenary Session of the Plenipotentiary Conference for its consideration.

4. Financing and Auditing.

After the effective date of the new Convention, the Union could be financed (a) by the Swiss Government, as at present; or (b) by annual advances from its members; or (c) by establishing an initial reserve fund to be created by advance contributions of its members.

It is believed that there are substantial advantages in continuing the present practice of having the Swiss Government make the necessary advances of funds for the operations of the Union. A procedure of financing the Union by contributions advanced by its members would make the adequacy of the Union's operating funds uncertain, since advance payment in full of each member's dues would be absolutely essential if the Union were to have sufficient funds each year to meet its budget requirements. A reserve fund would call for heavy

contributions from each member at the very outset of the new organization of the Union.

The procedure of having the Swiss Government finance the Union has worked most satisfactorily in the past and will provide certainty and flexibility in operation. The United States, therefore, believes that the Swiss Government should be requested to continue its function of making advances to the Union for its operating expenses, subject to reimbursement by the member states, through the new Secretariat, at a designated rate of interest.

It is also believed that the Swiss Government should continue its function of auditing the Union's accounts, after disbursement of the funds has been made. It is generally agreed that in the past, the Swiss Government has carried on this function with thoroughness and skill; and there is no substantial reason to advocate a change in this procedure.

After the new Convention becomes effective, the Administrative Council of the Union itself, rather than the Swiss Government, will have supervision over the accounts and administration of the Union. The proposal that the Swiss Government should continue its function of advancing funds to the Union and of post-auditing the Union's accounts does not contemplate any responsibility on the part of the Swiss Government for supervising the budget or for passing upon the reasonableness of the amounts requested or of the desirability of the functions to be provided for. It does contemplate that the seat of the Union will be maintained in Switzerland. The United States proposal on this subject is set forth in Document 327 TR-E.

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INTERNATIONAL
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Document No. 329 TR-E

August 30, 1947

Committee C

CORRECTION

requested for Document No. 304 TR-E
(Report of the 12th Meeting of Committee C)

Page 14. Replace 14 by the following text:

14. The Delegate from Belgium:
"Mr. Chairman,

In my official capacity as the Representative from Belgium, I shall confine my remarks to the case of the Belgian Congo, whose very important interests in the realm of telecommunications would be seriously endangered if it were excluded from the International Telecommunications Union, of which it has been a member since 1912, in other words, for 35 years.

I wish first to cite a practical example of current interest.

Members of the I.F.R.B. are going to be chosen by regions. However, for the Congo, in view of the special conditions of this territory, it is vital for it to be represented by an African state, whereas Belgium needs European representation.

How could these two divergent necessities be reconciled without separate representation with the right to vote for each country, which would enable the Congo to choose its own representative in Africa?

Gentlemen, I believe that our Assembly is very inadequately informed concerning the legal relations binding the Congo to Belgium.

I believe that our Assembly does not realize that, if it were to exclude the Belgian Congo from the Union, it would be intruding upon the sovereign rights of a country.

So much has been said here on the subject of sovereignty - even if the Honorable Delegate from France has rightly alluded to the often fictitious sovereignty of certain countries - a point concerning

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which much could be said - it has so often been pointed out that an effort was being made to aid certain territories to achieve independence.

Well, as regards the Congo, by excluding it from the Union you would be hindering this evolution.

In fact, whereas the Congo is at present free to make its decisions as regards telecommunications, this would no longer be the case if you were to deprive it of its right to vote, and you would force the Congo to refer to Belgium in order to deal with questions which only concerned the Congo.

You would therefore oblige Belgium to set up legislation to this effect.

This Conference has no right to make decisions, the effects of which would endanger the independent status of the Belgian Congo, which was guaranteed by the Colonial Charter.

Gentlemen, a large number of us are officials or technicians, and it is not surprising that you are not acquainted with the particular status of the Belgian Congo in the international field.

The title of 'Colony' does not apply to the Belgian Congo if the word 'colony' is given the meaning which it is generally supposed to have.

You are probably unaware that if the Belgian Congo is governed by the Colonial Charter which is a Belgian document, it is also governed by the Convention of Saint Germain-en-Laye which is an international document which in particular ensures the free entry of international commerce to the Congo Basin.

The only bond which effectively unites the Belgian Congo to Belgium is its Sovereign - just as in the British Empire it is through the person of the King of Great Britain that the Dominions are united to the United Kingdom.

And by virtue of Articles 27 and 28 of the Colonial Charter, the Belgian Congo is not bound by the obligations or treaties which bind Belgium.

The Belgian Ministry of Foreign Affairs acts only in the name of the Belgian Congo as an executive body and it may not make commitments in the name of the Belgian Congo without a special mandate.

The Congo is therefore quite independent in its international relations.

And another consequence which directly concerns our Telecommunications Union is that even if Belgium ratified the Convention and Radio Regulations of Atlantic City, the Congo would not be in any way bound by the Belgian ratification and would be free to reassert its freedom as regards radio communications. If you consider that the Congo has nearly 200 radio-telegraph and radiotelephone short-wave transmitters, 24 of which have a power of 1 to 50 kW., you will be able to picture the general disturbance which could result from this.

I very much fear, Gentlemen, that the Belgian Parliament would refuse to set up new legislative provisions which would be contrary to the general policy of Belgium towards the Congo, a policy clearly pointing towards progress, administrative decentralization, and the emancipation of the Congo.

During the last meeting of our Committee, the Honorable Delegate from the United States, explaining that his country had not adhered to the Telegraph Regulations, set forth as the chief objection the fact that such adherence would be contrary to the laws now in force in the United States, and that, substantially, the obligation of adhering to the Regulations would constitute a question of sovereignty, and should not be settled by this Committee.

If this objection, which concerns the relations between the Government of the United States and the private enterprises of that country, is rightly considered strong enough, you will understand that Belgium has an objection of much greater importance to such an interference in its relations with the Congo--which would directly affect its sovereignty.

Therefore, Gentlemen, I will say in conclusion: There is injustice, and fundamental misunderstanding in the fact that the Belgian Congo is not mentioned in the list proposed by the Delegate from the United Kingdom.

We do not agree to the exclusion of the Congo from the Union. We ask that the Belgian Congo be maintained as a member of the Union within the entirety of its rights. Neither will we agree to the readmission of the Belgian Congo as an associate member, with all the duties but none of the rights, after its exclusion as a member with full rights. And what we are stating in regard to the Belgian Congo, we state and firmly claim for all the colonies which, like the Congo, are old members of the Union and which must all retain all of their rights.

Gentlemen, as a technician addressing technicians: I should like to close with this observation: Has any thought been given to the chaotic situation which would arise in the use of frequencies especially if the colonial countries--which constitute the greater part of Africa--no longer felt bound by the Convention and the Regulations of radiocommunication? I entreat you, Gentlemen, to consider this problem seriously."

INTERNATIONAL
TELECOMMUNICATIONS
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1947

Document No. 330 TR-E

August 30, 1947

Committee E

TEXTS

proposed by Subcommittee E2 (Drafting Group of Committee E) for Articles 22, 26, 35, 36 and 39 of the International Telecommunications Convention.

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 classes of private correspondence without any priority or preference whatsoever not provided for by the Convention or the Regulations.

Article 26

Stoppage of Telecommunications

§ 1. Each Contracting Government reserves the right to stop the transmission of any private telegraphic communication or radiotelegram 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.

§ 2. 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 35 Interference

§ 1. All stations, whatever their purpose, must be established and operated in such a manner as not to interfere with the radio services or communications of either the other contracting governments or the private operating

agencies reorganized by these contracting governments and of other duly authorized operating agencies which carry on radio-communication service.

§ 2. Each contracting government which does not itself operate radio facilities, undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of paragraph 1 above.

§ 3. In addition to the obligations provided in paragraphs 1 and 2 above, the Contracting Governments recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in paragraph 1.

Article 36 Distress Calls and Messages

§ 1. Stations participating in the mobile service shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as they may require.

§ 2. The international telegraph and telephone services must accord absolute priority to communications concerning safety of life at sea or in the air.

Article 39 Installations for National Defense Services

§ 1. The contracting governments retain their entire freedom with regard to military radio installations of their Army, Navy, and Air Forces.

§ 2. 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.

§ 3. 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.

§ 4. Moreover, if these installations take part in the service of public correspondence or other services governed by the Regulations annexed to the present Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

The Reporter:

Paul Commanay

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
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Document No. 331 TR-E
August 30, 1947

Committee C

WORKING GROUP 2, COMMITTEE C

Texts proposed for the wording
of Articles 10A, 10B, and 11 of the
International Telecommunications
Convention

ARTICLE 10 A

PLENIPOTENTIARY CONFERENCES

Sec. 1. The plenipotentiary conference shall:

- (a) Consider the report of the Administrative Council on the activities of the Union;
- (b) Establish the basis for the budget of the Union for the next five years;
- (c) Approve the accounts of the Union;
- (d) Elect the Member countries (or Members of the Union) which are to serve on the Administrative Council;
- (e) Revise and amplify the Convention (and the annexes thereto) ⁽¹⁾ to the extent it considers necessary;
- (f) If necessary, enter into any formal agreement or to revise or modify any existing formal agreement between the Union and any other international body; ⁽²⁾
- (g) Deal with any other questions as may be necessary. ⁽³⁾

(1) There are two important questions associated with this paragraph which are not within the province of Working Group 2, namely, the question of the General Regulations which is being considered by Working Group 1 and the Agenda and Procedure for calling conferences which is being considered by Committee F.

(2) When Committee C deals with Doc. No. 45 TR-E, Art. 4, Sec. 11 (b) it should prescribe precisely the functions of the Administrative Council within the scope of directives and of agreements made by the plenipotentiary conference.

(3) It may be necessary later to add to the list of functions after the draft Convention is more nearly completed.

- § 2. The Plenipotentiary Conference normally shall meet once every five years at a time and place fixed by the preceding Plenipotentiary Conference.
- § 3. The time or place of the next Plenipotentiary Conference may be changed:
- a) When at least twenty Members of the Union have proposed a change to the President of the Administrative Council
 - b) On the proposal of the Administrative Council.
- In either case, the Administrative Council, with the concurrence of a majority of the Members of the Union, shall fix the new time or the new place, or both, and shall indicate, if necessary, the agenda.

Remarks of the Working Group

I: Although there is no specific provision in the above draft for extraordinary plenipotentiary conferences under that name, the idea of such conferences as embodied in the Moscow Document is provided for in the draft which Working Group 2 believes provides for all contingencies which can be foreseen.

II: Working Group 2 invites the attention of Committee C to Doc. No. 9 TR-E, Annex 5, in which the United Kingdom proposes that there should be attached to the new Convention a procedure to be followed when it is necessary to consult the members of the Union in order to establish the fact of the concurrence of a majority of the Members.

III: Working Group 2 has not examined the question of including in Art. 10 of the Convention provisions with regard to voting as proposed by the United States in Doc. No. 2 TR-E, Article 5.

IV: Working Group 2 notes the proposal of the US in Doc. No. 2 TR-E, Art. 5, Sec. 1, concerning the participation in Plenipotentiary Conferences of persons from private agencies, approved by their respective governments and chosen as advisors for their respective delegations, but has not considered this proposal since it may be dealt with elsewhere.

ARTICLE 10 B

Administrative Conferences

1. (1) The Administrative Conferences shall:
 - a) Revise and amplify the Regulations annexed to this Convention with which they are respectively concerned (except the General Regulations).
 - b) Deal with all other matters deemed necessary within the terms of the Convention and the General Regulations, or in accordance with any directive given by the Plenipotentiary Conference.
- (2) The Radiocommunications Administrative Conference shall elect the International Frequency Registration Board.
2. The Administrative Conferences shall meet at the same place and concurrently with the Plenipotentiary Conference, in general, every five years.
3. (1) An Extraordinary Administrative Conference may be convened:
 - a) by a decision of the Plenipotentiary Conference which shall determine its agenda and the time and place of its meeting;
 - b) when at least twenty Members of the Union have made known to the Chairman of the Administrative Council their desire that such a Conference shall be held to consider an agenda proposed by them;
 - c) on the proposal of the Administrative Council.
- (2) In the cases specified in b) and c) of subparagraph 1) above, the Administrative Council, with the concurrence of a majority of the Members of the Union, shall determine the time and place of the Conference as well as its agenda.

Remarks of the Working Group

- I. The Working Group considers that the text of § 1 (2) should be made more precise when Committee C has decided how the members of the I.F.R.B. are to be elected.
- II. Working Group 2 invites the attention of Committee C to Doc. No. 9 TR-E, Annex 5, in which the United Kingdom proposes that there should be attached to the new Convention a procedure to be followed when it is necessary to consult the members of the Union in order to establish the fact of the concurrence of a majority of the Members.
- III. Working Group 2 has not examined the question of including in Art. 10 of the Convention provisions with regard to voting as proposed by the United States in Doc. No. 2 TR-E, Art. 6.
- IV. Working Group 2 notes the proposal of the United States in Doc. No. 2 TR-E, Art. 6, Sec. 1, concerning the participation in Administrative Conferences of persons from private agencies, approved by their respective governments and chosen as advisors for their respective delegations, but has not considered this proposal since it may be dealt with elsewhere.
- V. The Working Group did not consider it necessary to make provision for the change in time or place of an Administrative Conference in as much as paragraph 3 permits an Extraordinary Administrative Conference to be convened to revise, if necessary, the annexed Regulations.
- VI. The above text does not contain any specific provisions for Conferences with limited agenda because such Conferences can be convened under the provisions of paragraph 3, as drafted.

ARTICLE 11

Internal Regulations

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

NOTE: On the assumption that such important matters of procedure as voting will be prescribed in the Convention, rather than in the General Regulations, the Working Group proposes the adoption of Article 11 of the Moscow Draft. In the event it is decided to retain such important matters as voting in the General Regulations, the Working Group wishes to have the opportunity to propose an alternative text.

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INTERNATIONAL
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ATLANTIC CITY
1947

Document No. 332 TR-E

August 30, 1947

Committees E and G

Texts given to the Drafting Committee
(Committee G)
by
Committee E
(Convention Committee)

<u>Description of the Articles</u> <u>(Madrid Convention)</u>	<u>Report of Committee E</u> <u>to be consulted</u>
1. <u>Article 1</u> "Composition of the Union" § 2.	Minutes of 13th Meeting Doc. No.303 TR para.33 (1)
2. <u>Article 23</u> "Responsibility"	Minutes of 14th Meeting Doc. No.306 TR para.2 (b)
3. <u>Article 24</u> "Secrecy of Telecommunication"	Doc. No.303 TR para.33 (ii)
4. <u>Article 27</u> "Suspension of Service"	Doc. No.303 TR para.33 (iv)
5. <u>Article 28</u> "Investigation of Infringements"	Doc. No.303 TR para.33 (iv)
6. <u>Article 29</u> "Charges and Free Services"	Doc. No.306 TR para.2 (c)
7. <u>Article 30</u> "Priority of Transmission of Government Telegrams and Radiotelegrams"	Doc. No.306 TR para.2 (d)
8. <u>Article 31</u> "Secret Language"	Doc. No.306 TR para.2 (d)
9. <u>Article 37</u> "False or deceptive distress signals. Irregular use of Call Signs"	Doc. No.306 TR para.2 (e)
10. <u>Article 38</u> "Restricted Service"	Doc. No.306 TR para.2 (f)

Article 1

§ 1.....

§ 2. The terms used in the present Convention are defined in Annex _____

Committee G is requested to take into consideration a proposal by the Delegate of Italy that the definitions should be included in this Article to bring it into line with the corresponding articles in the sets of Regulations.

Article 23

Responsibility

The Contracting Governments declare that they accept no responsibility toward users of the international telecommunication service, particularly as regards claims for damages.

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 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 29.

Charges and Free Services.

The provisions regarding charges for telecommunications 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 Signs

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 signs which have not been regularly assigned to it.

(332 TR-E)

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.

The rapporteurs:

H. Lerognon

A. G. David

1947

August 30, 1947

R E P O R T

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

10th Meeting
August 28, 1947

Mr. Abaza, the Chairman, called the meeting to order at 10:05 a.m.

He submitted the reports of the 8th and 9th meetings (Documents 299 TR-E and 302 TR-E) to the Subcommittee for approval.

The Delegate from Portugal requested that the words "or 20" appearing on page 2 of Document 299 TR-E be stricken from the report of his remarks. He also requested that the last sentence of the next to the last paragraph of page 5 of Document 302 TR-E of the text, which reads: "Committee 10 had no intention of offending the members in arrears, but wanted the situation clarified" be replaced by: "Committee 10 was actually endeavoring to penalize the members in arrears while declaring officially that it only wished to clarify the situation".

Both reports thus amended, were adopted.

The Chairman recalled that the Subcommittee had formed three working groups.

Group 1, of which the Delegate from the United States is Chairman, is primarily in charge of assembling the documents necessary for the information of the committees concerned.

Group 2, of which the Delegate from France is Chairman, is a drafting group.

Group 3, of which the Delegate from Portugal is Chairman, is chiefly concerned with computing the cost of the new organization of the Union.



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He proposed that these three groups continue in operation until the work of the Subcommittee has been completed. This proposal was adopted.

The Chairman informed the Subcommittee that he feared he would be obliged to leave Atlantic City before the work had been completed. To provide for continuation of such work, he suggested that the Subcommittee appoint Mr. Hwang as Vice-Chairman, since he had already officiated as Chairman at the 6th and 7th Meetings and would resume the Chairmanship when Mr. Abaza left. This proposal was unanimously approved.

The Delegate from China accepted, and thanked the Subcommittee for this honor.

The Chairman asked the French Delegate, who is Chairman of Working Group 2, to read the draft proposal of Article 5 of the new Convention.

The Delegate from France then read the draft proposals for paragraphs 1 and 2. They had been drawn up as follows:

§1. "The expenses of the Union shall be borne by the members of the Union."

§2. "For the purpose of apportioning expenses, the members of the Union shall be divided into 8 classes, each contributing in proportion to a certain number of units, namely:

1st class:	30 units
2nd class:	25 units
3rd class:	20 units
4th class:	15 units
5th class:	10 units
6th class:	5 units
7th class:	3 units
8th class:	1 unit

These paragraphs were adopted by the Subcommittee, which, moreover, decided to ask Committee C to request that the Bureau include the following clarification in the annual management report:

"The coefficients shall be multiplied by the number of members in each class, and the sum of the products thus obtained shall indicate the number of units by which the total expenses shall be divided. The quotient shall indicate the total amount of the unit of expense."

The Delegate from France then read the draft proposal for paragraph 3. It read as follows:

"Each member of the Union shall inform the Secretary General of the class in which it wishes to be included. This classification shall be announced to the other members of the Union by the Secretary General, and shall not be changed during the interval between Plenipotentiary Conferences."

Discussion arose over the following point : When shall members be obliged to announce the class to which they belong, and when will the new apportionment system be put into effect?

The Delegate from Greece observed that the new organization would incur new expenses long before the new Convention became effective. He believed that as a counter-measure the new apportionment arrangements should become operative as soon as the Convention has been drawn up. This would not be the first time a provision contained in a Convention had been put into effect before the Convention as a whole. New classes should therefore be chosen during the present Conference, or immediately thereafter.

After observations by the Delegates from India, France, the United States, Portugal and China, the Subcommittee decided to submit the following proposal to Committee C:

"Each member shall announce the class in which he wishes to be placed before the new Convention becomes effective. Members failing to announce the class of their choice, shall be bound by the preceding number of units. It shall be understood that the new apportionment shall go into effect at the same time as the new Convention."

The Delegate from India asked whether it might not prove useful to specify the authority which is to correspond with the Bureau (government or administration).

The Subcommittee considered that it was incumbent upon the country concerned to decide upon its correspondent with the Union, and to inform the Bureau accordingly.

The Subcommittee adopted paragraph 3.

The Delegate from France pointed out that paragraphs 4 and 5 of the initial draft prepared by the drafting group had been modified in accordance with the directives issued on the day before by Committee C. He proposed that these paragraphs be put aside for the present, and offered the following draft for paragraph 6:

"The members of the Union shall pay their annual contribution in advance."

The Subcommittee adopted this paragraph 6.

The draft for paragraph 7 is worded as follows:

"Four months after the Secretary General has issued notification of the annual shares to be contributed, and four months after the bill for special expenses has been sent out, the sums due shall draw interest at the rate of 6% which shall accrue to the benefit of the Union, and be computed from the day on which the said period expires."

The Delegate from the United States considered a four month period too short. He wished that payment could be made during the second half of the year. He observed that the funds for current expenses should cover the amount of payments. He proposed that 6% interest be charged only in the case of contributions which have not been paid during the fiscal year in which they are due.

The Delegate from Portugal and the Director of the Bureau did not oppose the proposal of the Delegate from the United States. This provision would be a little more advantageous than that of the Madrid Convention, and would correspond to the provision adopted by the Universal Postal Union.

The Delegate from France, supported by the Delegates from Greece, Italy, the United Kingdom, and Switzerland, considered that this proposal was in contradiction to paragraph 6, which had just been adopted. If the members in arrears are not required to pay interest, all the members would have to bear the financial consequences of this delay. Certain Delegates were in favour of penalties. Only the payment of interest remains, and moreover, such payment cannot be considered as a penalty. Finally, the obligation of paying interest in case of delay, may help the administrations to secure the necessary credits when desired.

However, in order to take into account the wish of the Delegate from the United States, the Delegate from France suggested the following periods: Six months after the beginning of the year for the ordinary annual contributions, and six months after the balance due bills for the special contributions have been sent out. If the notifications for the ordinary annual contributions were sent after the first of January, the six months period could start on the day the notification is sent.

The Delegate from Portugal called the attention of the Subcommittee to the supplying of printed matter. The sums owed to the Union for these items are very large. It would be advisable to make them draw interest, after a given period.

The Director of the Bureau supplied the following details:

Interest collected for the four preceding years in pursuance of Article 17 § 3 sub-paragraph (5) are as follows: (in Swiss francs)

	Telegraph and tele- phone Division	Radio Division
year 1937	2,802	3,763
year 1938	975	1,958
.....
year 1944	8,418	16,748
.....
year 1946	7,754	9,930

On the other hand, the sums due at present to the Bureau of the Union for the year 1946 are divided as follows:

	Telegraph and tele- phone Division	Radio Division
Shares to be.....	96,699.00 Swiss Francs	352,260.00 Swiss Francs
contributed		
Supplying of.....	258,178.00 Swiss Francs	328,875.00 Swiss Francs
Documents		

The Director of the Bureau is therefore very much in favor of charging interest on the sums owed for supplying of documents. There is no reason to spare this class of debtors.

The Delegate from the United States did not agree.

The Delegates from the United Kingdom, China, Canada, and France, upheld the proposal of Portugal.

The Chairman consulted the Subcommittee on the following two points:

- 1) "Does the Subcommittee agree to a period of six months without interest starting with the beginning of each year, for the annual contributions?"

- 2) "Does it agree to charging interest on any other sum owed, starting six months after the balance due bills are sent out? Particularly, will the supplying of documents be added to the special expenses?"

The Subcommittee replied in the affirmative to these two questions.

Moreover, upon the proposal of the Delegate from Switzerland, it decided to delete the words "for the benefit of the Union" in the drafting of paragraph 7.

Paragraph 7 was sent back to the drafting group to be worded according to the decisions of the Subcommittee.

The Chairman reminded the Subcommittee that it received directives from Committee C the day before. The Working Group immediately took these directives into consideration in drafting paragraph 4.

The Delegate from France read the draft for paragraph 4. It was worded as follows: "The ordinary expenses of the Union are determined by the Plenipotentiary Conference. They include, in particular, the expenses of the Administrative Council, of the General Secretariat, of the I.F.R.B., of the permanent personnel of the International Consultative Committees, and of the laboratories created by the Union."

He emphasized the fact that the drafting group insisted on starting the enumeration which may possibly be incomplete, with the words "in particular."

Upon the suggestion of the Delegate from Greece, the Subcommittee decided to complete the first sentence in order to specify that the ordinary expenses are borne by all the members.

The Chairman wished to specify "laboratories possibly to be created by the Union." Moreover, he reminded the Subcommittee that the Moscow document provided that for these laboratories "the expenses incurred for the special research for any one particular member are borne by him."

The Delegate from the United Kingdom suggested that the term "laboratories controlled by the Union" be used in order to take into account the laboratories already in existence (that of the C.C.I.F.).

The Delegate from Portugal feared that the proposed wording "The ordinary expenses are determined by the Plenipotentiary Conference" would take away from the Administrative Council the possibility of studying the budget each year. The desired objective is to establish rules and limits which would prevent the Administrative Council from acting with complete freedom, but would leave it the task of deciding on all the details, a task which the Plenipotentiary Conference can obviously not perform for five years.

The Delegate from the United States proposed that reference be made to a text drawn up by Working Group No. 2 of Committee C, with a view to the drafting of Article 10 of the Convention, which specifies that the Plenipotentiary Conference sets up the basis for the budget for the next five years.

The Subcommittee agreed to this suggestion. After a short discussion it decided to retain in the draft the words "in particular" the deletion of which had been proposed by the Delegate from Greece.

The Subcommittee sent paragraph 4 back to the drafting group, with the request that the new draft be submitted for the meeting the following morning.

The Delegate from the United Kingdom urged that some sort of a safeguard in connection with expenses be added to the Convention. Article 10 provides that the Plenipotentiary Conference shall set up the basis for the budget. A higher limit for the credits should be established.

The Subcommittee recognized that such a limit cannot be set by the Convention, but that it would be essential for the Plenipotentiary Conference to set this limit at the same time as it establishes the basis for the budget.

The Subcommittee decided to submit to Committee C a resolution designed to call its attention to the necessity to set the limits of the expenses.

The meeting adjourned at 1 p.m.

Rapporteur: 1

H. Lacroze

Chairman:

Sh. Abaza

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Conférence internationale
des télécommunications
d'Atlantic City
1947

Document no 334 TR
31 août 1947

T E X T S

présentés par le groupe de travail 1
à la commission C

Ce document contient des revisions des doc.
169 TR, 183 TR, 197 TR, 209 TR, 292 TR, 293 TR,
ainsi que de nouveaux textes.

International Telecommunications
Conference
Atlantic City
1947

Document No. 334 TR-E
August 31, 1947

T E X T S

presented by Working Group 1 to
Committee C

This document includes revision of Doc. 169 TR-E,
183 TR-E, 197 TR-E, 209 TR-E, 292 TR-E, 293 TR-E
as well as new texts.

Article 3.OBJET DE L'UNION

I. L'Union a pour objet :

- a) de maintenir et d'étendre la coopération internationale pour l'amélioration et l'emploi rationnel des télécommunications de toutes sortes;
- b) de favoriser le développement de moyens techniques et leur exploitation la plus efficace, en vue d'augmenter le rendement des services des télécommunications, d'accroître leur emploi et de généraliser, le plus possible, leur utilisation par le public;
- c) d'harmoniser les efforts des nations vers ces fins communes.

II. A cet effet, et plus particulièrement l'Union

- a) effectue l'attribution des fréquences du spectre et l'enregistrement des assignations de fréquences de façon à éviter les brouillages nuisibles entre les stations de radiocommunication des différents pays.

Pour le paragraphe suivant, deux variantes ont été préparées :

- b) (a) favorise l'établissement de tarifs afférents aux services des télécommunications à des niveaux aussi bas que possible, compatibles avec un service de bonne qualité et une gestion financière saine et indépendante.

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;
- c) to harmonize the actions of nations in the attainment of these common ends.

II. To this end, the Union will in particular

- a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference 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 independent financial administration on a sound basis.

Ont marqué leur préférence pour cette rédaction les délégations de l'Irlande et des E.U.A.

- b) (b) favorise la collaboration entre ses Membres en vue de l'établissement de tarifs afférents aux services des télécommunications à des niveaux aussi bas que possible, compatibles avec un service de bonne qualité et une gestion financière saine et indépendante des télécommunications.

Ont marqué leur préférence pour cette rédaction les délégations du Royaume-Uni, de la France, de l'Inde et de l'U.R.S.S.

- c) provoque l'adoption de mesures permettant d'assurer la sécurité de la vie humaine par la coopération des services des télécommunications;
- d) procède à des études, élabore des recommandations, recueille et publie des informations concernant les télécommunications, au bénéfice de tous les Membres de l'Union.

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 independent financial administration of telecommunications on a sound basis.

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

- c) promote the adoption of measures for ensuring 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.

(334 TR)

Article 4

STRUCTURE DE L'UNION

§ 1. L'Union est organisée comme suit :

La conférence de plénipotentiaires de ses Membres qui est l'organe suprême de l'Union.

Les conférences administratives.

Les organismes permanents désignés ci-après :

- a) Le Conseil d'administration;
- b) Le Comité international d'enregistrement des fréquences (C.I.E.F.);
- c) Le Comité consultatif international télégraphique (C.C.I.T.);
- d) Le Comité consultatif international téléphonique (C.C.I.F.);
- e) Le Comité consultatif international des radiocommunications (C.C.I.R.);
- [f) Le Comité consultatif international de radiodiffusion (C.C.I.D.)]
- g) Le Secrétariat de l'Union.

(334 TR-E)

Article 4.

STRUCTURE OF THE UNION

§ 1. The Union shall be organized as follows :

The Plenipotentiary Conference of its Members which is the supreme organ of the Union.

The Administrative Conferences.

The permanent bodies of the Union which are:

- a) The Administrative Council;
- b) The International Frequency Registration Board (I.F.R.B.);
- c) The International Telegraph Consultative Committee (I.T.C.C.);
- d) The International Telephone Consultative Committee (I.F.C.C.);
- e) The International Radio Consultative Committee (I.R.C.C.);
- [f) The International Broadcasting Consultative Committee (I.B.C.C.)]
- g) The Secretariat of the Union.

(334 TR)

Article 4 bis

Le Conseil d'administration

§ 1. a. Le Conseil d'administration est composé de 18 Membres de l'Union élus par la Conférence de plénipotentiaires pour une période qui, à moins qu'il n'en soit décidé autrement par une conférence de plénipotentiaires, est la période comprise entre deux conférences de plénipotentiaires. Les membres sont rééligibles.

b. La nécessité d'une représentation équitable de toutes les parties du monde doit être dûment prise en considération lors de l'élection des Membres du Conseil d'administration.

c. S'il se produit une vacance au sein du Conseil d'administration, entre deux conférences de plénipotentiaires, le siège revient de droit au Membre de l'Union ayant obtenu lors du dernier scrutin, le plus grand nombre de suffrages parmi les Membres dont la candidature n'a pas été retenue et appartenant à la même partie du monde que le Membre dont le siège est vacant.

§ 2. Chacun de ces Membres nomme pour faire partie du Conseil d'administration une personne qualifiée en raison de son expérience des services des télécommunications.

§ 3. Chaque Membre du Conseil dispose d'une voix. Les décisions du Conseil d'administration sont prises en suivant la même procédure que celle prévue au Règlement général en vigueur. Dans les cas non prévus par le Règlement général, il établit lui-même son propre règlement intérieur.

(334 TR)

Article 4 bis

Administrative Council

§ 1. a. The Administrative Council shall be composed of 18 Members of the Union elected by the Plenipotentiary Conference for a period which, unless otherwise decided by a Plenipotentiary Conference, shall be the period which elapses between Plenipotentiary Conferences. Members are eligible for re-election.

b. In the election of Members to the Administrative Council due regard shall be paid to the need for equitable representation for all parts of the world.

c. If a seat becomes vacant in the Administrative Council between two Plenipotentiary Conferences, it passes by right to the Member of the Union from the same quarter of the world as the Member whose seat is vacated, who had obtained at the previous election the largest number of votes among those not elected.

§ 2. Each of these Members shall appoint to serve on the Administrative Council a person qualified in the field of telecommunication services.

§ 3. Each Member of the Administrative Council shall have one vote. In taking its decisions, the Administrative Council shall follow the same procedure as that provided in the General Regulations currently in force. In cases not covered by the General Regulations, the Administrative Council may adopt its own rules of procedure.

(334 TR)

§ 4. Le Conseil d'administration élit cinq de ses Membres pour assurer la présidence et les vice-présidences pendant la période qui s'écoule normalement entre deux conférences de plénipotentiaires. Chacun de ces cinq Membres assume la présidence pendant une année seulement, y compris la présidence de toute la dernière réunion convoquée pendant cette année. La présidence est attribuée chaque année par tirage au sort.

§ 5. Le Conseil d'administration siège une fois par an et chaque fois qu'il l'estime nécessaire ou à la demande de six de ses Membres.

§ 6. Le Conseil d'administration se réunit normalement au siège de l'Union.

§ 7. Le président du Comité international d'enregistrement des fréquences et les directeurs des Comités consultatifs internationaux participent de plein droit aux délibérations du Conseil d'administration mais sans prendre part aux votes. Toutefois, le Conseil peut tenir ses séances exceptionnellement réservées à ses seuls membres.

§ 8. Seuls les frais de déplacement et de séjour engagés par les Membres du Conseil d'administration à ce titre sont à la charge de l'Union.

§ 9. Le Secrétaire général de l'Union remplit les fonctions de Secrétaire du Conseil d'administration.

§ 10. Dans l'intervalle entre les conférences de plénipotentiaires, le Conseil d'administration agit en tant que mandataire de la conférence de plénipotentiaires dans les limites des pouvoirs qui lui ont été conférés par celle-ci.

(334 TR-E)

§ 4. The Administrative Council shall elect five of its Members to assume the Chairmanship and Vice Chairmanship during the period which normally elapses between two Plenipotentiary Conferences. Each of these five Members shall assume the Chairmanship for one year only, including the Chairmanship throughout the last meeting convened during that year. The Chairmanship shall be decided each year by lot.

§ 5. The Administrative Council shall meet once a year and at such other times as it deems necessary or at the request of six of its Members.

§ 6. The Administrative Council normally shall meet at the seat of the Union.

§ 7. The Chairman of the International Frequency Registration Board and the Directors of the International Consultative Committees shall participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless the Council may exceptionally hold meetings confined to its own members.

§ 8. Only the travelling and subsistence expenses incurred by Members of the Administrative Council in this capacity shall be a charge on the Union.

§ 9. The Secretary General of the Union shall act as Secretary of the Administrative Council.

§ 10. In the intervals between Plenipotentiary Conferences, the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the Plenipotentiary Conference.

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§ 11. Le Conseil d'Administration 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.

§ 12. En particulier, le Conseil d'administration

- a) accomplit toutes les tâches qui lui sont 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 de coordination avec ces organisations;
- c) nomme le Secrétaire général et les deux Secrétaires généraux-adjoints de l'Union;
- d) contrôle le fonctionnement administratif de l'Union;
- e) examine et arrête le budget annuel de l'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;

(334 TR.E)

§ 11. The Administrative Council shall be 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.

§ 12. 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 two 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) 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;

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- g) prend les dispositions nécessaires pour la convocation des conférences de plénipotentiaires et administratives de l'Union en application des Articles....et....;
- h) coordonne les activités de tous les autres organismes permanents de l'Union, examine et prend les dispositions qu'il juge opportunes pour donner suite aux demandes ou recommandations qui lui sont soumises par ces organismes, et, conformément aux dispositions des règlements, procède à la désignation d'interimaires pour les sièges devenus vacants dans ces Comités;
- i) 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.

(334 TR)

- g) Arrange for the convening of plenipotentiary and administrative conferences of the Union as provided for in Articles...and....;
- h) Coordinate the activities of all the other permanent bodies of the Union, consider and take such action as it deems appropriate on requests or recommendations made to it by such bodies and fill vacancies thereon and interim as prescribed in the Regulations;
- i) 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 necessary for the proper administration of the Union.

(334 TR)

Article 4 ter

COMITE INTERNATIONAL D'ENREGISTREMENT
DES FREQUENCES

§ 1. Les tâches essentielles du Comité international d'enregistrement des fréquences consistent :

(a) à effectuer une inscription méthodique des assignations des fréquences faites par les différents pays, de manière à fixer, conformément à la procédure prévue dans le Règlement des radiocommunications la date, le but et les caractéristiques techniques de chacune de ces assignations, afin d'en assurer la reconnaissance officielle;

(b) à fournir des avis aux Membres de l'Union, en vue de l'exploitation d'un nombre aussi grand que possible de voies radioélectriques dans les régions du spectre des fréquences où des brouillages nuisibles peuvent se produire.

§ 2. Le Comité international d'enregistrement des fréquences est composé d'un groupe de membres indépendants, tous ressortissants de pays différents, Membres de l'Union.

§ 3. (a) Les membres du Comité s'acquittent de leur tâche, non comme des représentants de leurs pays respectifs, ou d'une région, mais comme des agents impartiaux investis d'un mandat international.

(b) Aucun membre du Comité ne doit, relativement à l'exercice de ses fonctions, demander ni recevoir d'instructions d'aucun gouvernement, ni d'aucun membre d'un gouvernement quelconque, ni d'aucune organisation ou personne publique ou privée. De plus, chaque Membre de l'Union doit respecter le caractère international du Comité et des fonctions de ses membres, et il ne doit en aucun cas essayer d'influencer l'un quelconque d'entre eux dans l'exécution de ses fonctions.

(334 TR-E)

Article 4 ter

INTERNATIONAL FREQUENCY REGISTRATION
BOARD

§ 1. The essential duties of the International Frequency Registration Board shall be :

(a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;

(b) to render advice to the Members of the Union with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur.

§ 2. The International Frequency Registration Board shall be composed of a body independent members, all nationals of different countries, Members of the Union.

§ 3. (a) The members of the Board shall serve, not as representatives of their respective countries, or regions, but as custodians of an international public trust.

(b) No member of the Board shall request or receive instructions relating to the exercise of his duties from any Government or a member thereof or from any public or private organization or person. Furthermore, each Member of the Union must respect the international character of the Board and of the functions of its members and shall refrain from any attempt to influence any of them in the performance of their functions.

(334 TR)

(c) Aucun membre du Comité et de son personnel ne doit avoir de participation ou d'intérêts financiers, de quelque nature que ce soit, dans aucune entreprise exerçant son activité dans une branche quelconque des télécommunications.

§ 4. Les membres du Comité sont élus par la Conférence administrative normale des radiocommunications suivant une procédure arrêtée par cette conférence.

§ 5. Les méthodes de travail du Comité sont définies dans le Règlement des radiocommunications.

(334 TR-E)

(c) No member of the Board nor any of its staff may take any part or have any financial interest whatsoever in any enterprise engaged in any branch of telecommunications.

§ 4. Members of the Board shall be elected by each ordinary Administrative Radio Conference according to the procedure established by that Conference.

§ 5. The working arrangements of the Board are defined in the General Radio Regulations.

(334 TR)

Article 4, quater

COMITES CONSULTATIFS INTERNATIONAUX

§ 1. Le Comité consultatif international télégraphique (C.C.I.T.) est chargé d'effectuer des études et d'émettre des avis sur des questions techniques, d'exploitation et de tarification concernant la télégraphie et les fac-similes;

Le Comité consultatif international téléphonique (C.C.I.F.) est chargé d'effectuer des études et d'émettre des avis sur des questions techniques, d'exploitation et de tarification concernant la téléphonie;

Le Comité consultatif international des radiocommunications (C.C.I.R.) est chargé d'effectuer des études et d'émettre des avis sur les questions techniques relatives aux radiocommunications ainsi que sur des questions d'exploitation dont la solution dépend principalement de considérations liées à la technique radioélectrique;

(Le Comité consultatif international de radiodiffusion (C.C.I.D.) est chargé d'effectuer des études et d'émettre des avis sur des questions concernant la radiodiffusion et la télévision).*

* Si le Comité consultatif international de radiodiffusion (C.C.I.D.) n'est pas créé, il pourra être désirable d'envisager l'inclusion de certaines questions techniques de radiodiffusion et de télévision dans les attributions du C.C.I.R.

(334 TR-E)

Article 4, quater

INTERNATIONAL CONSULTATIVE COMMITTEES

§ 1. The duties of the International Telegraph Consultative Committee (I.T.C.C.) shall be to study technical, operating and tariff questions relating to telegraphy and facsimile and to issue recommendations on them;

The duties of the International Telephone Consultative Committee (I.F.C.C.) shall be to study technical, operating and tariff questions relating to telephony and to issue recommendations on them;

The duties of the International Radio Consultative Committee (I.R.C.C.) shall be to study technical radio questions and operating questions the solution of which depends principally on considerations of a technical radio character and to issue recommendations on them;

(The duties of the International Broadcasting Consultative Committee (I.B.C.C.) shall be to study questions of sound or television broadcasting and to issue recommendations on them.)*

* If the International Broadcasting Consultative Committee (I.B.C.C.) is not created it might be desirable to consider including certain technical broadcasting and television questions in the assignments of the I.R.C.C.

(334 TR)

§ 2. Les questions qui doivent être étudiées par les Comités consultatifs internationaux, et sur lesquelles ces Comités sont chargés d'émettre des avis, sont celles qui leur sont soumises soit par la conférence des plénipotentiaires, soit par une conférence administrative, soit par le Conseil d'administration de l'Union, soit par un autre Comité consultatif international de l'Union, soit par le Comité international d'enregistrement des fréquences, ainsi que celles dont la mise à l'étude est décidée par les assemblées plénières de ces Comités consultatifs internationaux eux-mêmes ou bien qui sont présentées par au moins douze Membres de l'Union dans l'intervalle entre deux réunions de l'assemblée plénière du Comité correspondant.

§ 3. Les Comités consultatifs internationaux ont pour membres:

(a) les administrations des Membres de l'Union;

(b) celles des exploitations privées qui ont déclaré vouloir faire participer leurs experts aux travaux de ces Comités.

§ 4. Le fonctionnement de chaque Comité consultatif international est assuré par:

(a) L'assemblée plénière, qui se réunit normalement tous les deux ans étant entendu qu'une réunion doit avoir lieu environ un an avant la réunion de la conférence administrative correspondante. Chaque réunion de l'assemblée plénière a lieu dans un endroit fixé par la réunion précédente de l'assemblée plénière;

(b) Les Commissions d'études, qui sont constituées par l'assemblée plénière pour traiter les questions mises à l'étude;

(334 TR-E)

§ 2. The questions to be studied by International Consultative Committees, and on which these Committees shall issue recommendations, are those which are submitted to them by the Plenipotentiary Conference, by an Administrative Conference, by the Administrative Council of the Union, by another International Consultative Committee of the Union, or by the International Frequency Registration Board, as well as those adopted for study by the Plenary Assemblies of these International Consultative Committees themselves or which are presented by at least twelve Members of the Union in the interval between meetings of the Plenary Assembly concerned.

§ 3. The International Consultative Committees shall have as Members:

(a) Administrations of members of the Union;

(b) Such private operating agencies as have expressed a desire to have their experts participate in the work of these Committees.

§ 4. Each International Consultative Committee shall comprise:

(a) A Plenary Assembly, which shall normally meet every two years, provided that a meeting shall take place about one year previous to the meeting of the corresponding Administrative Conference. Each meeting of a Plenary Assembly shall be held in a place fixed by the previous meeting of the Plenary Assembly;

(b) Study Groups, which shall be set up by the Plenary Assembly to deal with questions to be studied;

(334 TR)

(c) Le Directeur, qui est nommé par l'assemblée plénière pour une durée indéfinie mais avec faculté réciproque de résiliation;

(d) Le secrétariat spécialisé, qui assiste le Directeur pour l'exécution des travaux;

(e) Eventuellement, les laboratoires ou installations techniques créés par l'Union.

§ 5. (a) Les Comités consultatifs internationaux doivent suivre les Règles de procédure contenues dans le Règlement général annexé à la Convention.

(b) L'assemblée plénière d'un Comité consultatif international peut adopter des règles additionnelles de procédure pour faciliter les travaux du comité, sous réserve qu'elles ne soient pas incompatibles avec le Règlement général.

§ 6. Les méthodes de travail des Comités consultatifs internationaux sont définies dans le Chapitre ____ du Règlement général annexé à la Convention.

(334 TR-E)

(c) The Director, who shall be appointed by the Plenary Assembly for an indefinite period, but with the reciprocal right of terminating the appointment;

(d) The specialized Secretariat, which assists the Director in the performance of the work ;

(e) Such laboratory or technical installation as may be set up by the Union.

§ 5. (a) The International Consultative Committee shall observe the rules of procedure contained in the General Regulations annexed to the Convention.

(b) The Plenary Assembly of an International Consultative Committee may adopt such additional rules of procedure as may facilitate the work of the Committee, provided that they do not conflict with the General Regulations.

§ 6. The working arrangements of the International Consultative Committees are defined in Chapter ____ of the General Regulations annexed to the Convention.

(334 TR)

Article 4 (quinquies)

SECRETARIAT

§ 1. Le Secrétariat de l'Union est dirigé par le Secrétaire général, qui est responsable envers le Conseil d'administration 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 d'administration;
- 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;

(334 TR-F)

Article 4 (quinquies)

SECRETARIAT

§ 1. The Secretariat of the Union shall be 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 any 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 shall 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;

(334 TR)

- 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;
- 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 ci-annexés;
 - 3) Tous autres documents dont l'établissement est prescrit par les conférences et le Conseil d'administration;
- i) Distribue aux 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;

(334 TR-E)

- 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) Keep up to ^{date,} 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 keep up to complete records of them;
- h) Prepare, publish and keep up to date:
 - 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;
 - 3) Such other documents as the Conferences or the Administrative Council may direct;
- i) Distribute the published documents to Members of the Union, in proportion to the number of units of subscription of each Member, as provided for in Article ... of the Convention;

(334 TR)

- 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 les renseignements susceptibles d'être utiles aux Membres de l'Union concernant la mise en oeuvre de moyens techniques afin d'obtenir le meilleur rendement des services des télécommunications et notamment le meilleur emploi possible des fréquences radioélectriques en vue de réduire les brouillages;
- l) 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 d'administration 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 d'administration ainsi qu'un rapport récapitulatif à la veille de chaque conférence de plénipotentiaires. Ces rapports, après vérification et approbation par le Conseil d'administration, sont soumis par ce dernier à la conférence de plénipotentiaires suivante pour examen et approbation définitive;

(334 TR-E)

- j) Collect and publish, in suitable form, data both national and international regarding telecommunication facilities 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 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;
- l) 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;

(334 TR)

o) Etablit, sur son activité officielle, un rapport annuel transmis après approbation du Conseil d'administration, à tous les Membres de l'Union;

p) Assure toutes les autres fonctions du Secrétariat de l'Union.

§ 3. Le Secrétaire général, les secrétaires généraux adjoints et les membres du Secrétariat reçoivent des traitements calculés sur les bases fixées par la conférence de plénipotentiaires.

§ 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'efficience, 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, les secrétaires généraux adjoints 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 et à ne pas chercher à les influencer dans l'exécution de leur tâche.

(334 TR-E)

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, the Assistant Secretary General and the members of the Secretariat shall receive salaries on a basis established by the Plenipotentiary Conference.

§ 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, the Assistant secretaries 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 seek to influence them in the discharge of their responsibilities.

(334 TR)

Article 7

REGLEMENTS

§ 1. Le Règlement général contenu dans l'Annexe _____ a la même validité que la Convention, sous réserve des dispositions de l'article _____ de la Convention. (Règlement intérieur).

§ 2. Les dispositions de la présente Convention sont complétées par les Règlements administratifs suivants:

Le Règlement télégraphique,

Le Règlement téléphonique,

Le Règlement des radiocommunications,

(et éventuellement par les autres Règlements que la présente conférence de plénipotentiaires déciderait de faire établir, par exemple, le Règlement de radiodiffusion).

§ 2. Ces règlements lient tous les Membres et les Membres associés de l'Union.

(334 TR-E)

Article 7.

REGULATIONS

§ 1. The General Regulations contained in Annex _____ have the same validity as the Convention, subject to the provisions of Article _____ of the Convention.

Rules of Procedure.

§ 2. The provisions of the Convention are completed by the following Administrative Regulations:

The Telegraph Regulations,

The Telephone Regulations,

The Radio Regulations,

and by any other Regulations which the present Plenipotentiary Conference might decide to have established, e.g., the Broadcasting Regulations.

§ 2. These Regulations shall be binding for all Members and Associate Members of the Union.

(334 TR)

Pour le Protocole Final :

La disposition du § 2 de l'article ... de la Convention ne deviendra obligatoire pour les Membres qui n'ont pas encore approuvé les Règlements télégraphique et/ou téléphonique qu'à la date de la signature des Règlements télégraphique et téléphonique qui seront révisés et arrêtés par la prochaine conférence administrative télégraphique et téléphonique.

(334 TR-E)

For the Final Protocol :

For those members who have not yet approved the Telegraph and/or Telephone Regulations, the provisions of Paragraph 2 of Article _____ of the Convention shall become binding only on the date of the signing of the Revised Telegraph and Telephone Regulations to be established by the next Telegraph and Telephone Administrative Conference.

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September 1, 1947

NEGOTIATIONS FOR THE ESTABLISHMENT OF RELATIONSHIP BETWEEN THE
INTERNATIONAL TELECOMMUNICATIONS UNION AND THE UNITED NATIONS.

1. The Negotiating Committee of the I.T.U. met the United Nations' Committee on Negotiations with Specialized Agencies on the 12th, 13th, and 14th of August, 1947. The draft agreement to bring the I.T.U. into relationship with the U.N., which had been approved by the Plenary Session of the Conference held on August 8th (231 TR) was already in the hands of U.N. representatives. They proposed for consideration a much more elaborate draft which conformed in several details to the agreements of a standard type concluded with various other specialized agencies and went a good deal further than the U.P.U. agreement. It was explained that the General Assembly of the U.N. had approved the latter with great reluctance. The U.N. draft was however in certain respects quite unacceptable to the I.T.U. negotiators.

2. The two drafts were considered together and the divergence of views on some issues rendered it necessary for our Committee to adopt a very firm attitude during the entire discussions. The draft which ultimately emerged was accepted unanimously by the members of both negotiating groups. The I.T.U. representatives were in complete agreement with their Spokesman throughout. All of them were present to support him at every session during the negotiations, except the delegate of the U.S.S.R. (Mr. Nikitin) who was at the last moment required to represent the U.S.S.R. in the U.N. negotiating group and the delegate of France (Mr. Jacques Meyer) who was unavoidably absent from the last session on 14th August.

3. For purposes of comparison, the I.T.U. draft, the U.M. draft, and the final draft accepted by the negotiating committees have been reproduced side by side on the paper attached, (Appendix I).

4. Article VII, Relations with the International Court of Justice, has been included in the draft provisionally. To facilitate consideration of the desirability of retaining this article in the agreement a copy of Article 34 of the Statute of the International Court of Justice has been attached as Appendix II.

5. A few important explanations were recorded in the proceedings of the meetings of the negotiating committees. These were generally in accordance with the directives given to the I.T.U. negotiators on August 5th and will be communi-

cated to the Plenary Session of the Conference by the Chairman of our Negotiating Committee in his verbal report.

6. The Economic and Social Council of the United Nations at a meeting on the 16th August passed a resolution recommending to the General Assembly that the agreement as now drafted should be approved. The resolution as reproduced in Appendix III includes an important reservation. However, this unilateral reservation on the part of the United Nations Committee on Negotiations and the Economic and Social Council raises an essentially extraneous issue--namely, the condition on which they recommend to the General Assembly the acceptance of the agreement as a whole. It does not relate to the subject matter or to the drafting of the individual Articles of the Agreement and it was outside the competence of the I.T.U. Negotiating Committee to discuss.

7. It was not possible to obtain the essential documents from the United Nations until August 28th after the secretary of the I.T.U. negotiating group had been sent to Lake Success to obtain them. Hence the delay in submitting a report to the Conference.

TEXT OF THE DRAFT AGREEMENT BETWEEN THE UN AND THE ITU APPROVED IN THE PLENARY SESSION OF THE ITU ON AUGUST 9, 1947, FOR USE OF THE NEGOTIATING GROUP

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 the Charter of the United Nations, 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.

TEXT PRESENTED BY THE UNITED NATIONS NEGOTIATING GROUP TO THE ITU NEGOTIATING GROUP

PREAMBLE

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

ARTICLE I.

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

TEXT OF THE DRAFT AGREED BETWEEN THE TWO NEGOTIATING GROUPS

PREAMBLE

In consideration of the provisions of Article 57 of the Charter of the United Nations and of Article _____ of the Convention of the International Telecommunications Union of Atlantic City 1947, the United Nations and the International Telecommunications Union 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 Telecommunications 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 United Nations may be concerned.

ARTICLE II.

Membership

The Union agrees that a country or territory shall be suspended from exercising its rights of membership of the Union so long as the exercise of those rights shall be contrary to a resolution of the General Assembly of the United Nations applicable to all specialized agencies brought into relationship with the United Nations.

ARTICLE III.

Reciprocal Representation

1. Representatives of the United Nations shall be invited to attend the Plenipotentiary and Administrative Conferences of the Union, the Administrative Council and such other meetings as the Union may convene, and to participate, without vote, in the deliberations of these bodies.

ARTICLE II.

(Note: There is no membership clause in the agreed draft and ARTICLE II of the ITU draft is covered by ARTICLE XV of the agreed draft.)

ARTICLE II.

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. It shall also, after appropriate consultation, be invited to send representatives to attend international consultative committee or any other meetings convened by the Union with the right to participate without vote in the discussion of items of interest to the United Nations.

2. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations 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.

2. Representatives of the Union shall be invited to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

3. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations 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.

4. Representatives of the Union shall be invited to attend meetings of the main committees of the General Assembly when telecommunications matters are under discussion and to participate, without vote, in such discussions.

2. The Union shall be invited to send representatives to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

3. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations 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.

4. The Union shall be invited to send representatives to attend meetings of the main committees of the General Assembly when matters within the competence of the Union are under discussion and to participate, without vote, in such discussions.

5. 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 United Nations 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 IV.

Proposal of Agenda Items

After such preliminary consultation as may be necessary, the Union shall include on the agenda of Plenipotentiary or Administrative Conferences or the Administrative Council of the Union items proposed to it by the United Nations, and the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the Conferences or the Administrative Council of the Union.

5. 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 III.

Proposal of Agenda Items

After such preliminary consultation as may be necessary, the Union shall include on the agenda of the Plenipotentiary or Administrative Conference or meetings of other organs of the Union, items proposed to it by the United Nations. Similarly, the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the conferences or other organs of 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.

ARTICLE V.

Recommendation of the United Nations

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international, economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ of all formal recommendations which the United Nations may make to it.

ARTICLE IV.

Recommendations of the United Nations

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to International Economic, Social, Cultural, Educational, Health and related matters and to make recommendations concerning these matters to the specialized agencies concerned and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the coordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may seem proper of all formal recommendations which the United Nations may make to it.

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 or bodies 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

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 coordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to cooperate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such coordination 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

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 coordination of the activities of specialized agencies and those of the United Nations fully effective. In particular it agrees to cooperate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such coordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V.

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

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 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;

(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.

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 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;

(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.

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(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 cooperate 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 VII

Assistance to the United Nations

The Union agrees to cooperate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunications Convention.

ARTICLE VI

Assistance to the United Nations

The Union agrees to cooperate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunications Convention, taking fully into account the particular position of the individual members of the Union who are not members of the United Nations.

ARTICLE VIII

Relations with the Inter-
national Court of Justice

1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.
2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.
3. Such request may be addressed to the Court by the Plenipotentiary conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary conference.
4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.

(ARTICLE VII)

(Relations with the Inter-
(national Court of Justice)

P R O V I S I O N A L

- (1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the statute of the Court.
2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.
3. Such request may be addressed to the Court by the Plenipotentiary Conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference.
4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.)

ARTICLE IX

Headquarters and Regional
Offices

(NOT ADOPTED)

1. The Union agrees to consult with the United Nations before making any decision concerning the transfer of its permanent headquarters.

2. Any regional or branch offices which the Union may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE VIII

Personnel Arrangements

The United Nations and the Union agree to cooperate 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

ARTICLE X

Personnel Arrangements

1. The United Nations and the Union recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative coordination, and with this end in view agree to develop as far as practicable common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum

ARTICLE(VIII) VII

Personnel Arrangements

1. The United Nations and the Union agree to develop as far as practicable common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

(b) to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

benefit from their services

2. The United Nations and the Union agree to cooperate to the fullest extent possible in achieving these ends and in particular they agree to:

(a) consult together concerning the establishment of an international Civil Service Commission * to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(b) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

2. The United Nations and the Union agree to cooperate to the fullest extent possible in achieving these ends.

(c) cooperate in the interchange of personnel when desirable on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(d) cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

* It has been proposed that this body should be known as the International Personnel Advisory Board.

ARTICLE IX

Statistical Services

1. The United Nations and the Union agree to cooperate with a view to insuring that statistical information and data shall be as useful and as widely used as possible.

ARTICLE XI

Statistical Services

1. The United Nations and the Union agree to strive for maximum cooperation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

ARTICLE VIII(IX)

Statistical Services

1. The United Nations and the Union agree to strive for maximum cooperation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations

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.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall in consultation with the Union and with the other specialized agencies where appropriate, develop administrative instruments and procedures through

from which such information may be collected.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world. All decisions as to the form in which its service documents are compiled rest with the Union.

which effective statistical cooperation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information shall not be duplicated by the United Nations or any of its specialized agencies whenever it is practicable for any of them to utilize information or material which another may have available.
6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations.
7. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as practicable and appropriate be made available to the Union.
4. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations upon request.
5. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as practicable and appropriate be made available to the Union upon request.

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

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 XIII

Budgetary and Financial
Arrangements

1. The Union recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner.

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 (XI) X

Budgetary and Financial
Arrangements

1. The budget or the proposed budget of the Union shall be transmitted to the United Nations at the same time as such budget is transmitted to the members of the Union and the General Assembly may make recommendations thereon to the Union.

possible, and that the maximum measure of coordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the Union agree to cooperate to the fullest extent possible in achieving these ends, in particular, shall consult together concerning the desirability of the inclusion of the budget of the Organization within a general budget of the United Nations. Any arrangements to this effect shall be defined in a supplementary agreement between the two Organizations.

3. Pending the conclusion of any such agreement, the following arrangements shall govern budgetary and financial relationships between the World Health Organization and the United Nations:

(a) The Secretary General and the Director General shall arrange for consultation in connection with the preparation of the budget of the World Health Organization.

(b) The Union agrees to transmit its proposed budget to the United Nations at the same time as such budget is transmitted to its members. The General Assembly shall examine

the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein.

(c) Representatives of the Union shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union or general administrative or financial questions affecting the Organization are under consideration.

(d) The United Nations may undertake the collection of contributions from those members of the Union which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

(e) The United Nations shall, upon its own initiative or upon the request of the Union, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provisions of common services and the securing of uniformity in such matters.

2. The Union shall be entitled to send representatives to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union is under consideration.

(f) The Union agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

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 XIV

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 assistance 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 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 assistance 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. Consultations 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 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 XV

Inter-Agency Agreements

The Union agrees to inform the Economic and Social Council of the nature and scope of any formal agreement between the Union and any other specialized agency, inter-governmental organization or non-governmental organization and to inform the Economic and Social Council before any such agreement is concluded.

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 other specialized agency or other inter-governmental organization or international nongovernmental organization, and further will inform the Economic and Social Council of the details of any such agreement, when concluded.

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated by any other specialized agencies on matters which might be of concern 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.

SEE ARTICLE II - ITU

ARTICLE XVI

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 XVII

United Nations Telecommunication
Services

1. The Union undertakes to ensure that the United Nations, as an organization operating telecommunication services, has the appropriate facilities.

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 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 XIV (XV)

United Nations Telecommunication
Service

1. The Union recognizes that it is important that the United Nations shall benefit by the same rights as the members of the Union for operating telecommunications services.

2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunication Convention and the Regulations annexed thereto.

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 XVIII

Implementation of 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.

2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunication Convention and the Regulations annexed thereto.

3. The precise arrangements for implementing this article shall be dealt with separately.

ARTICLE (XVI) XV

Implementation of 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.

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

ARTICLE XIX

Revision

This Agreement shall be subject to revision by agreement between the United Nations and the Union.

ARTICLE XX

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 same time as this Convention.

ARTICLE (XVII) XVI

Revision

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

ARTICLE(XVIII) XVII

Entry into Force

1. This agreement will come into force provisionally after approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunications Conference at Atlantic City in 1947.

2. Subject to the aforementioned approvals, the agreement will formally enter into force at the same time as the International Telecommunications Convention concluded at Atlantic City in 1947 or at some earlier date as may be arranged for by a decision of the Union.

Appendix II

ARTICLE 34 OF THE STATUTE OF THE INTERNATIONAL
COURT OF JUSTICE

Competance of the Court

1. Only States may be parties in cases before the Court
2. The Court subject to and in conformity with its Rules may request of Public International Organizations information relevant to cases before it and shall receive such information presented by such organization on their own initiative.
3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

APPENDIX III

16 August 1947
United Nations

16 August 1947.

Economic and Social Council

Draft agreement between the United Nations
and the International Telecommunication Union

THE ECONOMIC AND SOCIAL COUNCIL,

HAVING EXAMINED the agreement entered into between its Committee on Negotiations with Specialized Agencies and the International Telecommunication Union and

BEARING IN MIND, that the General Assembly in its resolution No. 50 (I) of 14 December 1946, considered it essential that the policies and the activities of the Specialized Agencies and of the organs of the United Nations should be co-ordinated,

TAKES NOTE of the special circumstances which made it impossible for the time being to reach an agreement with the Union in more close conformity with other agreements with Specialized Agencies, already approved by the General Assembly, and

STATES that the agreement with the Union should not be regarded as a precedent for future agreements with Specialized Agencies,

ADOPTS the draft agreement with a reservation to the effect that approval of the agreement is conditional on a decision by the Plenipotentiary Conference of the Union at Atlantic City which will have the effect of bringing the Union into full compliance with the RESOLUTION passed by the General Assembly on 12.12.46 with regard to Franco Spain, and subject to this reservation,

RECOMMENDS to the General Assembly that the agreement with the International Telecommunication Union be approved.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

1947

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DOCUMENT NO 336 TR-E

September 1st, 1947.

This document concerns only the French text.

-2 Sept 1947

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INTERNATIONAL
RADIO CONFERENCE
ATLANTIC CITY, 1947

857 R-E
Document No. 337 TR-E
September 1, 1947

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

JOINT MEETING HEADS OF DELEGATIONS
INTERNATIONAL RADIO CONFERENCE - INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
RENAISSANCE ROOM, WEDNESDAY, SEPTEMBER 3, 1947, 8:00 P.M.

AGENDA

1. Confirmation of Committee C action with respect to Seat of the Union (Doc. 327 TR)
2. Transitional arrangements (Doc. 328 TR)
3. Schedule of future conferences (See Annex)
4. Work of CCIR (Doc. 305 TR and 326 TR)
5. Miscellaneous

ANNEX

WORK SHEET PRESENTED BY CHAIRMAN
AS BASIS OF DISCUSSION

NOTE: This document has been prepared as a work sheet for the convenience of the Heads of Delegations and of a Plenary Session, in order to facilitate consideration of future conferences. Dates indicated are approximate and suggested possible sites are on the basis of informal indications from the interested governments, and are subject to confirmation.

Conference	Suggested Date	Interested Inviting Government	Possible Site	Remarks
1. Preliminary Meeting European Broadcasting	November 1947	Belgium	Brussels	
2. Provisional Frequency Board	January 1948	Switzerland	Geneva	
3. CCIF (Technical)	April 1948	Netherlands	The Hague	
4. Safety of Life at Sea	April 1948	United Kingdom	London	
5. World Aeronautical	Spring 1948	Belgium	Brussels	
6. CCIT	May 1948	Belgium	Brussels	
7. CCIF (Rates and Traffic)	June 1948	Sweden	Stockholm	

- 2 Sept 1947

Conference	Suggested Date	Interested Inviting Government	Possible Site	Remarks
8. HF Broadcasting	June 1948		Western Hemisphere	
9. North American Broadcasting	August 1948	Canada	Montreal or Quebec	
10. International Scientific Radio Union	August 1948	Sweden	Stockholm	
11. European Broadcasting	Summer 1948	Denmark	Copenhagen	
12. CCIR	September 1948	Sweden	Stockholm	
13. Inter-American Radio	October 1948	Colombia	Bogota	
14. Conference for Approval Frequency List	March 1949	Switzerland	Genève	
15. Telephone and Telegraph Administrative Conferences	Spring 1949	France	Paris	
16. North Sea-Baltic	Early 1949	Norway	Oslo	
17. Next regular Administrative & Plenipotentiary Conferences, ITU	1952	Argentina	Buenos Aires	

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 338 TR-E

September 1, 1947

Committee C

218 TR

JOINT PROPOSAL OF LATIN AMERICAN COUNTRIES

This proposal cancels the previous
included in Document No. 300 TR.

Art. _____

L A N G U A G E S

1. The official languages of the Union shall be:

- a) Spanish
- b) French
- c) English
- d) Russian
- e) Chinese

2. (1) The final documents of the Plenipotentiary and Administrative Conferences as well as of the final acts and additional protocols shall be drafted in the languages mentioned above with versions equivalent in form and content.

(2) There shall be a parallel draft of all other documents in French, English and Spanish, with the exception of the periodical publications of the Union, that shall continue to be published in French.

3. (1) In the Conferences and permanent bodies of the Union, the debates shall be held and shall be recorded on the basis of an efficient system of parallel translation of the Spanish, French and English languages.

(2) Nevertheless, the oral use of other languages may be employed in the discussions provided that the delegations desiring to employ such languages make available a corresponding translation into any one of the languages accepted in sub-paragraph 1 of the present paragraph, for eventual

translation into the two other languages. Reciprocally, said delegates may, if they so desire, obtain translations of the discussions into their respective languages, subject to similar conditions.

4. The total expenses incurred in connection with the different languages accepted by the Union shall be met as follows:

- (1) The cost of the periodical publications contemplated in § 2 (2) shall be borne by the Union.
- (2) The cost of the final documents referred to in § 2 (1) shall be computed individually for each official language and 25% of the total will be borne by the Union. The balance that must be charged to each language in order to cover the remaining 75% shall be paid by the interested countries, which shall pay their contributions for the language adopted by them, in accordance with the number of units to be paid by them as members of the Union.
- (3) The expenses resulting from the use of the oral and written languages referred to in § 2 (2) and § 3 (1) shall be met by the Union and by the interested countries in accordance with the same rules as provided in sub-paragraph (2) of this paragraph.

5. The documents printed by the Union shall be circulated to its members in proportion to the number of units which they contribute. The additional documents requested by the interested countries shall be paid for separately at the cost price. The same procedure shall be applied to the countries that are not members of the Union and to the private operating agencies and to other organizations that request such documents.

6. For the purposes of the present article, the members of the Union shall notify the Secretariat General of the language they decide to adopt.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 339 TR-E
September 1, 1947

SIXTH PLENARY SESSION
INTERNATIONAL TELECOMMUNICATIONS CONFERENCE
RENAISSANCE ROOM, THURSDAY, SEPTEMBER 4, 1947, 10:00 A. M.

AGENDA

- 1) Approval of minutes of 4th and 5th Plenary Sessions and the 1st Joint Plenary Session (Doc. 230 TR, 234 TR and 266 TR)
- 2) Confirmation of Committee C action with respect to Seat of the Union (Doc. 327 TR).
- 3) Transitional arrangements (Doc. 328 TR)
- 4) Schedule of future conferences (See Work Sheet annexed to Agenda, Meeting of Heads of Delegations - Doc. 857 R and 337 TR)
- 5) Work of CCIR (Doc. 305 TR and 326 TR)
- 6) Report of Negotiating Committee on relations between UN and ITU (Doc. 335 TR)
- 7) Admission of Pakistan.
- 8) Continuation of uncompleted discussion on Outer Mongolia (See Doc. 230 TR).
- 9) Miscellaneous Correspondence.

- 2 Sept. 1947

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document 340 TR-E

September 1, 1947
Committee C

R E P O R T
of Subcommittee C 1 (Finance and Personnel)
of Committee C

11th Meeting
August 29, 1947

The Chairman, Mr. Abaza called the meeting to order at 10:05 a.m.

He requested the Chairman of the Drafting Group to submit to the Subcommittee the new draft wording of paragraph 4 of Article 5 of the Convention.

The Delegate from France read the draft of the paragraph. It was worded as follows:

"The ordinary expenses of the Union shall be borne by all the Members and shall comprise in particular, the expenses of the Administrative Council, the Secretary-General, the International Frequency Registration Board, the permanent personnel of the International Consultative Committees, and the Laboratories which may eventually be created by the Union."

The Chairman would have preferred that "the expenses pertaining to the meetings of the Administrative Council" should be specified, and that there should be added "the ordinary expenses shall be determined by the Plenipotentiary Conference."

The Delegate from Portugal supported by the Delegate from the United States preferred to avoid enumeration of expenses and to define ordinary expenses as those relating to the permanent functioning of the Union agencies in their normal estate.

The Delegate from Switzerland was of the opinion that extraordinary expenses should be carefully defined. Any non extraordinary expense should be considered as an ordinary expense.

The Chairman recalled that Committee C had not accepted the first text which had been submitted to it by the Subcommittee and had deemed it necessary to enumerate the ordinary expenses.

The Delegate from the United Kingdom suggested that the expenses of the offices and buildings should be mentioned in conformity with the directives of Committee C.

A long discussion then ensued with respect to determining whether Committee C had intended to cover the office and building expenses of the Consultative Committees.

The Director of the Bureau of the Union thought that, according to the work of Working Group No. 3 and in agreement with Mr. Valensi, Secretary-General of the C.C.I.F., the expenses of the buildings were not to be charged to the Union.

The various members of the Subcommittee expressed different opinions on the matter; but the majority interpreted the directives of Committee C as limiting the expenses to be charged to the Union, to the salaries of the Directors and the expenses of the permanent personnel of the Consultative Committees.

The Delegate from Portugal thought that a decision, to the effect that the ordinary expenses of the Consultative Committee should be supported by all the Members of the Union, should not be made until the Committee had decided whether all the Members of the Union, or only those who desired it, would be members of such committees. In the first case, it was normal to have the ordinary expenses of all the Consultative Committees borne by the Union. In the second case, this was no longer justified.

The Delegate from the United Kingdom believed that the wording would be better if the order of § 2 of Article 5 of the Moscow document, which first mentioned the salaries of the Bureau, the Secretariat and the other permanent members of the Committees were taken up again; the question of the laboratories were next dealt with, and, lastly the expenses of the Administrative Council.

Finally, the Subcommittee decided to adopt a provisional draft which could be modified pursuant to the decision of Committee C on the question of members of the International Consultative Committees. The text adopted provisionally was as follows:

"The ordinary expenses of the Union shall be determined by the Plenipotentiary Conference, (Article 10 § b). They shall be borne by all the members of the Union. They shall include, in particular, the expenses pertaining to meetings of the Administrative Council, the expenses of the Secretariat of the Union, the International Frequency Registration Board, the salaries of the directors of the International Consultative Committees and the permanent personnel of their specialized secretariats, as well as the expenses of laboratories which may eventually be created by the Union.

Note: This text, insofar as it concerns the Consultative Committees, will be subject to revision, when Committee C has studied this question."

The Delegate from France then read the draft of paragraph 5, which had been worded as follows:

"1) The extraordinary expenses relating to plenipotentiary conferences, administrative conferences and to meetings of the International Consultative Committees shall be borne by the members of the Union who participate in these conferences and meetings, in proportion to the contribution they pay by virtue of the provisions of paragraph 2 of this Article.

2) Private operating agencies and international organizations shall contribute to the extraordinary expenses of administrative conferences and of meetings of the International Consultative Committees in which they have agreed to participate, in proportion to the number of units corresponding to the class chosen by them (paragraph 2 of this Article)".

The first subparagraph was accepted, the words "who participate" had been replaced by "who have agreed to participate."

In the case of the second subparagraph, the Subcommittee decided, in accordance with the decision of Committee C, to provide that private operating agencies and

international organizations should contribute equally to the expenses of administrative conferences. The Subcommittee further decided to replace the words "they participate" by "they have accepted to participate" and to add the following provision given in the Moscow Document (General Regulations, Article 41, § 2).
"Expenses incurred by laboratories of the Union, in special research for individual members of the Union, shall be borne by those members."

The Subcommittee therefore adopted the following text for paragraph 5:

"1) The extraordinary expenses relating to plenipotentiary conferences, administrative conferences and to meetings of the International Consultative Committees shall be borne by the members of the Union who have agreed to participate in these conferences and meetings in proportion to the contribution they pay by virtue of the provisions of paragraph 2 of this Article.

2) Private operating agencies and international organizations shall contribute to the extraordinary expenses of the administrative conferences and the meetings of the International Consultative Committees in which they have agreed to participate in proportion to the number of units corresponding to the class chosen by them (paragraph 2 of this Article).

3) Expenses incurred by laboratories of the Union, in special research for individual members of the Union, shall be borne by those members."

The Delegate from France pointed out that paragraph 6, adopted at the last meeting, was as follows:

"§ 6. Members of the Union shall pay in advance their annual contributory share."

The Delegate from France then read the new draft of paragraph 7 worded thus:

"Six months after the beginning of each year with respect to the annual contributory shares and six months after the sending of accounts relating to the extraordinary expenses and the supplying of document, the amounts due shall bear interest at a rate of 6 per cent per annum reckoned from the day of expiration of the period mentioned above."

The Delegate from the United States suggested specifying that it was a question of the financial year of the Union for annual contributions.

The majority of the Delegates were in favour of the date of July 1st.

After a short discussion the Subcommittee adopted the following text:

"§ 7. The amounts due shall bear interest at a rate of 6 per cent (6%) per annum, reckoning from July 1st with respect to the annual contributory shares and reckoning from the day of expiration of a period of six months after the sending of the accounts with respect to the extraordinary expenses and the supplying of documents."

The Chairman asked the Delegate from Portugal to inform the Subcommittee concerning the status of the work of Working Group No. 3, whose terms of reference appear in the report of the 9th meeting of the Subcommittee (Doc. 302 TR-E).

The Delegate from Portugal stated that the Working Group began with Item 2 of its terms of reference, because it considered this item more important than Item 1.

In connection with Item 1 (establishment of estimates for the extraordinary expenses of various conferences) it seemed impossible to make any estimates that could apply to future conferences. The Chairman of Working Group No. 3 thought it would be necessary to base their estimates on the results of previous conferences.

The Chairman agreed and asked how the examination of Item 2, of the terms of reference had proceeded, which provided for the study of the organization of the General Secretariat and the presentation of a report on the basis of Documents 241 TR-E and 380 TR-E.

The Delegate from Portugal replied that during two meetings the Working Group had drawn up estimates relating to the Administrative Council and the I.F.R.B. These highly important expenses were very difficult to predict with accuracy.

The Working Group did not have the information necessary to judge the printing expenses of the I.F.R.B.; it had only the example of the C.C.I.F. for everything relating to the various Consultative Committees. Finally, the expenses of the General Secretariat would be closely bound up with the solution which would be adopted for languages.

The Chairman stated that he wished to add specifically as a third point of the terms of reference of Working Group No. 3, the evaluation of the expenses according to the languages which would be adopted. The Working Group should consider, in addition to certain decisions of Committee C, Doc. 321 TR-E.

The Chairman then announced to the Subcommittee that he had to leave Atlantic City because he was obliged to return to his country. He thanked all the delegates who had taken a very active part in the work of the Subcommittee and the Working Groups. He thanked in particular the Director of the Bureau of the Union, the Reporter of the Subcommittee, the Chairman of the Working Groups, and Mr. Hwang, who had consented to take his place as Chairman of the Subcommittee and to whom he expressed his wishes for success.

The Delegate from Portugal, in the name of the Subcommittee, expressed to Mr. Abaza his very sincere regret at the departure of a Chairman who, thanks to his personal qualifications, had been able to conduct difficult discussions in an ideal manner. He extended to Mr. Abaza his best wishes for a good trip to his country, and expressed the hope of seeing him again at a future conference of the Union. He concluded by expressing to Mr. Hwang the confidence of the Subcommittee in its new Chairman.

Mr. J. T. Hwang thanked Mr. Abaza and stressed the effort he had made in Committee C to obtain precise directives in order to facilitate the work of the Subcommittee. He also thanked all the members of the Committee for the honour they had conferred on China and on himself by choosing him as the new Chairman of the Subcommittee.

The meeting was adjourned at 1 p.m.

The Rapporteurs:

H. Lacroze

The Chairman:

Sh. Abaza

International Telecommunications
Conference
Atlantic City

1947

Document n°341 TR-E
September 1, 1947

This document concerns only the French text.

- 2. Sept. 1947

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 342 TR-E

September 1, 1947

Committee C

219 TR

FRANCE

Amendment to the Latin American
proposal concerning the languages
of the Union (Doc. No. 338 TR-E)

Complete the paragraph by adding the following
clause:

In case of dispute, the documents drafted in
French shall be considered authentic.

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September 2, 1947

Committee G

DRAFTING COMMITTEE

Committee G

Plan of the Convention

A. Comparison of tables of contents (Chapters) of the Moscow Convention Draft (Document No. 4 ter), of the Madrid Convention and the proposals of the United States (Document 2 TR-E), of Chile (Document 6 TR), of the United Kingdom (Document 9 TR-E) and of France (Document 14 TR-E).

MOSCOW DRAFT:

- I. Organization and functions of the I.T.U.
- II. Conferences
- III. General Provisions
- IV. Special Provisions for Radiocommunication
- V. Ratification, Accession and Denunciation
- VI. Final Provision
- Annex 1. Definitions of Terms Used in the Convention
- Annex 2. Procedure for Arbitration

MADRID CONVENTION:

- I. Organization and Functions of the Union
- II. Conferences
- III. General Provisions
- IV. Special Provisions for Radio
- V. Final Provision
- Annex, Definitions of Terms Used in the Convention.

UNITED STATES

- I. Organization of the Union
- II. General Provisions

4 Sept 1947

III. Special Provisions for Radio

IV. Final Provisions

Annexes: 1. List of States eligible to sign the Convention

2. Definition of Terms used in the Convention

3. Procedure for Arbitration

CHILE:

I. Organization and Working of the Union

II. Bureau of the Union

III. Conferences

IV. Special Arrangements

V. Arbitration

VI. Tariffs

VII. General Provisions

VIII. Special Provisions for Radiocommunications

IX. Final Provisions

Annex: Definition of Terms Used in the Convention.

UNITED KINGDOM:

I. Organization and Functions of the Union

II. Conferences

III. General Provisions

IV. Special Provisions for Radiocommunication

V. Ratification, Accession and Denunciation

VI. Final Provision

Annex 1. List of Countries which may become members of the Union.

Annex 2. Definitions of terms used in the Convention.

Annex 3. Procedure for Electing members of the Administrative Council and its Bureau at a Plenipotentiary Conference.

Annex 4. Procedure for arbitration

Annex 5. Procedure for call Extraordinary Plenipotentiary or Administrative Conferences

FRANCE:

I. Organization and Working of the Union.

II. Manner of Application.

III. General Provisions.

IV. Special Provisions.

V. Provisions Special to Radiocommunications.

VI. Final Provision.

Appendix 1. Definition of the Terms used in the Convention.

Appendix 2. Arbitration Procedure.

B. Comparison of the Plans proposed by the United States and
by France.

UNITED STATES (Doc. 2 TR)

France (Doc. 14 TR)

Article	<u>Chapter I</u>	Preamble Article	<u>Chapter I</u>
	<u>Organization of the Union</u>		<u>Organization and Working of the Union</u>
1.	Establishment of the Union	1.	Composition of the Union
2.	Purpose and Aims of the Union	2.	Aims of the Union
3.	Membership in the Union	3.	Organization of the Union
4.	Organs of the Union	4.	The Administrative Council of the Union
5.	Plenipotentiary Conference	5.	The General Administrative Secretariat
6.	Administrative Conferences	6.	International Committees
7.	Administrative Council	7.	International Consultative Committees
8.	Boards and Committees	8.	International Frequency Registration Committee
9.	Secretariat	9.	Salaries, Indemnities, Statute
10.	Finances of the Union	10.	Finances of the Union
11.	Headquarters	11.	Plenipotentiary Conferences
12.	Languages	12.	Administrative Conferences
13.	Legal Capacity, Privileges	13.	Change of date and place of the Conferences
14.	Relations with the United Nations and Other Inter-Govern- mental Organizations	14.	Languages
15.	Definition of Terms	15.	Monetary Unit
	<u>Chapter II</u> <u>General Provisions</u>		<u>Chapter II</u> <u>Manner of Application</u>
16.	Regulations	16.	Regulations
17.	Execution of the Convention and of the Regulations	17.	Ratification of the Convention and of the General Regulations
18.	Notification of Violations	18.	Approval of the Regulations
19.	Relations with Other than Contracting States	19.	Accession of the Governments to the Convention and the General Regulations
20.	Special Arrangements	20.	Accession of the Governments to the Regulations
21.	Telecommunications as a Ser- vice in the Public Interest	21.	Accession to the Convention, to the General Regulations and the Regulations of the Colonies, Protectorates, Territories under Suzerainty, Authority, Trustee- ship or Mandates of the Con- tracting Governments
22.	Secrecy of Telecommunications	22.	Execution of the Convention and the Regulations
23.	Establishment, Operation, and Protection of the Telecommunica- tions Installations and channels	23.	Denunciation of the Convention and the General Regulations by the Governments
24.	Freedom of Telecommunications	24.	Denunciation of the Regulations by the Governments

25 Notification of Suspension of Service

26 Secret Language

27 Monetary Unit

28 Rendering of Accounts

29 Priority for Government Telegrams

25 Denunciation of the Convention and of the General Regulations and the Regulations by the Colonies, Protectorates, Territories under Suzerainty, Authority, Trusteeship or Mandate

26 Abrogation of previous Conventions

27 Abrogation of the Regulations

Chapter III

General Provisions

28 Telecommunication, a public Service

29 Stoppage of Telecommunications

30 Suspension of Service

31 Responsibility

32 Secrecy of Telecommunications

33 Formation, Working and Protection of Installations and Channels of Telecommunication

34 Investigation of Infringements

35 Charges and Free Services

36 Priority of Transmission of Government Telegrams, Radiotelegrams and Government Conversations

37 Secret Language

38 Rendering of Accounts

Chapter IV

Special Provisions

39 Special Arrangements

40 Relations with Non-Contracting States

41 Settlement of disputes

Chapter III

Special Provisions for Radio

30 Intercommunication in the Mobile Service

31 Interference

32 Distress Calls and Messages

33 False or Deceptive Signals

34 Installations of National Defense Services

Chapter V

Provisions Special to Radiocommunications

42 Intercommunication

43 Interference

44 Distress Calls and Messages

45 False or Deceptive Distress Signals, Irregular Use of Call Signs

46 Monitoring

47 Restricted Service

48 Installations of National Defense Services

Chapter IV

Chapter VI

Final Provisions

- | | | | |
|----|---|----|-----------------|
| 35 | Ratification of the Convention | 49 | Final Provision |
| 36 | Adherence to the Convention | | |
| 37 | Acceptance of the Regulations | | |
| 38 | Adherence and Acceptance by the United Nations | | |
| 39 | Abrogation of Conventions and of Regulations Prior to this Convention | | |
| 40 | Entry into Force of Revisions of the Convention | | |
| 41 | Entry into Force of Revisions of the Regulations | | |
| 42 | Settlement of Differences | | |
| 43 | Denunciation of the Convention | | |
| 44 | Denunciation of the Regulations | | |
| 45 | Entry into Force | | |

Annexes

- 1 List of States Eligible to Sign the International Telecommunications Convention
- 2 Definition of Terms Used in the International Telecommunications Convention
- 3 Procedure for Arbitration

Appendices

- 1 Definition of terms used in the Convention
- 2 Arbitration procedure

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No 344TR-E
September 1, 1947

Committee E

UNITED KINGDOM

Annex to the Convention.

220 TR

Definitions of

(a) Private operating agency

(b) Recognised private operating agency.

(a) Private Operating Agency

Any individual or any company or corporation other than a governmental establishment or agency operating telecommunication installations and required, under Article 9 of the Convention, to observe the provisions of the Convention and Regulations.

(b) Recognised Private Operating Agency

Any private operating agency, as defined, operating a service of international public correspondence or of broadcasting. An agency is regarded as recognized by the Government of the country in which the Head Office of the Agency is situated, which Government, being a member of the Union, undertakes the obligations contemplated in Article 9 of the Convention.

Administrations of the Governments recognizing such private operating agencies as are authorized to conduct a service of international public correspondence, notify the Secretary General of the Union of the names of those agencies and of the Governments which recognize them with a view to their inclusion in a list on the Rapport de Gestion.

Reason

The above two definitions, which have been prepared in the light of the discussion in Committee E on 30th August, replace the definition of "private operating agency" proposed in Annex 2 of the draft Convention contained in document 9 TR.

The definitions are designed: -

(a) to give greater precision to, and in certain cases to simplify, the wording of several articles of the Convention and of all the Regulations.

(b) to make clear what is meant by "recognition"; and

(c) to provide for publication in the Rapport de Gestion of the names of the Governments which recognize those private operating agencies which conduct a service of public correspondence. This would involve the addition of a single column to a list on the lines of that which appears in the Rapport de Gestion (page 11 of the Rapport for the year 1946). It would be understood that the precise title of the document containing the list would be inserted by the Editorial Committee.

September 3, 1947

Committee E

Minutes
of the
15th Meeting of
the Convention Committee
(Committee E)
held on the 29th August 1947

1. The Chairman opened the meeting at 10:10 hours.
2. The Committee approved the Minutes of the Thirteenth Meeting (303 TR-E) subject to the following amendments:-
 - (i) para. 2, insert "276 TR-E" in place of "267 TR-E"
 - (ii) para. 5, (at the request of the Delegate of Sweden) delete "voeu" insert "recommendation."
 - (iii) para. 7, delete "bceu" insert "voeu."
 - (iv) para. 17, (at the request of the Delegate of South Africa) delete paragraph and insert - The Chairman then asked the delegate from South Africa whether he wished to press for the adoption of his proposal that land line circuits should be used whenever possible. On the South African delegate replying that he would not press for this, the Chairman asked whether any one else wished to do so and, since no one did, the proposal failed.
 - (v) para. 23, In the French version only....
 - (vi) para. 30, delete "latest."
 - (vii) para. 31, (i) insert "proposal" before "184"
 - (viii) para. 34, second sentence, delete "G TR" insert "6 TR."
3. The delegate of Denmark proposed certain Amendments to para. 33, (iii) but agreed not to press for these after the Delegate of the United Kingdom (a member of the Drafting Group) had assured him that the Drafting Group engaged in drafting the relevant text, were fully aware of the significance of the former's proposals. The Delegates of Italy and of France also made comments upon the proposal of the Delegate of Denmark. It was agreed to leave the matter for settlement by the Committee when they had received the text prepared by the Drafting Group.
4. The Committee approved the Minutes of the Fourteenth Meeting (306 TR-E) subject to the following amendments:-
 - (i) para. 2, (e) "Madrid Convention" should be incorporated in the description of Article 37.
 - (ii) para. 2, (g)(1) statement of delegate of Chile, delete "released" insert "relevant."

(iii) para. 3, page 4, (at request of delegate of India) statement of delegate of India substitute "30" for "36"; statement of delegate of Sweden insert (at request of delegate of Sweden) "on a trial basis" after "introduced"; at request of delegate of United States delete his statement and insert The delegate of the United States was opposed to a provision in the Convention which would apply the principle of Article 36 to wire services, and also pointed out that under the text proposed, the article would be so general as to include int'l messages, relating to sickness, accidents, hospital cases etc.; delete "also" in statement of delegate of Cuba; replace "E" by "C" in statement of delegate of France.

5. Article 13, Madrid Convention "Special Arrangements"
(Doc. No. 285 TR-E)

The delegate of the United States said that under Article 13, as it stands in the Madrid Convention a number of states had entered into a variety of special arrangements. He was afraid that the amended article had been agreed at the 11th Meeting under a misunderstanding of the effect of its wording, which would effectively prevent the continuance of such special arrangements. The Madrid Convention text imposed two restrictions on special arrangements: (i) they must not concern governments in general and (ii) they must remain within the limits of the Convention and Regulations so far as concerned interference with the services of other countries. The United States could not sign a Convention which contained the proposed new Article 13, because they believed that it would forbid the vast majority of special arrangements e.g. special arrangements which contemplated a monetary unit other than the gold franc.

He reminded the Committee that when they had discussed Article 32, the view had prevailed that there was no need to mention special arrangements in it because these were covered by Article 13.

The United States proposed that the substance of the Madrid text be adopted with the deletion of the words "of service," as shown in 285 TR-E para. 7. They felt that the meaning of "service" was not clear. They themselves interpreted it to include matters relating to rates, settlement of accounts, monetary unit, operation etc. He had noted that the delegation of Hungary also felt that the word was ambiguous and had proposed that it should be changed to "matters of service and charges." He considered this to be a step in the right direction but felt it would be better to leave it out altogether rather than to attempt to specify the individual matters.

6. The delegate of the United Kingdom strongly supported the U.S. proposal. With regard to "of service" this was an anachronism which had survived from the St. Petersburg Convention of 1876 and should be discarded.

7. The delegate of China supported the U.S. proposal but considered that "of service" should be retained. His Administration gave the phrase the same interpretation as did the U.S.

8. The delegate of Cuba supported the U.S. proposal. He considered that if "of service" were retained then "charges" should be inserted.

9. The delegates of Brazil, New Zealand the Netherlands and Mexico supported the U.S. proposal.

10. The delegate of Italy supported the U.S. proposal. If "of service" were retained then the phrase should be "service matters of telecommunications." He proposed that in the second sentence "radiocommunication" should be added before "services." When this second sentence was drafted at Madrid it was with the intention of covering interference to radiocommunication. (see annex 1)

11. The Chairman said that he had drawn attention at a previous meeting to the fact that the word "interference" could apply either to physical interference with radiocommunication or to interference of any kind with telecommunication in general.

12. The delegate of France supported the U.S. proposal. He agreed that special arrangements were desirable between neighboring countries and for regions but felt that they were dangerous when applied to intercontinental relations as they militated against the universality which was the true aim of the I.T.U. The French had waited patiently for the Telegraph Conference and the C.C.I.T. to study rates, to give a general solution which would avoid complications and "dumping." He gave as an example of the present trend the discrepancy between the New York--Paris rates and those in the opposite direction, and the unfair way in which the Bermuda agreement operated against the French Administration and Public. (see the declaration in annex 3 E).

13. The delegate of India supported the U.S. proposal. There would be no need for an Article if special arrangements had to be within the provisions of the Convention and Regulations.

14. The delegate of Iran supported the U.S. proposal. The Article should be clearly drafted so that there should be no possibility of misunderstandings over the meaning of "service."

15. The delegate of Chile pointed out that notwithstanding the present Madrid Article 15 countries had reserved on provisions regarding rates and the monetary unit. He felt that the Article should either be left or enlarged.

16. The delegate of Sweden thought that the meaning of "interference" should be clarified:

17. The delegate of the United States considered that the word referred to "radiocommunication." The first sentence which referred to "matters which do not concern the governments in general" covered interference in its wider aspect.

18. The delegate of Australia agreed and suggested that the word "radiocommunication" be added.

19. The delegate of the United States then proposed that the phrase "harmful interference" be incorporated in addition to "radiocommunication." He quoted from Doc. No. 842 R the definition which the Radiocommunications Conference had given to "harmful interference."

20. The Chairman stated that if "harmful interference" were incorporated, then the definition of the Radiocommunication Conference should be included in the definitions in the Convention.

21. The Committee (1) agreed by a large majority to adopt the following text: -

"The members of the Union reserve the right, for themselves for the private operating agencies recognized by them and for other agencies authorised to that effect to conclude /Regional or other/ * special arrangements on telecommunication 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 harmful interference which their application might be likely to cause to the radiocommunication services of other countries."

*Note "Regional or other" dependent upon the recommendations of Committee C regarding regional arrangements: in text would be submitted to Committee G (with the words in square brackets)

- (ii) agreed that a definition of "harmful interference" in line with that of the Radiocommunication Conference should be included in the definitions.
- (iii) agreed to refer the above text and the matter of the definition to the Drafting Group.

22. Definitions

"Government Telegrams and Radiotelegrams"

The Chairman stated that proposals for consideration were the following:-

United States	Doc. 2 TR	Annex 2
Canada	Doc. 3 TR	Proposal No.20 TR
United Kingdom	Doc. 9 TR	Annex 2
Switzerland	Doc. 103 TR	Proposal No.169 TR
Turkey	Doc. 278 TR	Proposal No.205 TR

23. The delegate of the United States said that their proposed definition had been drafted so as to be of general application as opposed to that in Madrid which referred rather to states with European type constitutions. In the United States they had independent offices of government such as the F.C.C. and it was not clear whether they were included within the present definition. However, upon reflection, they felt that their definition also did not embrace the pattern of all other governments, especially those where there were organizations which were quasi-government and quasi-commercial. They were therefore prepared to support the categories in the present Madrid text but wished to add at the beginning "Telegrams pertaining to official Government business, paid for directly from Government funds, and sent or received by....."

24. The delegate of Turkey explained the proposal of his delegation in document 278 TR (Annex 2).

25. The delegate of the United Kingdom thought that their proposal took the middle course. It permitted subordinates of the individuals named to send government telegrams and radiotelegrams in their name and also met the U.S. point that such telegrams must be on official business. He reminded the Committee that their previous decision on priority would also affect the number of telegrams which might clog the service. As to the U.S. proposal, how could the accepting clerk ensure that a telegram addressed to one of the designated individuals was an official business and would be paid for out of Government funds? He thought that the existing provision, that only replies to government telegrams would be accepted, should be retained. It was completed by the Telegraph Regulations.

26. The delegate of the United States stated that their proposal in this report only extended to reply paid telegrams.

27. The delegate of Italy wished to preserve the Madrid text. The control over government telegrams should be left to Administrations. In Italy detailed regulations were laid down which fully covered the question. /See Annex 17

28. The delegate of France favoured the Madrid text. Their experience, domestically, with regard to official telegrams had shown them that it was impossible to control the content of telegrams as suggested by the U.S. whilst it was equally impracticable to limit the type of senders as drastically as in the Turkish proposal.

29. The delegate of Chile pointed out that their proposal was similar to that of the United Kingdom except that they included the Secretary General of the Union.

30. The delegate of Mexico proposed a general text which would not enumerate the individuals entitled to send such telegrams.

31. The delegate of Cuba supported the U.S. proposal but wished the deletion of "paid directly from government funds" and proposed that the representatives of governments in international conferences should also be entitled to the privilege of sending government telegrams and radiotelegrams.

32. The delegate of Lebanon forwarded the Madrid text.

33. The delegate of Portugal supported the U.K. or Italian proposals.

34. The delegate of the United Kingdom pointed out that the question of control could not be left entirely as a domestic matter for each country. These telegrams were immune from stoppage and could be sent in secret language, privileges which affected the international service. (If control were entirely a domestic matter some countries might be more generous in granting privileges than others).

35. The delegate of India felt that the Madrid text should be retained with the addition of a phrase such as "duly authorised by their Governments."

36. The delegate of Iran supported the U.K. proposal subject to clarification as to replies and with the addition of a paragraph making each country responsible

for ensuring that the privilege was restricted to telegrams on urgent official business.

37. The delegate of South Africa said that in his country duly authorised government officials had franking stamps the use of which was rigidly restricted by regulations. If a reply to a government telegram was to have the privileges, the outgoing telegram was endorsed "reply on service." He supported the U.K. and Italian proposals.

38. The United States delegate said that he was prepared to support the U.K. proposal.

39. The Committee then passed to consideration of the Canadian and Swiss proposals.

40. The delegate of Switzerland said that they felt that the European Headquarters of U.N. and the Secretary General of any international organization affiliated to U.N.; Specialised Agencies, the International Court etc. should have these privileges.

41. The United Kingdom delegate expressed doubts as to the practicability of extending the privileges to international organizations affiliated to the United Nations on account of their number and he pointed out that some accredited organizations, such as the International Chamber of Commerce were clearly unsuited to receive such privileges.

42. The delegate of Switzerland said it was their idea to extend the privileges to the more important organizations only. He mentioned among others the International Court of Justice and the delegate of the United Kingdom observed that a vote on this subject had been adopted at Cairo.

43. The delegate of Italy suggested the establishment of a formula which would permit the Administrative Council to extend privileges to such organizations upon the request of the U.N.

44. The delegate of the United States proposed that the privileges be extended to the Secretary General of the U.N. and to the offices of its principal subsidiary headquarters and that as to the affiliated organizations, the next Plenipotentiary Conference should study any recommendations from the Administrative Council.

45. The Swiss delegate proposed that it should be left for the Administrative Council to extend the privileges to affiliated organizations upon request by the U.N.

46.

The Committee

(I) Agreed to adopt (by a vote of 14 against 10) the United States proposal that wording be incorporated extending the privileges to the offices of the principal subsidiary Headquarters of the U.N.

(II) To adopt the Madrid text, subject to any amendment of the wording necessary to provide for (i) and amplified on the lines of the U.K. proposal.

(III) To remit the text to the drafting group.

47. The Chairman adjourned the meeting at 1:18 P.M.

The RAPPORTEURS:

H. A. LEROIGNON
A. C. DAVID

THE CHAIRMAN

C. B. TOWNSHEND

Annex 1

Statement of the Delegate from Italy

The Italian Delegation, which has maintained that, by application of Article 13, it is possible to conclude special arrangements on the currency to be adopted in calculating rates, is in complete agreement with the proposal presented by the Delegation from the U.S.A. in Document No. 285 TR-E.

However, the Italian Delegation proposes the following changes in wording:

Replace the words "on service matters" by "on telecommunication service matters."

Replace the words "services of other countries" by "radiocommunication services of other countries."

Perhaps it would be well to replace the words "on service matters which do not concern the governments in general" by the words "which do not affect the interests of other governments."

The Italian Delegations urges the Committee to study this text also.

Annex 2

Statement of the Delegate from Turkey.

As a consequence of the reasons for the proposals submitted by various delegations to this Conference on the subject of government telegrams and radiotelegrams, and as the result of an inquiry made in 1939 by the Bureau of the Union to ascertain whether telegrams sent by an agent of an individual expressly designated in the definition of the terms used in the Convention can be admitted into the category of government telegrams, some administrations of the contracting countries, giving too wide an interpretation to the present definition of government telegrams, not only admit telegrams handed in by an agent of the individuals mentioned in the definition, but also those which are handed in by officials who are not dependent upon one of these persons, which considerably increases the volume of traffic of government telegrams.

On the other hand, some other administrations, which are of opinion that the definition of government telegrams has only a restrictive interpretation, assert that only telegrams handed in by the persons mentioned in the Annex to the Convention may be accepted as government telegrams.

In the opinion of the Turkish Delegation, the priority in transmitting these telegrams, the right to have them worded in all cases and without any control in secret language and the transmission by legal right which is provided for in the Telegraph Regulations, as well as the reduction in charges in certain cases demonstrate that it is the intention of the contracting governments to reduce the number of government telegrams to a minimum.

If the majority of the Committee was of the opinion that the definition should only have a restrictive interpretation and that, due to this fact, only telegrams sent by the individuals mentioned in the Annex to the Convention may be accepted as government telegrams, the Turkish Delegation wishes to propose that the present definition be clarified by adding the word "directly," after the word "emanating," as already indicated in the Turkish proposal set forth in Document 278 TR-E. Should the contrary be the case, that is to say, should the majority of the Committee be of the opinion the present definition should not be interpreted in the strictest sense, I should like to suggest adding the following

words at the end of the definition "the Delegates of the persons indicated above," in order that the telegrams handed in by the Delegates should be also accepted in all the countries.

I would therefore be greatly obliged, Mr. Chairman, if you would kindly have my declaration inserted in the Report of this Meeting.

Annex 3

Statement of the Delegate from France.

The Delegate from France began by expressing his agreement to going back to the text of Article 13 of Madrid. It seemed to him that a certain philosophy was already apparent from the work of Committee E: there are those who always aim for the most universal solutions, and among these is the French Delegation. He regretted to note that the United States and the United Kingdom tend to use the procedure of special arrangements; he did not deny the necessity of such arrangements on a local, regional, or continental scale, but he also believed that these special arrangements on the level of telecommunications between continents constitute a very dangerous procedure which is not adapted to the situation. The French Administration is awaiting the Telegraph Conference and the next meeting of the C.C.I.T. in order to bring up the entire question of rates but it may not be able to wait until then because, since the lowering of rates by the United States, due to the fact that the French Administration did not want to change its rates without first studying the general situation, private operating companies handling traffic from New York to Paris operate under much more advantageous conditions than the companies handling traffic from Paris to New York.

This situation cannot continue, because it has the disadvantage of withdrawing of an excessive number of dollars from our country and it makes the French customer pay the high rate, while the American customer pays the low rate.

The same kind of comments are applicable to the Bermuda agreement.

The French Delegate was of the opinion that if this situation continues, if the problem of transcontinental rates is not settled to satisfy everyone, in other words, if everybody does not impose on himself a minimum of discipline there is reason to fear that we shall enter into competition with one another. The Union has nothing to gain from such a state of affairs.

September 3, 1947

Committee E

REPORT OF THE CONVENTION COMMITTEE

(Committee E)

16th Meeting
August 30, 1947

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

2 - He proposed that the Committee then continue the study of the definitions.

3.- Service Telegrams and Radiotelegrams.

The Chairman said that the Delegation from Czechoslovakia, in Document No. 132 TR-E, had proposed adding "organs of the I.T.U."

The Delegate from Czechoslovakia explained that this insertion was intended only to confirm the present practice.

The Delegate from the United Kingdom acknowledged the justice of this proposal, but felt that the inclusion of this text was not desirable, because, on the one hand, it would oblige private administrations to carry on a great deal of traffic free of charge, and, on the other hand, would necessitate changing Articles 795, 796 and 797 of the Telegraph Regulations.

The Delegate from Canada pointed out that the provisional I.F.R.B. would be in charge of service telegrams

The Delegates from Greece and Italy supported the proposal of Czechoslovakia; the latter, however, wanted to limit the scope of this definition to telegrams relating to the service.

The Chairman, in agreement with the Delegate from Czechoslovakia, thought that it would be necessary to specify "the permanent organs of the I.T.U.", and proposed referring the study of this definition to the Drafting Committee, which was agreed upon, subject to proposals made by the Delegates from Italy and Canada.

4 - Private Telegrams and Radiotelegrams.

The Delegate from the United Kingdom, referring to Articles 271 and 693 of the Telegraph Regulations, stated that it was not very clear whether press telegrams were private telegrams or not.

The Delegates from the United States, Italy and Canada, in agreement with the Chairman, thought that press telegrams were, without any possible doubt, private telegrams.

5 - The Delegate from Sweden then pointed out that "Government telephone calls" had been included in the Convention, and that it might perhaps be advisable to define them.

The Chairman noted that in Document 278 TR-E, Turkey had proposed a definition of this term, and that it would suffice to repeat the definition Government telegrams "replacing 'telegrams' by 'telephone calls'".

The Delegate from the United Kingdom proposed simply adding "telephone calls" to "Government telegrams and radio telegrams", the definition remaining the same. He pointed out, however, that there was a difficulty in the working; because the definition included "replies to such messages" which could not apply to telephone calls.

The Delegate from Canada proposed also adding "radio telephone calls". He would, however, prefer that there should be separate definitions for "telephone calls" and "telegrams."

The Delegate from Sweden suggested giving a general definition of "Government" or "private telecommunications".

Finally, on the suggestion of the Chairman, the Committee decided to leave the Drafting Subcommittee in charge of including "Government telephone calls" in the definition of "Government telegrams".

6.-Administrations

The Chairman proposed studying the definition of "public correspondence" later and turning to the study of the definitions "of private operating agencies" and "administration". He suggested that the Committee should

adopt the definition given by the Radio Conference: "administration: department or service of a government responsible for implementing the obligations undertaken in the International Telecommunications Convention and the Regulations" - which was adopted by Committee C.

The Delegate from Italy pointed out that Committee F had also made a draft of the definition.

The Delegate from the United Kingdom thought that Committee F had not formally proposed a definition, and suggested adopting the definition given by the Radio Conference. On the request of the Chairman, the Delegate from France explained that Drafting Committee G would examine the various definitions proposed; he thought that it was important but difficult precisely to define the term "administration." He therefore suggested adopting as short a definition as possible, and reverting to the Madrid text: "governmental administration."

The Delegate from Italy wanted to have the words "and must carry on the operation" included in the proposed definition because he thought that administrations in contradistinction to private enterprises also operate telecommunications services on behalf of the government.

The Delegates from Greece, the United States, Labanon and Canada preferred retaining the definition without change because it was more general and could therefore be applied to all countries.

The Delegate from India wanted the definition to be more precise and to be capable of including the broadcasting services also.

The Delegate from the U.S.A. thought that replacing "service" by "any service" would suffice to meet this objection.

After some comments on drafting made by the Delegates from Canada and the United States, the Chairman proposed suggesting to Committees C and F the following clearer definition "Administration: any department or service of a government responsible for implementing the obligations undertaken in the International Telecommunications Convention and the Regulations."

In Document 9 TR-E, the United Kingdom proposed adding to the Madrid text:....."with a view to the exchange of public correspondence or broadcasting. An agency is regarded as recognized when the Government notifies the Bureau of the Union that it undertakes to observe the Convention and the Regulations governing the services which it operates. The agencies concerned are shown in the list contemplated in Article 4 of the Convention."

The Delegate from the United Kingdom explained that there were two important changes: the first was the addition of the broadcasting service, the second was intended to define the conditions under which private operating agencies were recognized, and make it possible to avoid using the words "operating agency recognized by the government" in the Convention.

The Delegate from Italy expressed his agreement with the substance of the proposal of the United Kingdom - he proposed replacing the words "government establishment or agency" by "administration". In reply, the Delegate from the United Kingdom pointed out that there are administrations "which do not operate agencies".

The Delegate from Canada thought that the adoption of this definition would oblige the governments to notify all the private operating agencies in Bern and thus to recognize them, which they had not been obliged to do hitherto.

The Chairman pointed out that this definition only applied to private operating agencies who undertook to observe the Convention and Regulations. The essential question was to ascertain whether the government should send the list to Bern.

The Delegate from the United States raised two important questions.

1st Question: the extension of this definition to broadcasting did not seem sufficient to him: there are operating agencies, for example, aeronautical agencies, which use telecommunications and which should be indicated in the list; to make this definition more general he proposed deleting: "with a view to the exchange of public correspondence."

2nd Question: it would be more practical to make a general definition which would include all the private companies and thus avoid the necessity of drawing up a list.

In short, he proposed keeping the proposal of the United Kingdom, with the following modification:

"Any individual or any company or corporation other than a governmental establishment or agency recognized by the government concerned, which operated telecommunication installations.

An operating agency is regarded as recognized when the Government of the country in which its Head Office is situated notifies the Secretary General of the Union that this operating agency undertakes to conform to the obligatory clauses of the Convention and the Regulations governing the services which it operates."

The Chairman pointed out that all the private companies without exception could then participate in the work of the I.C.C.

The Delegate from Italy stressed the point that there were two categories of private operating agencies in Article 9:

the first category was constituted by recognized private operating agencies responsible for carrying on public correspondence. A list of these agencies is published each year by the Bern Bureau, and they should be recognized by all in questions relating to tariffs and to the routing of correspondence.

the second was constituted by authorized private operating agencies not open to public correspondence, and in which the majority of operators are not concerned.

The Delegates from Brazil, the United Kingdom and Canada expressed their agreement with the editorial change proposed by the Delegate from the United States to broaden the scope of the definition.

The Delegate from the United Kingdom further pointed out that a double use could be made of the list of private operating agencies open to public correspondence published by the Bureau and the list which would be included in the Convention.

After a brief exchange of views in which the Delegates from the United Kingdom and Denmark took part, the Delegation from the United Kingdom, at the suggestion of the Chairman, agreed to modify its proposal to conform with the proposal of the United States, taking into account the necessity of maintaining a separate list such as had been set up by the Bern Bureau.

8 - Public service

The Delegate from the United States said that in Document 2 TR-E he had proposed deleting this definition, because this expression was only used in the title of Article 22.

The Delegate from Sweden wanted to know who determined which definitions were still required, and which definitions were lacking in the new Convention. The Chairman said he believed that only Committee G could answer this question, when it had received all the texts and definitions from Committees E, C and F.

After a short discussion in which the Delegates from the Belgian Congo, the United States and Canada took part, the Committee decided to ask the Drafting Subcommittee to study the possibility of deleting this definition by changing the title of Article 22.

9 - International service

The Delegation from Chile, in Document 6 TR-E, proposed the deletion of the second sentence of the definition dealing with interference caused by national services.

As the Delegate from Chile was absent, the Chairman proposed postponing the study of this definition until the next meeting.

The Delegate from Sweden as well as the Chairman asked why this second phrase had been inserted in the definition.

The Delegate from Italy thought that it was inserted to cover the question of interference, with reference to Article 35, and proposed retaining the whole Madrid text, which seemed indispensable to him if it was remembered that the Convention established the sovereignty of governments over their internal service.

The Delegate from Sweden thought that it would then be preferable to redraft certain articles more clearly in order to avoid definitions which would be too long and useless.

It was then decided to postpone the study of this definition as well as that of public correspondence to the next meeting.

10 - The Chairman further explained that the Committee would study the drafts submitted by the Drafting Subcommittee as well as the text of the definitions.

The Chairman adjourned the meeting at 12:35 p.m.

Rapporteurs:

H. Lerognon..
A. David

Chairman:

H. Townshend

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 347 TR-E

September 3, 1947

Committee C

221 TR

ETHIOPIA

Amendment to the resolution made by Committee C
on September 2, in connection with Official Languages of
the Union (Doc. No. 338 TR-E).

Complete paragraph 1 of Document No. 338 TR-E by
the following sentence:

However, in matter of expenses related to languages,
each member of the Union pays only for the language which
it chooses to use.

- 4 Sept. 1947

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September 3, 1947

Committee C

REPORT
OF
THE COMMITTEE
ON ORGANIZATION OF THE UNION
(COMMITTEE C)
15th Meeting
August 27, 1947

1. The meeting was called to order at 3:30 P.M. under the Chairmanship of Mr. A. Fortoushenko (Soviet Union).

The Committee adopted the reports of the 11th, 12th, and 13th meetings subject to the following reservations:

2. Report of the 11th meeting (Document No. 294 TR-E)
The Delegate from Argentina requested that on Page 8, Point 24, Line 7, the words "at present" be deleted.

The Delegate from New Zealand pointed out a typographical error in the English text which would be corrected.

The Delegate from Iran made the following statement:

"Mr. Chairman:

With reference to Document No. 294 TR-E, regarding Article 7 of the Moscow Document concerning the obligatory nature of the Regulations, the Delegation of Iran would like to make it clear that Iran has not yet adhered to the Telephone Regulations, because they had been drawn up only for the European Region; but my Government has no objection to accepting those Regulations and is prepared to do so."

3. Report of the 12th Meeting (Doc. No. 304 TR-E)

The Delegate from Belgium asked that the text of Point 14 be replaced by the complete text of his statement concerning colonial votes which he would submit to the Rapporteurs.

This text would be published as a correction to Document No. 304 TR-E.

The Chairman of the Negotiating Committee of the I.T.U. asked that the first sentence of Point 21 be completed by: "and no special clause concerning membership had been included in the text submitted to the Negotiating Committee of the I.T.U."

The Delegate from Canada asked that the text of Point 22 be replaced by the following:

"22. The Delegate from Canada pointed out that his delegation had insisted in Committee "D", that an Article on Membership be included in the draft Agreement with the United Nations, or, alternatively, that adequate provisions relating to membership be embodied in the Convention. The Chairman of the I.T.U. Negotiating Committee had just stated that the draft I.T.U.-U.N. Agreement negotiated at Lake Success contained no clause on membership, and the Canadian Delegation therefore wished to press for adequate provisions on this subject in the Convention itself, and to fully support the United Kingdom proposal on membership."

4. Report of the 13th Meeting. (Document 313 TR-E)

The Delegate from Guatemala asked that the second paragraph of Point 16 be deleted.

5. Study of § 2 of Article 5 of the Moscow Documents (Document No. 45 TR-E).

The Chairman reminded the Committee that the question had been put on the agenda at the request of the Chairman of the Subcommittee on Finance and Personnel who wished to have precise directives concerning the apportionment of the various classes of expenses to be provided for in the budget of the Union.

The Chairman of the Subcommittee on Finance and Personnel read § 2 of Article 5 of the Moscow draft. He then stated that from the various proposals submitted to the Conference two tendencies can be noted concerning the expenses incurred by the Consultative Committees:

- one tends to include all the expenses of the C.C.I.'S in the general expenses of the Union;
- the other distinguishes for the C.C.I.:
 - a) Expenses representing the salaries of directors and personnel; these expenses would be included in the general expenses of the Union.
 - b) expenses incurred in connection with plenary assemblies and documentation: these expenses would be borne solely by the countries which are members of the Committees.

This is the question which the Subcommittee has asked the Committee to settle.

It should be noted that the Working Group of the Subcommittee had drawn up, for Article 5, a text in three paragraphs which provide respectively that:

- ordinary expenses should be borne by all the members of the Union;
- extraordinary expenses should be borne only by the countries participating in the Conferences or Assemblies;
- specialized agencies should share in the expenses.

6. A long discussion followed during which the following views in particular, were expressed:

The Delegate from the United States of America:

It is right for all countries to share in the operating expenses of the C.C.I.R., but on the other hand, it would be more equitable to maintain the status quo concerning the C.C.I.F. and the C.C.I.T. whose expenses should continue to be borne only by those countries which are members.

7. The Delegate from the United Kingdom: The salaries of the directors and the expenses of the Secretariats of the three C.C.I.'S of the I.F.R.B. should be paid by the Union, but expenses incurred in connection with Conferences and documentation should be borne only by the countries participating in these Conferences.

8. The Chairman:- The distinction between ordinary and extraordinary expenses of the Union is quite clear. All expenses relating to the maintenance of the permanent bodies of the Union and their personnel as well as travelling expenses of members of Administrative Council should be considered as ordinary expenses and borne by all members of the I.T.U.

On the other hand expenses relating to the different conferences and Plenary meetings of C.C.I.'S are undoubtedly extraordinary expenses and must be defrayed by the countries participating in these conferences and meetings.

9. The Delegate from Italy asked that clarification be given as to whether international organizations and private operating companies should share in the expenses of the Committees and the Conferences. He was in favor of their contributing.
10. The Delegate from Chile was of the opinion that the CCIT and the CCIF could be merged without any disadvantage.
11. The Delegate from Greece supported the conclusions of the Working Group of the Subcommittee. However, he was of the opinion that international organizations and the private operating companies should share in the expenses of the Committees, but not in the expenses of Administrative and Plenipotentiary Conferences.
12. The Director of the CCIF pointed out that, in connection with sharing in the expenses, it would be necessary to distinguish, among the international organizations, those which contribute in a useful way to the Union (for instance the International Railroad Union, the International Union of Big Electrical Networks) and which might not attend the assemblies if they were asked to share in the expenses. He was of the opinion that, at the time of admission of each of these organizations, the Administrative Council might decide whether or not they should share in the expenses.
13. The Delegate from Morocco agreed that the ordinary expenses of the I.F.R.B. as well as the permanent expenses of the C.C.I.'s be paid from the budget of the Union. However, he specified that he considered that "this provision should correspond to a coordination of the activities of these Committees with a view to reducing the total number of personnel and avoiding, for instance, duplication of certain studies, in order to reduce the total expenditures of these Committees. Above all, because of the fact that these expenses would be borne by the Union, care must be exercised to prevent committees from developing in such a way that their expenses would increase without really being justified by additional services rendered."
14. Finally, the Chairman asked the Committee to come to a decision regarding the two resolutions dealing respectively with the ordinary and extraordinary expenses.

By a unanimous vote of the 61 voting countries (16 countries not represented), the Committee decided that the ordinary expenses - namely, the expenses incurred by the Secretary-General, the Secretariat, the I.F.R.B. and its personnel, the Directors of the C.C.I.'s, the specialized Secretariats of the C.C.I.'s, the travelling of the members of the Administrative Council - should be included in the general budget of the Union and thus would be apportioned among all the members.

It then agreed unanimously - except for the abstention of Lebanon - that the expenses incurred by the laboratories sponsored by the Union should also be included in the ordinary expenses.

15. The Chairman, taking into account the various opinions expressed previously, proposed that the extraordinary expenses, - namely, all those not included in the ordinary expenses, and particularly the expenses incurred by Plenipotentiary Conferences, Administrative Conferences and meetings of the C.C.I.'s - be borne only by those countries participating in the conferences or meetings.

The Committee unanimously also adopted this proposal.

16. The Chairman of the Subcommittee on Finance and Personnel asked that a decision also be made in regard to payment by international organizations and private operating companies of a share of the expenses of the conferences and of the C.C.I.'s.

The Delegates from Italy and France were of the opinion that the private operating companies should not share in the expenses incurred by the Plenipotentiary Conferences, since they do not have the right to vote at these Conferences.

17. Finally, the Committee unanimously decided that:

1. Private operating companies participating in Administrative Conferences and in the work of the C.C.I.'s should bear a part of the expenses; on the other hand, they should bear no part of the expenses incurred by Plenipotentiary Conferences,
2. International organizations should, as a general rule, bear part of the expenses incurred in connection with Conferences and meetings of the I.T.U. at which they are represented; however, in certain cases, the Administrative Council of the Union, might exempt some of these organizations from sharing in the expenses incurred by certain meetings.

The Chairman concluded that the Subcommittee on Finance and Personnel then had all the directives necessary for drawing up the text of Article 5.

(The meeting was recessed from 5:15 P.M. to 5:35 P.M.)

18. Before proceeding to Point 3 on the agenda, the Chairman informed the Delegates that, in accordance with the decision of the Plenary Assembly, Committee 3 of the Radio Conference had referred to the Plenipotentiary Conference the following documents which would be submitted to Committee C for approval:

- No. 809 R-E, dealing with the organization of the C.C.I.R.;
- No. 810 R-E, proposing a procedure for the election of the members of the I.F.R.B.;
- No. 823 R-E, concerning the statutes of the I.F.R.B.

He asked all Delegations to examine these documents consideration of which would be included in the agenda of a subsequent meeting.

19. Continuation of the discussion concerning Article 12 (Languages.)

The Chairman indicated that three new proposals had been submitted to the Committee:

- one by the Latin-American countries (Doc. No. 300 TR-E)
- one by Egypt and Iraq (Doc. No. 308 TR-E)
- one by the Netherlands (Doc. No. 310 TR-E)

He asked the Chairman of the Subcommittee on Finance and Personnel to indicate the total expenses that might be incurred by the addition of supplementary languages at the Conferences.

20. The Chairman of the Subcommittee on Finance and Personnel gave the following figures:

Estimated Costs

On the basis of the estimated budget for 1948.

Publication of official documentation in two supplementary languages (in addition to French)
additional expenses for 1948\$97,500)

Totals	\$ 18,300	16,700	12,250	10,150	57,400
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21. The Delegates from Colombia, Uruguay, and Chile stated one after the other that they firmly supported the very equitable proposal formulated in the name of all the Latin-American countries in Document No. 300 TR-E.

Consequently, they withdrew the proposals submitted respectively in Documents No. 16 TR-E, 17 TR-E, and 6 TR-E.

22. The Delegate from China made the following statement:

"Mr. Chairman,

In our discussions on the question of languages of our Union, the Delegation of China considers it expedient and necessary to separate the question of official languages from that of the Working languages. I have noticed from the proposal 213 TR that the Egyptian and Iraq Delegations do not consider 'official languages' as an adequate term. In the sense they expressed, I agree with them. But I shall still use this term in my discussion, tentatively if you like, because it conveys the meaning of a content which cannot be so properly expressed by another term such as written language. If I may, I would like to try to differentiate the terms official languages and written languages, as this is a very important point involving real economical issue of the Union. If we say that the official languages of the Union are such and such, we mean that only very important official documents of the Union, such as the convention, the Regulations, and important final documents and reports of the Conferences, will be issued in these languages. Not all documents, minutes, reports, proposals, circulars, and what not in written form will be produced in all official languages. In fact if we understand the official languages as such, the latter categories fall within the scope of the working languages. And if I am not mistaken, this is the practice on language arrangements in the United Nations Organization.

Mr. Chairman, with your permission I shall confine myself to the discussion of the official languages only at present. The Moscow Document, upon which we now base our discussions proposed that the official languages of the Union and of its conferences and documents, shall be the official languages of the United Nations. That proposal was advocated by the United States of America, the United Kingdom, France, U.S.S.R. and China. In the present conference, U.S.A., U.K., U.S.S.R. and China again support it. The Chilean proposal, No. 24TR also suggested that: "The official languages of the original text are Chinese, French, English, Russian and Spanish."

Now, having studied the joint proposal of the Latin American Nations regarding the establishment of the languages of the Union, contained in 212 TR Document No. 300 TR-E, I find points of concurrence between that proposal and the proposal in the Moscow Document. For if we separate the official and working languages as I mentioned before, that joint proposal states in substance that all final documents of conferences, final acts and additional protocols, shall be in Spanish, French, English, Russian, and Chinese, which of course are official languages of the United Nations.

In order to save time, I shall not indulge in arguments to show our support on adopting French, English, Spanish and Russian as four of the five official languages proposed. And my explanation on the justification of Chinese as one of the five official languages of the Union will be brief. I only have to say that Chinese is a language used by about four hundred and seventy million people or approximately one quarter of the population of the whole world.

In conclusion, the Delegation of China proposes that we adopt in principle the proposal on official languages in § 1, Art. 12 of the Moscow Document."

23. The Delegate from Egypt reminded the Committee that he had already raised an objection to mentioning the U.N.O. in the I.T.U. Convention. If such mention were made, especially in the case of languages, the I.T.U. would be obliged to adapt itself to every change made by the U.N.O., which would only lead to additional expenses. Furthermore, this would run counter to the principle previously adopted, which provided that the Union was not to be subordinate to the United Nations. He stated that he did not oppose the use of any language whatsoever, but considered that in the case of so highly technical and specialized an organization as the I.T.U. it was unnecessary to increase the number of additional languages. He therefore requested that his proposal which provided for the use of French and English, be adopted. However, he raised no objection to the use of other languages, in addition "provided that delegates desiring such additional languages, would themselves supply translations of their addresses or documents in English or in French."

24. The Delegate from Iran fully supported the statement made by the Egyptian Delegate.

25. The Delegate from the Netherlands observed that he was not opposed to the use of additional languages; but stated that he considered that the question of finances was of prime importance. If the number of languages used were increased, expenses would likewise increase, especially for the smaller countries. He added that the Union should have a single basic language: French.

26. The Delegate from Switzerland made the following statement:

"Mr. Chairman, Gentlemen:

So far the Swiss delegation has not very often participated in the discussions and deliberations, having been afraid to prolong unnecessarily the sessions of the meetings, though it was always very well represented at all meetings and has always followed the proceedings with the greatest interest.

To-day we have before us a very important question to decide, i.e. which language is to be used to make ourselves mutually understood. As a Swiss I feel somewhat qualified to say a few words on this subject, as we have four distinct language groups in Switzerland, and are therefore on a small scale confronted with similar problems as far as the use of languages is concerned as the ITU. In Switzerland all four languages are legally official and are recognized as working languages at parliamentary sessions. This is both democratic and just. All languages are equal, irrespective to the number of persons who speak them, irrespective to the class of people who use them, irrespective to the section of the country where the people come from, irrespective to the contributions made to progress by either one of them. Each language group is proud of its origin, of its own culture, its accomplishments, its literature - and justly so.

I think therefore - theoretically speaking - that no discrimination at all should be made in a happy family of Nations with regard to the use of languages. Each language group and even each language has equal rights as compared to the others - be it large or small in size, be it considered important or unimportant.

BUT - and here we are confronted with numerous problems which are unsurmountable: there is a difference between a small Confederation of States as Switzerland

represents, and an organization like this one which comprises 77 Nations, representing nearly two billion people who speak an uncountable number of languages.

There is another difference: in the Swiss Parliament though several languages are spoken, no translation is provided for, as it is assumed that everybody understands the other languages used in the deliberations.

Then, it is not to be forgotten, that in an international organization like the ITU which is a technical organization, we are not assembled to preserve our cultural characteristics, but exclusively to promote telecommunications. The principal point is that we understand each other in our discussions and nothing else.

To me personally, it would therefore be quite immaterial if the beautiful Spanish language or the equally attractive Russian for both of which I have the highest regard, or any other language would be declared to be the official language of the ITU - as long as we all understand each other and that we mean the same thing when we express ourselves, especially in writing. It is not a question of pride, of playing out one language against another, or a question that one language is more important than another. The language we use is merely our working tool.

We have therefore to follow a purely realistic and practical course. The French language as a universally recognized diplomatic, international and as our traditional language has served us well and therefore served a good purpose for 80 years. No serious disadvantage has resulted from this fact, as far as I know. I can therefore see no valid reason for changing our practice, not to speak of the fact, that those who are responsible for this selection were very well advised 1. to have chosen ONE language as the official language and 2. to have chosen French as such. French as an official and as working language has so many advantages which are well known that I do not have to expound on this subject. It is precise and logical.

Furthermore we must not overlook the fact (and there seems to exist some confusion on this point) that we should recognize

1. one language only as the official language of the ITU i.e. for our acts and documents as reference language, and

2. in order to make sure that we always understand each other perfectly, we should have as working languages in our meetings besides French, also Spanish, English and Russian, with a system of simultaneous translation which is working so well here in Atlantic City.

Gentlemen, if we embark on a new system, our problems will increase manifold. Which text of our law will be the original, i.e. the reference text? there are bound to come up questions of interpretations of the meaning of the various texts. Often a translation is exceedingly difficult to make and it is often almost impossible to convey the exact meaning of a sentence or even a word in a translation. We noticed this fact more than once right here in Atlantic City in comparing only two texts, French and English (or even UK-English with USA-English). - This is costly, tedious, and tends to create misunderstandings, arguments, dissention. Why invite difficulties? I therefore wish to warn you on the consequences of translations of important documents when all are considered as originals.

It has been suggested that we follow the UN. With all respect to this most important body, is the UN not an organization which is based on entirely different principles than ours? are their problems not different from ours? therefore the approach towards them and the means of solution are also different. Let us remain faithful to our 80 years of success and not jeopardize the good principles which have proven their worth.

There is another point which weighs heavily in my mind in favor of maintaining our present system: the question of cost:

Our present budget of approx. \$ 100 000 p.a. will be increased by the various changes which we are ready to adopt here in Atlantic City, by about 25 times! Do you realize that among the 77 countries represented here about 15 or even more are in arrears in paying their dues, some of them for 10 and more years? The present expenses of the ITU are already now paid by approx. 75% of the members. It is very easy to order fundamental changes in our structure, our set-up, our method and system of working. But are you quite sure that the number of delinquents in dues is not going to increase considerably, if we embark on a path of luxury? True, we would increase our services, in having 5, 6 or 10 or 15 languages declared as official. But are the expenses proportionate to the advantages derived?

are we going to increase justice and democracy or
are we going to make it worse than ever?

I for myself do not believe it should be done.

We can be justly proud that there are so many delegates here who understand each other by using such a limited number of languages as working languages and one as the official language. I take my hat off to the delegates of China, Siam, to the Arabs, the Scandinavians, the Dutch, the Portuguese, the Greeks, the Turks, the Italians, and all the others who express themselves so well in another language, and particularly in French. Taken together they are a formidable group in the ITU.

In closing I may say that the UPU Conference in Paris which was also a conference with a technical background, the very same question was discussed at length and the pros and cons very carefully weighed. In the ultimate vote it was decided not to change the traditional principle of using only one language, the vote having been 48:22 with 3 abstentions and 3 absences, with many Latin-American delegations voting among the 46 in favor of French.

I thank you Mr. President, I thank you Gentlemen."

27. The Delegate from Ethiopia recognized the fact that certain countries encountered difficulty in obtaining documents published in their own language; but such difficulties are experienced by all members of the Union who are not in a position to draft texts in their native tongues. On the other hand, if there are several texts, interpretations are prone to vary. And finally, the question of expenses must be taken into consideration; it would be unfair to assess all countries for measures which would be profitable to only certain ones. Ethiopia therefore asked that only one official language be adopted, but was not opposed to the use of an additional language. In any case, there should be no more than two official languages.

28. The Delegate from the United Kingdom explained his views in detail:

In the matter of language, two important ideas should be borne in mind: efficiency of work and expenses incurred.

First of all, explanation must be given of what is meant by:

1. Official language: the language in which the final acts are drafted;
2. Working language: the language used in oral discussions, and in which Conference documents (minutes, reports, etc) are drawn up.

The official languages might be those used by the UNO: (English, French, Spanish, Russian, Chinese).

In the case of working languages, written and spoken language should be differentiated.

Written languages: During this Conference, experience has proved that it is impossible to prepare working documents in more than two languages. It is impossible in practice to use three languages, because the preparation of three parallel texts would require too much time, and distribution of documents would be greatly delayed. However, delegations so desiring, could have all or part of the documents prepared in their native language, at their own expense.

Spoken languages: Experience at Atlantic City has demonstrated beyond a doubt, the value of simultaneous interpretation, which makes possible the use of 3, 4 or more languages. But this system cannot be used at all times and everywhere; thus limited meetings must resort to consecutive interpretation, which involves serious loss of time when three languages are used.

Under these circumstances, the Union can have only two spoken languages.

In conclusion, no more than two working languages should be used; and provision should be made insofar as is practical, for the use of additional languages at the expense of the countries concerned; if necessary the Union might contribute part of the expenses to help these countries.

The United Kingdom is therefore in favor of the following solution:

1. Five official languages, to be those used at the UN.
2. Two working languages: French and English
3. The Union to encourage the use of other languages, so far as possible.

29. The Delegate from Guatemala stated that some of the arguments advanced by the United Kingdom were difficult to comprehend.

He asked that the document which had been read by the Chairman of the Subcommittee on Finance and Personnel be published as an official document of the Berne Bureau, and that the documents which served as a basis for the financial estimates appearing therein, should be specified.

30. The Chairman of the Subcommittee on Finance and Personnel stated that the memorandum he had read was drafted with the help of the Berne Bureau, and that it would appear as a document of the Subcommittee.

The meeting was adjourned at 6:55 P.M.

Rapporteurs:

Chairman:

J. Persin

A. Fortoushenko

B. Yourovsky

W. E. Linaweaver

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September 4, 1947

Committee F

Report
of the General Regulations Committee
(Committee F)

16th meeting
August 29, 1947

- A. The Chairman opened the meeting by welcoming the Delegate from Saudi Arabia who had expressed a desire to participate henceforth in the work of the Committee.
- B. The Chairman then asked the Committee whether it wished to approve the report of the 15th meeting, Document No. 317 TR-E.

The Delegate from the United States, at the previous meeting, had approved Article 16 only with reservations regarding decisions to be made in connection with Articles 2 and 2 bis, and he now wished page 2 of the report to be completed accordingly.

The report of the 15th meeting was then approved.

- C. The Chairman then proceeded to the study of Document No. 318 TR-E which contains Article 17 bis proposed by the Drafting Group. This Article 17 bis was then approved.
- D. The Chairman explained that Working Group 1 of Committee C had held several meetings and had studied the fundamental question of the CCI's, taking into account the numerous proposals made by the Administrations before the opening of the Conference and contained in Documents 4 and 5 ter of Moscow, 9 TR-E of the United Kingdom, and 14 TR-E of France. This Working Group had drawn up two texts; one to be studied by Committee C, dealing with the provisions to be inserted in the Convention; the other, containing the provisions to be inserted in the General Regulations, also dealing with the CCI's. Both of them may be used as a basis for the study of all questions concerning the CCI's.

The Chairman then distributed to the members of the Committee a document entitled: "Suggestion for the General Regulation Annexed to the Convention, concerning the International Consultative Committee." The document is attached to this text as Annex I.



- 5 Sept 1947

Page 1, letter A a): The Delegate from Italy proposed that a note stating that all present members of the CCI's would automatically remain members be inserted in the report. This reference in the report, although supported by several other Delegations, was replaced by a simple addition to the original text, the wording of which was completed as follows:

"The first request for participation in the work..." This change tends to emphasize the difference between Administrations or private operating companies that are members of a CCI at present; and those that are not yet members.

Page 1, letter A c): To be changed as follows:

"....through the Secretary General, by telegraph, ask all the members...." Through this addition, the Committee wished to eliminate all possible difficulties resulting from sending mail over great distances.

The English version of this paragraph was not entirely satisfactory...It would have to be modified so as to have the following meaning:..."members of the Union whose answer is received within a period of one month."

Page 1, letter A d): Delete the passage "and which are recognized by the administrations of their respective countries, members of the Union."

The Delegate from the United Kingdom, in support of his request, claimed that purely industrial organizations could not be recognized by their respective Governments.

A second change in letter A d) was made: "...may be admitted, in an advisory capacity, to the meetings..."

Accordingly, the English version should contain the words: "in an advisory capacity." These same words should also appear in the English version of letter A b) instead of the words "in a consultative capacity."

Page 1, letter A e): Add after "respective administration of the government" the words member of the Union.

Letter A would be divided more systematically into 3 paragraphs Nos. 1, 2, and 3, respectively containing letters a) and f); b) and c); d) and e).

Page 2, letter D a): Reservation made until Committee C made a final decision in the matter of languages.

Page 3, letter E b): In the English text, on the 3rd line of the page, replace "Committees of Rapporteurs" by "Study Committee."

Page 3, letter F b): The Delegate from Italy would like the second sentence to give more exact instructions concerning the Plenary Assembly under reference. This letter was referred to the small Drafting Group, which was instructed to find a satisfactory wording.

The Chairman asked the Delegates from the United States and the United Kingdom to come to an understanding on this subject with the representative of the French Delegation.

All the other provisions of this draft of the Regulations of the CCI's were approved as presented.

Since no one requested the floor, the meeting was adjourned at 6:15 P.M.

The Rapporteurs:

Armand H. WOLF

F. A. TRAIL

The Chairman

MOECKLI.

ANNEXE

SUGGESTION POUR LE REGLEMENT GENERAL ANNEXE A LA
CONVENTION RELATIF AUX COMITES CONSULTATIFS
INTERNATIONAUX

(Document 5ter de Moscou)

SUGGESTION FOR THE GENERAL REGULATION ANNEXED TO
THE CONVENTION, CONCERNING THE INTERNATIONAL
CONSULTATIVE COMMITTEE

(Document 5ter of Moscow)

International Consultative Committees

The scope and structure of the C.C.I.s are defined in Article of the Convention. The following provisions supplement that Article.

Document 5^{ter} of Moscow - Article 29 - §§ 3, 4, 5.

- A a) Requests from administrations or private operating agencies for participation in the work of the International Consultative Committees shall be addressed to the Chairman of the Administrative Council of the Union who shall, through the Secretary General of the Union, inform all the members of the Union and the Director of the International Consultative Committee concerned. Requests from private operating agencies shall be accompanied by the approval of the governments recognizing them.
- b) The international organizations which are coordinating their work with the International Telecommunications Union, and which have related activities may be admitted to participation in the work of the International Consultative Committee in a consultative capacity.
- c) The first request from an international organization for participation in the work of an International Consultative Committee shall be addressed to the Chairman of the Administrative Council of the Union who shall, through the Secretary General, ask all the members of the Union to approve or disapprove of this request; the decision shall be determined by a majority vote of the members of the Union who reply within a period of one month. All the members of the Union and the Director of the International Consultative Committee concerned shall be informed of this decision through the Secretary General.
- d) Scientific or manufacturing organizations, which are engaged in the study of telecommunications problems or in the design or manufacture of telecommunications equipment and which are recognized by the administrations of their respective countries, members of the Union, may be admitted to the meetings of the Study Commissions of the International Consultative Committees.
- e) The first request from a scientific or manufacturing organization for admission to meetings of the Study Commissions of an International Consultative Committee shall be addressed to the Director of this International Consultative Committee and shall be accompanied by the approval of the respective administration of the government.
- f) Any administration or private operating agency, member of an International Consultative Committee, shall have the right to withdraw from its participation in the work of this International Consultative Committee when it so desires. Notice of this wish shall be sent to the Director of this International Consultative Committee and this withdrawal shall take effect only at the expiration of a period of one year from the date of such notice.

Document 5^{ter} of Moscow - Article 29 - § § 7 to 10.

- B a) The role of the Plenary Assembly shall be to approve for issue, modify or reject recommendations submitted to it by the Study Commissions, and to determine the lists of new questions to be studied, in accordance with paragraph 2 of Article of the Convention.
- b) At each of these meetings, the Plenary Assembly of a C.C.I. shall be presided over by the head of the Delegation of the country in which the meeting is held; the Chairman shall be assisted by vice-chairmen elected by the Plenary Assembly.

Document 5^{ter} of Moscow - Article 32.

- C The Secretariat of the Plenary Assembly of a C.C.I. is secured from the specialized Secretariat of this C.C.I., augmented as necessary by the inviting Government and by staff of the Secretariat of the Union.

Document 5^{ter} - Article 34.

- D a) The languages used in the Plenary Meetings and in the official documents of the C.C.I.s shall be as provided in Article of the Convention.
- b) The countries which are authorized to vote at Plenary Meetings of the C.C.I.s shall be as provided in Article of the Convention. However, when a country is not represented by an administration, the representatives of the private operating agencies of that country shall, as a whole, and regardless of their number, be entitled to a single vote.

Document 5^{ter} - Articles 33 - 35 - 36 - 37 and 38.

- E a) The Plenary Assembly shall constitute the Study Commissions to deal with the questions to be studied; it shall designate the administrations, private operating agencies, international organizations, and scientific and manufacturing organizations which shall take part in the work of such Study Commissions; it shall designate by name the principal Reporter who shall preside over each of the Study Commission.
- b) If the questions to be studied by a Study Commission cannot be solved by correspondence, the principal Reporter may (with the authorization of his administration) propose a meeting at a suitable place, in order to discuss these questions orally. In order to avoid repeated journeys and prolonged stays, the

Director of the International Consultative Committee, in agreement with the principal reporters who are chairmen of the various Commissions of Reporters concerned, shall set up the general plan of the meetings of the group of study commissions which should meet in the same place, during the same period. The reports made during such meetings of study commissions shall be sent (by the Director) to the administrations, and private operating agencies which are members of the International Consultative Committee as soon as possible; and in any case, early enough that they may reach them at least one month prior to the date of the next meeting of the Plenary Assembly; questions not having formed the subject of a report received under the above mentioned conditions cannot appear in the Agenda of such meeting of the Plenary Assembly.

- F a) The Director of the International Consultative Committee shall coordinate the work of the study Commissions and of the Plenary Assembly of an International Consultative Committee.
- b) The Director shall carry on all the correspondence of the International Consultative Committee. He shall be assisted by a secretariat composed of a specialized staff to work under his direction, to aid him in his task of organizing the work of the Committee. The technical and administrative members of this secretariat shall be selected by the Secretary General of the Union, in accordance with the decisions of the Plenary Assembly and with the approval of the Director of this International Consultative Committee.
- c) The Director shall participate with full right in the meetings of the Plenary Assembly and the Study Commissions without taking part in voting. He shall make all provisions necessary for the preparation of the meetings of the Plenary Assembly and the Study Commissions.
- d) The Director shall render an account, in a report presented to the Plenary Assembly, of the activities of the International Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary General of the Union.
- e) The Director shall submit to the approval of the Plenary Assembly budget drafts for the two coming years; after their approval by the Plenary Assembly, the Director shall send these budgets drafts to the Secretary General of the Union, to be incorporated into the budget draft of the Union.
- G a) One year before the corresponding Administrative Conference, the Study Commissions concerned of the International Consultative Committee shall meet with representatives of the Secretariat of the Union in order to formulate proposals for modifications in the Regulations relating thereto on the basis of the opinions expressed by this International Consultative Committee since the last Administrative Conference.

(349 TR)

- H a) Any C.C.I. may form joint study commissions with other Consultative Committees of the Union to study and make recommendations on questions of common interest.
 - b) Any C.C.I. may appoint a representative to attend, in an advisory capacity, meetings of other committees of the Union or other international organizations to which this C.C.I. has been invited.
- I The Secretary General of the Union, or his representative, the representatives of the International Frequency Registration Board, and the representatives of the other Consultative Committees of the Union may attend meetings of the C.C.I.s. in an advisory capacity.

Conférence internationale
des télécommunications
d'Atlantic City
1947

Document No 350 TR
& TR-E

4 septembre 1947

Commission F

Texte révisé par le groupe de
rédaction de la Commission F
le 3 septembre 1947

SUGGESTION POUR LE REGLEMENT GENERAL ANNEXE A LA
CONVENTION RELATIF AUX COMITES CONSULTATIFS

INTERNATIONAUX

(Document 5ter de Moscou)

Text revised by the Drafting
Group of Committee F on
Sept. 3, 1947

SUGGESTION FOR THE GENERAL REGULATION ANNEXED TO
THE CONVENTION, CONCERNING THE INTERNATIONAL
CONSULTATIVE COMMITTEE

(Document 5ter of Moscow)

CHAPTER

International Consultative Committees

Article

The provisions of this Chapter supplement Article
of the Convention defining the scope and structure of the
International Consultative Committees.

Article

Conditions for Participation

- § 1. (1) The first request from an Administration or a private operating agency to take part in the work of an International Consultative Committee shall be addressed to the Chairman of the Administrative Council who shall inform all the members of the Union and the Director of the International Consultative Committee concerned through the Secretary General. A request from a private operating agency must be approved by the Governments recognizing them.

NOTE: The drafting group is of the opinion that in the event the Chairman of the Administrative Council is not permanent, the request should be addressed direct to the Secretary General. In such case the text would read:

".....shall be addressed to the Secretary General who shall inform all members of the Union and the Director of the I.C.C. concerned."

- (2) Any administration or private operating agency, member of an International Consultative Committee, shall have the right to withdraw from participation in the work of this International Consultative Committee when it so desires, by notifying the Director of the I.C.C. The withdrawal shall become effective one year from the date of the notification.

§ 2. (1) International organizations, which are coordinating their work with the International Telecommunication Union and which have related activities, may apply to take part in the work of the International Consultative Committee in an advisory capacity.

(2) The first request from an international organization to take part in the work of an International Consultative Committee shall be addressed to the Chairman of the Administrative Council, who shall invite by telegram all the Members of the Union, through the Secretary General, to say whether the request should be granted; the request shall be granted if the majority of the replies received within a period of one month are favorable. The Secretary General shall inform all the members of the Union and the Director of the International Consultative Committee concerned of the result of the consultation.

NOTE: The drafting group offers the same remark as the above, and suggests the following text:

"..... shall be addressed to the Secretary General who shall invite by telegram all the Members of the Union to say whether the request should be granted;"

§ 3. (1) Scientific or manufacturing organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of telecommunication equipment may be admitted in an advisory capacity to meetings of the Study Committees of the International Consultative Committees.

(2) The first request from a scientific or manufacturing organization for admission to meetings of Study Committees of an International Consultative Committee shall be addressed to the Director of the International Consultative Committee; requests must be approved by the administrations of the countries concerned.

Article

Duties of the Plenary Assembly

The duties of the Plenary Assembly shall be to approve for issue, to modify or to reject recommendations submitted to it by the Study Committees and to draw up lists of new questions to be studied, in accordance with paragraph 2 of Article of the Convention.

Article

Meetings of the Plenary Assembly

- § 1. The Plenary Assembly shall normally meet every two years, provided that a meeting shall take place about one year previous to the meeting of the relative Administrative Conference.
- § 2. The date of the meeting of a Plenary Assembly may be advanced or postponed, with the approval of at least twelve participating countries, according to the state of progress of work of the Study Committee.
- § 3. Each meeting of a Plenary Assembly shall be held in a place fixed by the previous meeting of the Plenary Assembly.
- § 4. At each of these meetings, the Plenary Assembly shall be presided over by the head of the Delegation of the country in which the meeting is held; the Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.
- § 5. The Secretariat of the Plenary Assembly of an International Consultative Committee shall be composed of the specialized Secretariat of the I.C.C., supplemented, with the help, if necessary, of the personnel of the administration of the inviting Government and of the Secretariat of the Union.

Article

Languages and Method of Voting at Plenary
Assemblies.

- § 1. The languages used in the Plenary Meetings and in the official documents of the C.C.I.'s shall be as provided in Article of the Convention. } Reserved
by Committee
F
Aug.29.1947
- § 2. The countries which are authorized to vote at Plenary Meetings of the C.C.I.'s shall be as provided in Article of the Convention. However, when a country is not represented by an administration, the representatives of the private operating agencies of that country shall, as a whole, and regardless of their number, be entitled to a single vote. } Reserved
by Committee
F
Aug.29.1947

Article

Composition of Study Committees

The Plenary Assembly shall set up the necessary Study Committees to deal with questions to be studied; it shall designate the administrations, private operating agencies, international organizations and scientific and manufacturing organizations which shall take part in the work of the Study Committees; it shall name the principal Reporter who shall preside over each of the Study Committees.

Article ...

Treatment of Business

Study Committee cannot solve a question
by correspondence, the principal Reporter may,
with the approval of his Administration, suggest
a meeting at a convenient place to discuss the
question orally.

- § 2. However, in order to avoid unnecessary journeys
and prolonged absences, the Director of the
International Consultative Committee, in agreement
with the principal reporters of the various Study
Committees concerned, shall draw up the general
plan of meetings of groups of Study Committees
in the same place during the same period.
- § 3. The Director shall send reports made during such
meetings to the administrations and private
operating agencies which are members of the Inter-
national Consultative Committee. These shall be
sent as soon as possible and in any event in time
for them to be received at least one month before
the date of the next meeting of the Plenary Assembly.
Questions which have not formed the subject of a
report furnished in this way shall not appear in
the agenda for the meeting of the Plenary Assembly.

Article

C. Duties of the Director. Specialized Secretariat.

§ 1. The Director of the International Consultative Committee shall coordinate the work of the Study Committees and of the Plenary Assembly.

He shall keep a file of all the correspondence of the Committee.

The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.

§ 2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget by decisions of the Plenary Conference. The appointments of the technical and administrative personnel is made by the Secretary General in agreement with the Director.

§ 3. The Director shall participate as of right in meetings of the Plenary Assembly and the Study Committees, but without taking part in the voting. He shall make all necessary preparations for meetings of the Plenary Assembly and of the Study Committees.

- § 4. The Director shall submit to the Plenary Assembly a report on the activities of the International Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary General of the Union.
- § 5. The Director shall submit for the approval of the Plenary Assembly the budget proposals for the next two years; after its approval by the Plenary Assembly, the Director shall send it to the Secretary General of the Union, to be embodied in the budget of the Union.

Article

Preparation of Proposals for Administrative
Conference

One year before the appropriate administrative Conference, the interested Study Committees of the International Consultative Committee shall meet with representatives of the Secretariat of the Union in order to extract from the recommendations issued by this I.C.C., since the preceding Administrative Conference, proposals for modification of the relative set of regulations.

Article

Relations of Consultative Committees Between
Themselves and with other International Organizations.

- § 1. International Consultative Committees may form joint Study Committees to study and make recommendations on questions of common interest.
- § 2. Any International Consultative Committee may appoint a representative to attend, in an advisory capacity, meetings of other committees of the Union or other international organizations to which this I.C.C. has been invited.
- § 3. The Secretary General of the Union, or his representative, the representatives of the International Frequency Registration Board, and the representatives of the other Consultative Committees of the Union may attend meetings of the I.C.C.'s in an advisory capacity.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 351 TR-E

September 4, 1947

222 TR

United States of America

The United States believes that the simultaneous interpretation system, as used at the Atlantic City Telecommunications Conferences, has demonstrated its value in expediting the work of the Conference and facilitating debates and discussions. Regardless of the decision ultimately to be reached on the question of languages, it is believed that the simultaneous interpretation system should be made available for future world conferences of the International Telecommunications Union. The United States therefore proposes that Committee C recommend to a Plenary Session of the International Telecommunications Conference that it adopt a resolution along the following lines:

"WHEREAS, the experience gained at the Atlantic City Telecommunications Conferences demonstrates that the simultaneous interpretation system as used at these Conferences has substantially promoted the efficiency of the work of such Conferences and has facilitated the full exchange of views among the delegations participating therein; and

WHEREAS, it is deemed desirable to ensure that future world plenipotentiary and world administrative conferences of the International Telecommunications Union shall enjoy the advantages of the simultaneous interpretation system;

IT IS RESOLVED by the International Telecommunications Conference of Atlantic City that the Bureau of the Union be instructed to provide a simultaneous interpretation system at all future world plenipotentiary and world administrative conferences of the International Telecommunications Union in order to facilitate the use of such languages as are provided for or permitted under Article of the Atlantic City Telecommunications Convention."

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September 4, 1947

Committee C

223 TR

United Kingdom

Languages

1. The official languages of the Union shall be the official languages of the United Nations, namely,
 - (a) Chinese
 - (b) English
 - (c) French
 - (d) Russian
 - (e) Spanish.
2. The final acts of World Plenipotentiary and World Administrative Conferences of the Union, comprising the Convention and all the Regulations annexed thereto as well as any additional protocols, shall be made available at the expense of the Union in the official languages of the Union in versions which shall be, as far as possible, similar in form and equivalent in content and which shall be deemed to be equally authentic. Any question arising from a difference in meaning between two or more of the official texts may be referred to the Administrative Council, which shall reconcile the texts so as to provide an authoritative version without, however, undertaking to arbitrate in any dispute which may arise from the interpretation or application of such texts.
3. The working languages of the Union shall be English and French; and the working documents of all its Conferences, including proposals for consideration by the Conferences and also the minutes of Conference sessions, shall be made available in English and French at the expense of the Union.
4. Speeches at Conferences of the Union shall be translated (simultaneously, where possible, but otherwise consecutively) from English into French and from French into English at the expense of the Union. In addition, translation shall be provided of speeches from or into Chinese, Russian or Spanish where equipment for simultaneous translation is available, (but not otherwise), upon the request of any delegation or delegations using such languages; in such cases the delegations interested shall give due notice of their requirements and shall defray the additional expenditure incurred.

NOTE (1). . . The first two paragraphs of this document embody amendments proposed by the United Kingdom delegation to a resolution which Committee C has already passed subject to amendment.

(2) In regard to future Conferences, the United Kingdom delegation supports the proposal that the Secretary-General of the Union be instructed to provide a simultaneous interpretation system at all future world Plenipotentiary and world Administrative Conferences of the Union, and at any other Conferences of the Union where such equipment can readily be obtained, in order to facilitate the use of such languages as are provided for or permitted in the Convention.

(3) Where simultaneous translation equipment cannot be made available the United Kingdom contemplates that delegates desiring to speak in languages other than English and French will make arrangements (as has successfully been done in some such cases at Atlantic City) for their speeches to be delivered for them in one of these two languages.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 353 TR-E

September 5, 1947

224 TR

Morocco and Tunisia

CONTRIBUTION TO THE STUDY OF RELATIONS BETWEEN THE
I.T.U. AND BROADCASTING ORGANIZATIONS.

These relations having been dealt with frequently in various documents, for the first time specifically in Documents No. 144 R-E, 13 and 14 Rhf-E, 20 Rhf-E and 570 R-E, the question first came before Committee 3, and a sub-working party was formed especially for this study.

This working party was disbanded when it became evident that the question concerned either the High Frequency Broadcasting Conference, or to an even greater degree, the Plenipotentiary Conference.

It was also observed that various delegations had revised and corrected their initial proposals, notably France in Documents No. 309 TR-E and 56 Rhf-E, which replaced Documents No. 237 TR-E and 20 Rhf-E; and the United States of America, in Document No. 23 Rhf-E. The matter was also alluded to in U.S.S.R. Document No. 57 Rhf-E.

The problem raised by the relationship between the ITU and Broadcasting Organizations, has considerable scope, and has instigated lengthy discussions, and is still continuing to do so, not only at the present Conference, but elsewhere as well.

Under these conditions, the Moroccan and Tunisian Delegation believes that it might be advisable to present, on one particular point, a list of technical matters, which had been, at least unofficially, agreed upon unanimously by the delegations represented in the sub-working party. The matters agreed upon unofficially, since official approval was withheld as a result of the abolition of the sub-working party, may be summed up in the following manner:

I. PRINCIPLES OF COORDINATION ON A WORLD
AND REGIONAL SCALE, ACCEPTED IN PARIS
AT THE INFORMAL BROADCASTING CONFERENCE,
OCTOBER 28 - 29, 1946.

These principles are set forth in Document No. 144 R-E, and items IV and V of this Document, which served as the basis of discussion, were accepted unanimously by the Working Group, in which the United Kingdom was included.

".....

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.

II. VIEWED FROM AN EXCLUSIVELY TECHNICAL STANDPOINT
IT SEEMED ESSENTIAL TO PREPARE:

- a) a list of the technical problems,
- b) to group same into paragraphs, so as to facilitate future discussion.

Enumeration of technical problems and their grouping in paragraphs, resulted primarily from collating the British Document No. 570 R-E, paragraph 15, with the United States Document No. 13 Rhf-E, Article 7, section 1.

It is important to note that although this list of problems and their grouping in paragraph form aroused no opposition, the same was not the case with respect to the question of possible collaboration on a regional or global scale.

The Moroccan and Tunisian Delegation therefore believes it both useful and essential to confine the work to a strict enumeration of such problems,

and their grouping into paragraphs, in the form of a joint British and American proposal which, as has been stated, aroused no opposition from the delegations making up this working party, namely: the USSR, France, Mexico, Switzerland, and Denmark (the latter acting as Chairman of Committee 3):

1. Frequency Assignments
 - a) Preparation of frequency proposals for broadcasting services
2. Monitoring
 - a) Study, analysis, correlation, collection and publication of monitoring data for broadcasting services.
3. General Radio Broadcasting Technique
 - a) Equipment and Propagation

Study of technical data concerning the following:

 1. Frequency characteristics of broadcasting transmitters and receivers.
 2. Antenna characteristics and design.
 3. Performance of broadcasting receivers.
 - b)
 - 1) Propagation of broadcasting frequencies.
 - 2) Noise level measurements.
 - c) Frequency separation
 - d) Standards of minimum service and good engineering practice designed to advance the engineering and technical operation of broadcasting services.

4. Coordination with C.C.I.F.

Coordination with CCIF on technical questions relating to the relay of broadcast programs (sound vision).

The range of collaboration in this matter will be limited to the nations members of the CCIF.

5. Ultra-High Frequency Services

a) Possibilities of standardizing in frequency modulation broadcasting (e.g., frequency of deviation for full modulation, low frequency, pre-emphasis, etc.), and in television services (e.g., definition, synchronization, sense of modulation, etc.).

6. Audio-Frequency Problems

a) A high fidelity recording apparatus.

The working party was of the opinion that while international standardization was desirable with respect to high-fidelity recording apparatus, the matter apparently was not within the competence of the I.T.U.

b) Control room apparatus, microphone technique and studio acoustics.

The working party was of the opinion that exchanges of information on the above subjects would be useful and desirable but not essential, and the subjects apparently do not come within the competence of the I.T.U.

(353 TR-E)

III. THE MOROCCAN AND TUNISIAN DELEGATION
NOW PRESENTS AN INFORMAL PLAN OF
COORDINATION, WHICH WAS DISTRIBUTED
TO THE WORKING PARTY AND UPON WHICH
IT SEEMED AGREEMENT MIGHT BE REACHED.

I.T.U. (TECHNICAL QUESTIONS)

U.N.O. (PROGRAMS)

Government Conferences
(H.F. Broadcasting Conferences
or Lucerne Regional)

E.C.O.S.O.C.

Co-ordination and advising
Body in technical aspects
of broadcasting

Co-ordination and advising
Body in program aspects
of broadcasting

Federation of Broadcasters
(Mixed Governments and
Broadcasting corporations)

Regional
organizations

Co-ordination
on world basis

Co-ordination also
on regional basis

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September 5, 1947

Committee C

Texts proposed by the Subcommittee C 1 (Finances and Personnel)
of Committee C for the draft of Article 5 of the Convention.

Article 5.

Finances of the Union

- §1. The expenses of the Union shall be borne by the Members of the Union.
- §2. For the purpose of apportioning expenses, the Members of the Union shall be divided into 8 classes, each contributing in proportion to a certain number of units, namely:
- | | |
|---------------------|---------------------|
| 1st class: 30 units | 5th class: 10 units |
| 2nd class: 25 units | 6th class: 5 units |
| 3rd class: 20 units | 7th class: 3 units |
| 4th class: 15 units | 8th class: 1 unit |
- §3. Each Member of the Union shall inform the Secretary General of the class in which it wishes to be included. This classification shall be announced to the other Members of the Union by the Secretary General, and shall not be changed during the interval between Plenipotentiary Conferences.
- §4. The ordinary expenses of the Union shall be determined by the Plenipotentiary Conference, (Article 10A §1b). They shall be borne by all the Members of the Union. They shall include, in particular, the expenses pertaining to meetings of the Administrative Council, the expenses of the Secretariat of the Union, the International Frequency Registration Board, the salaries of the Directors of the International Consultative Committees and the permanent personnel of their specialized secretariats, as well as the expenses of laboratories which may eventually be created by the Union.*)
- §5. 1) The extraordinary expenses relating to Plenipotentiary Conferences, Administrative Conferences and to meetings of the International Consultative Committees shall be borne by the Members of the Union who have agreed to participate in these Conferences and meetings in proportion to the contribution they pay by virtue of the provisions of paragraph 2 of this Article.
- 2) Private operating agencies and international organizations shall contribute to the extraordinary expenses of the Administrative Conferences and the meetings of the International Consultative Committees in which they participate, in proportion to the number of units corresponding to the class chosen by them among the classes provided in paragraph 2 of this Article. The Administrative Council may, nevertheless, authorize certain international organizations to participate in these conferences and meetings, without contributing to the expenses.

*) Note: Paragraph No. 4 will be modified if the Committee C decides that all ordinary expenses of the Consultative Committees be borne by the Union.

(354 TR-E)

- 3) Expenses incurred by laboratories of the Union, in special research for individual members of the Union, shall be borne by those members.
- §6. Members of the Union shall pay in advance their annual contributory share.
- §7. The amounts due shall bear interest at a rate of 6 per cent (6%) per annum, reckoning from July 1st with respect to the annual contributory shares and reckoning from the day of expiration of a period of six months after the sending of the accounts with respect to the extraordinary expenses and the supplying of documents.

ANNEX

Resolutions adopted by the Subcommittee

1. The Subcommittee is of the opinion that the Bureau of the Union should be requested to include the following clarification in the annual management report:

"The units shall be multiplied by the number of Members in each class, and the sum of the products thus obtained shall indicate the number of units by which the total expenses shall be divided. The quotient shall indicate the total amount of the unit of expense."
2. The Subcommittee, considering that:
 - a) it is provided in paragraph 3 that no Member of the Union shall, during the interval between two Plenipotentiary Conferences, change the class in which it informed the Secretary General that it wished to be included;
 - b) the new Convention will not become effective until January 1, 1949;
 - c) some members may wish to change their present class; suggests that the following proposal be submitted to the Plenary Assembly of the Plenipotentiary Conference:

"Each Member shall announce the class in which he wishes to be placed before the new Convention becomes effective. Members failing to announce the class of their choice, shall be bound by the preceding number of units. It shall be understood that the new apportionment shall go into effect at the same time as the new Convention."

Committee E

225 TR

FRANCE

Replace the existing Article 33 of the Madrid Convention by the following:

Article 33

Rendering of Accounts

- § 1. The Administrations of the Members of the Union and the private enterprises recognized by them which operate international telecommunications services shall come to an agreement with regard to the amount of their credits and debits.
- § 2. The statements of accounts referred to in § 1 of this article shall be drawn up in accordance with the provisions of the Regulations annexed to the Convention, unless special arrangements have been concluded between the parties concerned.
- § 3. The settlement of international accounts shall be made, either on the basis of the Regulations, or on the basis of current transactions in accordance with the ordinary international obligations of the countries concerned.

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September 6, 1947

REPORT
of the Committee on Organization
of the UNION

(Committee C)
16th Meeting, August 28, 1947

1. The meeting was called to order at 3:30 p.m., under the chairmanship of Mr. A.D. FORTOUSHENKO (Soviet Union)

Continuation of a discussion on the subject of
languages (Art. 12, doc. No. 45 TR-E).

The Delegate from Cuba made a very firm statement which can be summarized as follows:

At the last meeting, the Delegate from the United Kingdom made a detailed analysis of the possibilities offered concerning the especially difficult problem of languages. Cuba believed that the suggestions made on that occasion were not acceptable, because the United Kingdom considered at that time only its own point of view. The Delegation from Cuba observed the spirit and the letter of Document No. 300 TR-E and asked for equality of Spanish with French and English on a basis similar to that of the Cairo agreements.

Spanish was the national language of 18 members of the Union. English and French put together were in a minority as national languages.

For the Spanish speaking nations, the Union was not 80 years old, because it was born in 1932, in Madrid. For other nations, which have previously concluded regional agreements, the Union might be older. In any case, the principle of status quo could not be agreed to under the circumstances.

The countries of Latin America have demanded the use of the Spanish language which is the national language of the largest group of countries of this conference; they would not consider this to be a gift. Vested rights must not be advocated while reality was ignored. This was the reason for the full support Cuba gave to the principle outlined in document No. 300 TR-E.

On the subject of other problems, the Spanish speaking countries have made concessions and accepted compromises in order to arrive at a unanimous agreement. They did not understand why the other countries did not make an effort toward the acceptance of Spanish as an official language of the Union.

2. The Delegate from Greece made the following statement:

"The question of the languages of the Union is of great importance because of the effect it may have on the efficiency of the work to be conducted by conferences and on the expenses of the Union.

The Greek Delegation, as early as the beginning of the Conference deemed it necessary to make the following remarks on this question of languages which appear in Document No. 55 TR-E proposal 158:

The Greek Delegation is in agreement that more or less important modifications should be made in the article relating to languages. However, it believes that these modifications should be guided by two limiting factors:

1., by difficulties which would arise from an excessive increase in the number of spoken languages in Conferences and in other meetings of the Union, and

2., the expenses relative thereto as well as expenses which would result from the possible adoption of several languages for the drafting of the acts of the Conference. With respect to expenses in particular, it is necessary to take into consideration the fact that countries which do not ask to have their languages included in the languages of the Union would be charged with the supplementary expenses necessitated by the re-editing of acts and other documents of the Union in their own language.

After the highly important discussion which took place at the last meeting, these same points of view dominate the following question, namely: the factor of efficiency and the factor of expense.

Concerning the first factor, in spite of the admirable simultaneous translation system with which we have already

experienced satisfaction in connection with Plenary Assemblies and the principal Committees, this system does not permit a general solution of the problem in an organization as technical and complex as our Union where a multitude of Committees, Subcommittees, Sub-subcommittees and working groups must work in parallel, without mentioning also the numerous meetings of the Administrative Council, the I.F.R.B., the C.C.I.'s, and their numerous Committees of Rapporteurs, etc. An increase in the number of languages in addition to the two already utilized would lead to an impasse from the point of view of comprehension and duration of the meetings.

As to the second factor, the increase in languages over and above two, not only for the Conferences but also for the documents, would have exceedingly heavy financial consequences for the Union, especially for the small States which would have to consider paying their own supplementary expenses for the translation and publication of the acts of the Union in their own language.

In conclusion, Mr. Chairman, the Greek delegation believes that it is not at all necessary to go, any further than to maintain the two languages already utilized - while the generalizing and equalizing the role of both of them - and to allow the possibility of employing supplementary languages, but at the exclusive expense of the countries concerned."

3. The Delegate from France made the following statement:

"All languages should have the same rights due to the fact that within the Union all countries are placed on an equal footing.

On the question of ideas, all languages are equally respected, as they are a method of expression of national spirit which can never completely express itself in a foreign language.

If we have noticed that the English language seemed to be now dividing itself into two parts, this is due to the fact that the country which has been host to this Conference seems to have acquired a spirit more and more removed from that of the United Kingdom. There seems to be here a sort of inexorable fatality, as the United States which is a meeting place for all the people of the world has had the good fortune which is to make a nation of all these elements. And a nation so constituted will inevitably assert a different spirit than that of "merry old England."

The idea of language reaches the deepest fibres of our national feeling. And it is not a small thing to see all this evidence of solidarity on the part of the Latin American countries and the countries of the Arabic language in favor of their language. This seems very natural, and we gladly acknowledge this fact, as the love which we have for our own language, makes us feel very sympathetic to all the sentiments expressed by our colleagues of all countries.

But, taking these considerations into account we must attain two objectives:

- 1., to do practical work, that is to say, acceptable to all;
- 2., to avoid carefully our solutions, always imperfect, causing bitterness between countries or groups of countries employing different languages.

The practical work concerns:

- 1.- the carrying out of the work of the Conferences,
- 2.- the publication of all kinds of documents by the Union,
- 3.- avoiding controversies that may arise from the use of many languages, the causes of such controversies being naturally all the more numerous when we give the character of official language to a greater number of national languages.

Advantages of the Status Quo. This status quo is defined by the Madrid Convention, and completed by the Cairo agreements. Except for oral use, it brings about a unity of language by favoring French.

a) Long experience in the past is witness to the fact that it has not presented an obstacle to our work, and that it avoids all difficulties in view of the fact that arbitration procedure had never been put into force by the Union;

b) It is the least costly system;

c) With only one official language, all of the other languages have equal standing. On the contrary, the more official languages there are, the more languages that

have not been given this quality feel slighted. It is as clear as it possibly can be -- and our discussions verify this -- that as soon as we abandon the idea of a single language here, we enter into a field of competition that sooner or later will make it impossible to reach any conclusions.

Other Solutions. Among the written proposals, in the form of draft agreements, we have:

The Moscow document which probably reflects the point of view of the Soviet Union - I say "probably" because, to date, our president has maintained the silence of the Sphinx,-;

- The plan of the United States of America which would confer official status on French and English;
- The plan of the United Kingdom, under the terms of which the working languages would be French and English, with the understanding that the five United Nations' languages would be the official languages of the Union for its conferences and its documents.

In his statement of yesterday, Mr. Townshend outlined his position clearly, namely; there would be only two working languages but the simultaneous interpretation system might be employed on condition that countries using languages other than French and English bear the costs incurred.

In the case of documents, Mr. Townshend, favoring the five languages of the United Nations told us that it was necessary to distinguish between official documents - that is, texts of agreements and regulations - which would be published in five languages - and the other documents - minutes and reports - which would be published in only two languages. And we obtained this admission from the representative of the United Kingdom: "We cannot draft minutes in more than two languages because the difficulties in obtaining more than two absolutely parallel texts prevent it." Nevertheless, Mr. Townshend said he was of the opinion that working documents could be translated into languages other than French and English.

What conclusions can we draw from all of this?

The reference to the United Nations is a criterion, probably only provisional, however, because, if I understood correctly a statement made by the Delegate from Egypt, Arabic is on the point of being admitted to the United Nations. And why not? And the end is not yet, believe me. Then how many official languages shall we have? five? six? or more?

A thing which is perfectly understandable in the United Nations where all sorts of questions, are dealt with - some of them abstract and perplexing - has not the same justification in the I.T.U., where the same general run of questions come up for discussion, and where shades of meaning, while they have a certain importance, never play more than a secondary role.

From the moment that language unity is abandoned, difficulties arise, and it becomes impossible to arrive at solutions.

The British plan is complicated and illogical. How is it possible to admit that the essential documents (Convention, Regulations) might be drafted in five languages, when by their own admission, working documents - much simpler and much less important - cannot be drafted in more than two languages? Particularly as the British proposals do not even mention, for the main documents, a reference language to be taken as authentic in case of controversy.

Further, it is not in the drafting of documents - which could always profit by being taken from a single source - that plurality of language is the most useful. It is in the verbal expression of his thoughts that each one of us needs to call upon the perfectly familiar resources of his own language. Now, the United Kingdom favors the United Nations languages for the drafting of documents, and yet would seem to wish to maintain the principle of two working languages.

We must find a clear and simple solution. Language unity has this quality and the status quo is a solution.

Failing the status quo, we shall be obliged to run the risk of complicated solutions. It is impossible, unless one is completely impervious to all logic, to all

understanding, to choose any one language and promote it to a position of second official language. All arguments which can be presented can be refuted. How, for instance, will it be possible to turn a deaf ear to the appeal of the Spanish-American countries? And should we be indifferent to the same appeal from the Arabic countries?

The question of expense is all-important, particularly for the small nations whose financial burdens increase in proportion as their language becomes more and more subordinated.

However, the French Delegation will not adopt the expense argument and set it up against a new solution of the language problem.

Possible solutions with the multiple language system.

1.- All documents are drawn up in a single language and are subsequently translated into the authorized languages with the status of official languages. This system is certainly the most likely to avoid controversy, since recourse can always be had to original text.

2.- All documents are drawn up directly in all the official languages, and in case of controversy, one language is designated as authentic.

Conclusion. Too directly concerned in the question itself, the French Delegation adhered to the submission of an objective summary in order to put the facts before the Committee. It reserves the right to state its preferences when the time comes to express an opinion with regard to a text which would have the effect of modifying the Madrid Convention text.

4. The Delegate from Portugal supported the French viewpoint with regard to the need for a reference language accepted as the ultimate authority in the case of controversy, on the hypothesis that it be decided to adopt several official languages; this language should be French which has always been the traditional language of international conferences, and which has shown itself equal to the task. Portugal would prefer that the status quo of Madrid be retained, but would consent to preferential treatment for the English language without which nothing can be accomplished on the subject of telecommunications. He called attention to the situation of countries which are not asking that their language be

admitted as a language of the Union and which are nevertheless liable to be called upon to pay for advantages which would accrue to other countries; he asked that the countries making such requests bear in mind this aspect of the problem.

5. The Polish Delegation was of the opinion that the question of official and work languages to be used by the Union and its organizations, should be considered first of all from the practical point of view.

"That is why I do not think," said the Polish Delegate, "that it is desirable to follow the principles applied in this matter by the United Nations.

The objective of our Union is more specialized and more technical. We are working in the field of telecommunications, our final task is to facilitate as widely as possible, the exchange of ideas; and everything which might favor this exchange was worthy of our attention.

In agreement with this principle, let us try to facilitate first of all, the exchange of ideas and conceptions among ourselves during the duration of our Conferences.

It is quite evident that simultaneous translation, which has been used for the first time during the Atlantic City Conferences, represented considerable advancement in comparison with the progress of work of previous Conferences, in regard to time saved, and the facility of understanding each other and of expressing oneself.

It can be said; that this method of work will entail an increase of the expenses of additional translations. But this question always arises in similar circumstances. Let us take into consideration not only the losses, but also the advantages. The method of simultaneous translation enables us to work better; it also enables us to bring to our work a greater number of specialists who have hitherto been prevented from taking part in international activities because of the language difficulties.

If, guided solely by reasons of an economic nature, we decided to use a single language, the question of knowing which language to choose would immediately arise.

The French language is noted for its clarity, its beauty, its sonority, and its wealth of expressions. It really represents an accurate instrument.

The English language is used throughout the entire world.

The rights of the Spanish language are recognized.

It is evident that a compromise is necessary, and this compromise should bring improvements, progressively, with the technical possibilities of the Union.

Inspired by this spirit of progress, I would like to come here to request the same facilities for Slavonic nations, which represent a population of two hundred fifty million people. It is possible for Slavs to understand each other, even while speaking their native languages. The denomination "Slav" was derived from the common pre-Slav root "Slovo," which means "the word."

But for practical reasons, and taking into account that the Russian language is the most widespread and the best known by all Slavonic nations, I propose the Russian language as an official and working language of the International Telecommunications Union.

6. The Delegate from Egypt cited figures. According to him, there were 22 Spanish language countries
8 Arabian language countries (+2 prospective)
6 English language countries (+ Ireland)
4 French-language countries

7. The Delegate from Guatemala made the following statement:

Mr. Chairman:

Rarely has a motion which, like the proposal submitted by the Spanish-American countries through the Delegation of Guatemala, and published in Document No. 300. TR-E satisfies the highest spirit of justice, been presented at this Conference. When a language like Castilian Spanish is spoken by 25% of the countries forming the Union, it is logical, rigorously logical, that it deserves special consideration since the aim, as concerns languages, is to facilitate the exchange of ideas.

The Spanish language, Mr. Chairman and Delegates, is spoken by twenty-one countries as their national language, which constitutes the highest percentage that can be cited in regard to the number of countries speaking the same language, for only ten countries speak the English language and only eight countries speak French. The number of persons speaking a certain language has been mentioned here as an argument to support a certain thesis. However, with due respect towards the Delegations which have permitted themselves to adduce this argument, I wish to point out that in a Union like ours, each country represents only one unit regardless of the number of inhabitants it may contain within its territory. Consequently, what concerns us here is to facilitate the exchange of ideas among the Delegations one for each country, so as to make a better functioning of our Union possible. Aware of the purpose for which languages are used, the Spanish-American countries, inspired by the highest sense of justice and by the idea of the opportunities offered by adopting as working languages the three languages spoken by a greater number of countries, have presented the proposal set forth in Document No. 300 TR-E.

It has been stated here that two elements should be taken into consideration in studying question of languages, and that these two elements are efficiency and cost.

In regard to the first of these two elements, working efficiency, the present Conference is proving to us that this is possible when practical means for the exchange of ideas and good-will are put at the disposal of the delegations. It is beyond question that when the delegations can avail themselves of greater opportunities to express their ideas and to understand the ideas of those who speak other languages an understanding is more readily effected, comprehension is obviously easier, and, in a word, the efficiency of the work to be carried out is greater. It is timely to express here our gratitude to the Delegation from the United States of America as well as to the Secretariat of the Conference for their cooperation in attaining the utmost efficiency in the work of these conferences.

The other element, which has been mentioned as a subject of consideration in studying the question of language, is the cost element; in other words, the economic factor. Without detriment of the remarks which I believed it opportune to make previously, it is interesting to observe that if the financial factor is overestimated in this question of the languages, giving it a capital importance, it might be possible to study some other methods which, besides guaranteeing efficiency in the work, might serve the purpose of economy. For instance, such a method might establish a single working language and might limit the drafting of the final texts to certain languages and not to five languages, as proposed by the Spanish-American nations in Document No. 300. I believe that such an overestimate of the economic factor does not correspond to the opinion of this Committee and that the Honorable Delegations will understand that the Latin-American proposal contained in Document No. 300 TR-E satisfies an evident need and a desire to reconcile divergent standpoint on a basis which is extremely democratic and eminently just.

Mr. Fortoushenko, Chairman of this Committee, as I recall, has stated in this same Committee, that the Soviet Delegation always acted on a logical basis, and it is interesting to remember this in affirming that we are sure that that same sense of logic which has so often characterized the acts of the Soviet Union will be the feeling which will guide its Delegation, as well as all the Delegations, on this occasion. Mr. Chairman, and Delegates the proposal made by the Spanish-American Delegations is evidently just and eminently logical.

8. Mr. Fortushenko, speaking in behalf of the delegation of the Soviet Union stated that in his opinion all languages were equal and deserved respect. Unfortunately owing to involved elements of cost and time the use of all languages is impossible and international practices are to be taken into account.

Up to the present, French has been used as the official language of International Conferences. At the same time, an authoritative international body - The United Nations Organization has approved Chinese, English, French, Russian, and Spanish as its official languages. In the opinion of the Chairman this decision has profound reasons. Since the Union as a specialized agency is about to enter into relationship with the United Nations it cannot ignore its practices and must also adopt these same five languages as official languages of the Union.

The cost of translation and printing of basic Documents in five languages, as has been rightly pointed out by Mr. Townshend, will not be excessive.

The same principle however cannot be applied to working languages, as this will require translation of a considerable amount of material which will make it a costly and a complex procedure.

As could be seen from the Moscow Documents the Chairman continued, the delegation of the Soviet Union would have liked the Russian language to be adopted as a working language for the following reasons: the Russian language is widely known and understood in all the 7 slay countries - members of I.T.U., altogether comprising more than 200 million people.

Besides the U.S.S.R. is not a single country but a Union of 16 sovereign national Republics. The fact that all of these Republics are not represented in Atlantic City Conferences does not detract from the importance of the Russian language in the Telecommunications Union. In each of these Republics, possessing a mother tongue of their own, the telecommunication workers speak Russian and would like to read the material of the Conferences in Russian.

As regards the cost of translation into Russian it might be mentioned that a mistake must have crept in the statement of the Berne Bureau regarding the relative cost of translation into French, English and Russian. The figures cited are 4000 dollars for expenses in connection with translation into English or French and 2300 dollars for translation into Russian. Judging from the negligent amount of material translated into Russian as compared with English and French it is difficult to comprehend those figures. However in spite of the evident advantages of having Russian as a working language the delegation of the U.S.S.R. in order not to complicate matters will not insist at present in the adoption of Russian as working language and invites its Spanish speaking colleagues to do likewise with regard to Spanish.

The Delegation of the Soviet Union believes that it will be necessary to restrict the number of working languages to one for example French, and for those not familiar with it, adopt as second parallel language English.

Irrespective of the choice of working languages the Chairman concluded, it should be put on record that at all future International Conferences simultaneous translation systems should be used. This system has commanded itself admirably well in Atlantic City and has helped us to expedite the work of the Conferences.

9. The Delegate from the United States also thought that the question of official languages and the question of working languages should be dealt with separately. He stated that his country had reconsidered its position and that he was now in favour of five official languages: French, English, Spanish, Russian and Chinese.

10. The Delegate from Egypt, addressing the Chairman in his capacity as Delegate from the Soviet Union, stated: "You said that the I.T.U. is a specialized agency of the U.N. Permit me to remark that we are independent and that we have only entered into relationship with the U.N., that is all."

11. The Delegate from Lebanon stated that, in spite of the obvious mistake which would be made if several working languages were adopted, there would be no serious drawbacks to such a procedure, on condition that only the countries concerned defrayed the costs. Lebanon would share in the expenses only in accordance with the decisions made at Cairo. He reminded the meeting that the Arab countries in their restricted union, had created an organization for the translation of documents and that they never thought of asking for the creation of an organization in the Union, of such a nature that all the member countries would be obliged to bear its expenses. Lebanon was opposed to any decision which would entail new expenses other than those resulting from the Cairo decisions.

12. The Chairman of the Negotiating Group of the I.T.U., wishing to make one point clear, said that the Delegate from Egypt had stated that the I.T.U. had been brought into relationship with the U.N.; this was not precisely the case; it was hoped that a draft agreement, drawn up after negotiations between a group of I.T.U. representatives and a group of U.N. representatives, would be submitted to the next Plenary Assembly.

13. The Delegate from Guatemala said that the proposal of the Delegate from the Lebanon was very interesting and that the countries of Latin America attached great importance to it. He asked the Chairman to recess the meeting for a moment so that information on this subject could be exchanged.

(The meeting was recessed from 5 p.m. to 5:25 p.m.)

14. The Delegate from Guatemala stated that the Spanish-American countries, acting as they had often done during this Conference in order to reach satisfactory agreements for all, had drafted a new proposal relating to the expenses entailed by the employment of various languages.

The Spanish-American countries proposed that the Union adopt the formula of the U.N. Final texts should be drafted in five languages: French, English, Spanish, Russian and Chinese. The resultant expenses would be apportioned as follows: 25% would be included in the general expenses of the Union and would therefore be borne by all the members; the remainder, that is, 75%, would be equally apportioned between the groups of countries, the national language of which were to be used as working languages.

The Spanish-American countries advocated the three languages proposed in Document No. 300 TR-E (English, French, Spanish) as working languages, but under the conditions indicated above. They would submit a proposal on this question which would form the subject of a complementary document.

15. The Chairman then noted that the proposal contained in Document No. 300 TR-E would be modified, but said that he believed that the procedure previously proposed should be retained, because the question of expense was only a detail.

16. The Delegate from Guatemala, on the contrary, thought that the procedure should be changed. The Spanish-American countries felt, in fact, that the question of expenses was a basic one, and that it should be decided upon first, because it would determine the conduct of many delegations. This question, moreover, was very clear and easily understood; it did not require long study and could be immediately discussed.

17. The Chairman thought that a procedure which consisted in making a decision without giving the delegates time to reflect was not democratic.

18. The Delegate from Guatemala agreed that the decision should not be hurried, but he felt that the discussion might begin subject to postponing decisions till a later date.

19. The Delegate from the United Kingdom supported the procedure proposed by the Chairman.

20. The Delegate from the Vatican asked for explanations on two points:

1) He wished to know what was meant by the expression "official language";

2) He wanted a definite statement on the question whether the plurality of official languages would exclude the possibility of having a language of reference in case of dispute.

The second question was particularly important.

With regard to procedure, he deemed it necessary to discuss the question of costs before attacking the question of principle concerning the number of official and working languages.

He stated: "It is easy to understand the desire to use the languages of several countries, but it has one very serious consequence: the resultant costs. As far as I am concerned, I have not decided to vote "Yes", because "Yes" would mean the imposition of additional expenses on other countries; in this case I should feel obliged to abstain. I also understand that no one can vote on a text without having it at hand, but the principle of it, at least, can be discussed."

He continued: "If I recall - and I remember the general atmosphere and the discussions in Cairo very well - the same question came up about English. Very strong arguments were then brought forward in favor of the English language, and the four great countries concerned naturally hastened to assert: "The expenses will, as a matter of course, be borne by us." "

21. The Chairman of the Conference, speaking on behalf of the Delegation from the United States, supported the procedure proposed by the Chairman for the purpose of solving the different problems placed before the Committee. He felt that it was difficult to discuss costs before knowing the decision which would be made in regard to languages.

Before giving the views of his country, he assured the Spanish-American countries that he comprehended their position. The United States were in the same position in Madrid and in Cairo, and the agreements concluded there permitted them now to use English in conferences. He could therefore well understand, that, in future, arrangements should be made in favor of the Spanish-speaking countries.

He then defined the position of the United States regarding languages:

1) The languages of final acts must be French, English, Spanish, Russian and Chinese, on an equal footing.

2) As the five languages have the same importance, it is not necessary to have a language of reference. To avoid any difficulty in the future, it can simply be provided in the Convention that the Administrative Council - without playing the role of an arbiter - be entrusted with interpreting the texts which could give rise to any confusion.

3) What shall the languages of the next Conference be? A distinction must be made here between:

a) Spoken languages - for which only the most practical solution is required; the needs of the delegates and working efficiency must be taken into account. The formula of the present Conference with simultaneous translation into French, English and Spanish and unilateral translation into Russian gives entire satisfaction.

b) Written languages - which, for material reasons, must be limited to two; therefore, only French and English can be used.

4) For the numerous documents published between conferences, special decisions should be taken in each case, taking into account the nature, use, price, etc. of each document.

5) In regard to documents preparatory to conferences (proposals), these should be published in as many languages as possible, but costs must be taken into consideration; however this may be, it would be preferable to publish in the same location the documents written in different languages.

6) The apportionment of expenses can only be considered when a definite decision has been made on the five points mentioned above.

22. The Delegate from France expressed his opinion on two points;

1) Procedure. To reconcile the views expressed by the Spanish-American countries and the Delegate from the Vatican on one side, and by the Chairman, the Delegate from the United Kingdom and the Delegate from the United States on the other, he proposed coming to a decision at once on the question of the official language or languages of the Union, under the express reservation that the decision would only be valid subject to a future agreement on expenses.

2) The arguments presented by the United States. He agreed with the views expressed with the exception of one point: the language of reference. At the proper time, the French Delegation would submit an amendment on this subject.

23. The Chairman asked the Spanish-American countries if they were prepared to support the procedure he had proposed.

On receiving a negative reply, he stated that he could not put this question to the vote, and he proposed postponing the discussion until the next meeting. Meanwhile, the different delegations would have time to study the proposal which the countries of Latin America wanted to transmit to the Secretariat for publication.

Adopted.

24. The Chairman proposed that the Committee should next study an important proposal that the Delegation from the United States wished to submit regarding the seat of the Union.

He recognized the Delegate from the United States who made the following statement:

"The United States initially proposed (Doc. 2 TR, Article 11) that the seat of the Union should be at the same location as the permanent headquarters of the United Nations. This proposal was formulated before New York was decided upon as the location of the headquarters of the United Nations. It was based on the principle that the work of the Union would be facilitated if it could maintain liaison with the United Nations and its specialized agencies in fields related to telecommunications.

The United States, however, has recognized that many of the members of the Union adhere to the view that the seat of the Union should be continued in Switzerland. In order to avoid controversy on this subject, and promote a harmonious agreement, the United States withdraws its original proposal, and affirmatively sponsors Switzerland as the seat of the headquarters of the Union. (Loud applause)

The United States believes that the location of the seat of the Union in Switzerland should be moved from Berne to Geneva. The facilities at Berne are inadequate for the expanded functions of the Union, and for the sessions of the PFB which are to convene at the seat of the Union in January 1948 (see Document 821 R). Geneva, on the other hand, has ample facilities, is the subsidiary headquarters of the United Nations, and is a French-speaking city. In order to provide facilities for the PFB at the seat of the Union, the Swiss Government should be requested to establish an office of the Union at Geneva by January 1948, and to take steps immediately to move the existing Bureau from Berne to Geneva as soon as practicable.

Under the new proposed structure of the Union, new organizations are to be created, and certain of the existing organizations are to be reorganized. The question as to the seat of these organizations must be considered. At present, one of these organizations, the C.C.I.F., has its seat in Paris.

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If this practice is to be continued of having organizations of the Union continue their headquarters at locations other than the principal seat of the Union, the United States would welcome having the CCIR establish its headquarters at a convenient location in the United States, such as New York or Washington. It is proposed (Doc. 809 R) that the CCIR shall have a permanent Director to be assisted by a small specialized secretarial staff. It is believed that the location of this office in the United States would serve the convenience of the CCIR, in view of the availability in the United States of technical data, resources and personnel. Moreover, the development of radio experimentation and research in the United States would provide an appropriate atmosphere for the headquarters of the CCIR.

If, however, it is decided that all bodies of the Union are, without exception, to maintain their headquarters at the seat of the Union, the United States would have no objection to this centralization of function.

There is attached a Resolution which would effect the proposal of promptly establishing an office of the Union in Geneva, in order to administer the work of the PFB, and of moving the existing Berne functions to Geneva. An appropriate resolution on the location of other bodies of the Union can be prepared when a decision on this subject has been reached.

PROPOSED RESOLUTION TO BE RECOMMENDED
TO THE PLENIPOTENTIARY CONFERENCE BY COMMITTEE C

Committee C has considered the question of the location of the seat of the Union, and recommends that the Plenipotentiary Conference adopt the following resolution:

WHEREAS, the headquarters of the International Telecommunications Union should be moved for convenience of administration from its present location at Berne, Switzerland, to Geneva, Switzerland;

IT IS RESOLVED by the International Telecommunications Conference of Atlantic City that the Swiss Government be requested to arrange for the establishment of an office of the Union at Geneva, Switzerland, not later than January 1, 1948, and to take immediate steps to transfer the existing Bureau from Berne to Geneva as soon as practicable."

25. The Chairman expressed his sincere thanks to the United States Delegation for this statement which would greatly facilitate the task of the Committee.

He felt that the applause of the assembly indicated that the majority was in the agreement with the proposal just submitted. For his part, he thought that there was good reason to transfer the seat of the Union from Berne to Geneva, and he asked the Delegate from Switzerland if the Government of the Swiss Confederation would make any objection to this transfer.

26. The Swiss Delegate first addressed Mr. de Wolf who had just brought forward the significant proposal of the United States Delegation. He expressed his sincere gratitude, and told him how much he appreciated the great honor which had just been conferred on his country by the motion which he had just read and by the applause which had greeted it.

In reply to the Chairman, he affirmed that the Swiss government would do everything in its power to facilitate the work of the I.T.U., to fulfill the obligations which might devolve upon it and to carry out the recommendation of the Atlantic City Conference with regard to the transfer of the Bureau from Berne to Geneva. He said, however, that he could not give an immediate reply as to the conditions of this transfer. Mr. von Ernst, Director of the Bureau might perhaps be in a better position to furnish information on this subject. In any event, the Swiss Government would make every effort to enable the Union to operate under the best possible conditions.

In conclusion, the Delegate from Switzerland thanked all the members of the Committee for their applause which so greatly honored his government.

27. The Chairman stated that, in connection with the transfer of the Bureau, it would be advisable to await a communication from the Swiss government. He proposed that the resolution submitted by the United States be adopted. The transfer would be decided upon only when the feasibility of such a transfer should be established.

28. The Delegate from the United States of America thanked the Swiss Delegate for his gratifying speech.

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He added that, in the opinion of his delegation, the Bureau could not be transferred in its entirety from Berne to Geneva by January 1, 1948. By that time, it was believed that a small office should be available so that the Provisional Frequency Committee might be enabled to operate. The transfer of the remainder of the Bureau could be made subsequently, as early as possible, but gradually as opportunities arose. For that reason, the resolution should not be made dependent upon a time element.

29. The Chairman then suggested putting the resolution submitted by the United States to an immediate vote by a show of hands.

The resolution was unanimously adopted.

(Applause)

30. The Delegate from Egypt congratulated the Committee on this unanimity of opinion and, in his capacity as Chairman of the Subcommittee on Finances and Personnel, said that he was highly delighted with the decision which had just been made.

He added that to his very real regret he would be obliged to return shortly to his country and suggested that Mr. J.T. Hwang (China), at present Vice-Chairman of the Subcommittee, be named to take his place as Chairman.

31. The Chairman remarked how deeply he regretted Mr. Abaza's departure. He expressed the thanks and gratitude of Committee C for the excellent work he had accomplished as Chairman of the Subcommittee on Finances and Personnel.

(Loud applause)

32. He proposed that the Committee appoint Mr. J.T. Hwang Chairman of the Subcommittee in place of Mr. Abaza.

The Committee expressed its approval by its applause.

33. The Chairman then recognized Dr. von Ernst.

The Director of the Bureau of the Union expressed deep gratitude for the decision made by the Committee. The sentiments of his collaborators, especially the Swiss, were enhanced by the magnanimous gesture of the

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United States Delegation. The personnel of the Bureau considered the proposal which had been unanimously adopted, a further testimony to sympathy and satisfaction on the part of the members of the Union, and would respond redoubled devotion to the telecommunications service.

(Loud applause from the entire Committee.)

The meeting was adjourned at 6:40 p.m.

Rapporteurs:

Chairman:

J. Persin

A. Fortoushenko

B. Yourovski

W.E. Lineweaver

September 5, 1947

Committee C

REPORT

of the Committee
on Organization of the Union
(Committee C)

17th Meeting
September 2, 1947

1. The meeting was called to order at 10 a.m. by the Chairman, Mr. Fortoushenko of the Soviet Union.

Continuation of the discussion relating to the languages of the Union.

The Chairman reminded the meeting that two proposals confronted the Committee:

- one presented by the Latin American nations, appearing in Document No. 338 TR-E,
- and the other set forth by the United States Delegation at the last meeting.

These proposals offer several parallel features. However, they differ with respect to the procedure to be applied in studying them.

He proposed that the procedure suggested by the United States Delegation be followed, since it would make it possible to deal with the questions point by point, an essential requirement for handling so complex a problem.

2. The Delegate from Guatemala stated that the Latin American countries regretted the fact that they could not accept the procedure proposed by the United States, and again urged that the proposal which they had presented in Document No. 338 TR-E be accepted as the basis for the discussions. This proposal had been most carefully prepared, and had taken into consideration every viewpoint expressed to date, especially those of the smaller countries and countries using the Arabic language; furthermore, this proposal had the support of a large majority of the delegations.

3. The Chairman concluded that, in view of the circumstances, he would be obliged to put the question of procedure to a vote.

4. The Delegate from France requested that before a vote was taken, details of the procedure proposed by the United States at the last meeting be reviewed. Moreover, he asked that when the Latin American proposal came up for study, the slight amendment to Document No. 342 TR-E proposed by his Delegation, should not be overlooked.

5. The Chairman of the Delegation from the United States, stated that his country was ready to support many of the points of proposal of the Latin American countries but that, much to its regret, the United States could not accept the proposal in its entirety.

He called to the attention of the Committee the six points of the procedure he had suggested at the last meeting.

- 1) to decide which would be the official languages of the Union;
 - 2) to decide whether a reference language of reference would be adopted; if so the United States would suggest that the language be English;
 - 3) to decide which will be the working languages, making a distinction between:
 - a) spoken languages
 - b) written languages
 - 4) to decide in what languages the service documents, journals, and miscellaneous documents of the Union would be published;
 - 5) to decide in what languages the proposals to be submitted to further conferences would be published;
 - 6) to settle the distribution of expenses, in the light of the decisions made regarding the five preceding points.
6. This question of procedure occasioned a long discussion in which the Delegates from the United States,

Ethiopia, France, Guatemala, Lebanon, the United Kingdom, and the Vatican took part.

The Chairman insisted that agreement be reached but on several instances he was forced to propose that the question be submitted to a vote.

At the request of the Delegate from Guatemala, the meeting was recessed twice, in order to allow the Delegations from the Latin American countries to consult with one another. (from 11:05 to 11:15 and from 12:00 to 12:32)

The Delegates from France and from the Vatican suggested transactional formulas without result.

7. However, after the second recess of the meeting, the Head of the Delegation from the United States announced that he was in a position to propose a procedure to which the Latin American countries would agree.

This procedure is the following:

Points to be discussed

- 1.- Question of official languages - point 1 of the United States proposal and § 1 and § 2 (1) of Doc. No. 338 TR-E
- 2.- Question of working languages - point 3 a) of the United States proposal and § 3 of Doc. 338 TR-E
- 3.- Question of written languages - point 3 b) of the United States proposal and § 2 (2) of Doc. No. 338 TR-E
- 4.- Question of the languages in which documents are to be drafted - point 4 of the United States proposal and § 2 (2) of Doc. No. 338 TR-E
- 5.- Question of the languages in which proposals of future Conferences are to be drafted - point 5 of the United States proposal and § 2 (2) of Doc. No. 338 TR-E
- 6.- Question of expenses - point 6 of the United States proposal and § 4 of Doc. No. 338 TR-E
- 7.- Question of a reference language - point 2 of the United States proposal and the French amendment (Doc. No. 342 TR-E)

8. The Latin American countries approved this procedure.

The Chairman expressed his satisfaction at this agreement which obviated the need of taking a vote, and proposed that the first point, the question of official languages of the Union, be taken up immediately.

He therefore opened the discussion on this subject.

9. The Delegate from Egypt reminded the Committee that he had already asked that the U.N. procedure should not be followed in the matter of languages, and that only French and English should be adopted. However, if the majority felt that the U.N. procedure should be followed, the languages to be used should not be indicated, as it is possible that more than five languages may be used in the future. That is why, if there is no limitation to French and English, it will be necessary to adopt the Moscow formula: "The official languages of the Union are those of the U.N."

10. The Chairman pointed out that this involved a new proposal on which the Committee will have to make a decision.

11. The Delegate from Guatemala stated that he did not agree with the Moscow draft "because Spanish was left out since no Spanish speaking country was invited to Moscow."

12. The Delegate from the United Kingdom proposed the following formula: "The official languages of the Union shall be the languages of the United Nations, namely French, English, Spanish, Russian, and Chinese; the final documents of the Plenipotentiary and Administrative Conferences, and the Acts and additional protocols shall be drawn up in the above languages, with drafts that are parallel both in form and content."

13. The Delegate from Lebanon did not consider it wise to subordinate the procedure of the Union to the procedure of the U.N. where political problems are dealt with mainly "and where there are big and small countries." The procedure followed by the Union should be based on elements of understanding, practical experience, and equality.

However, Lebanon did not oppose any additional working language whatsoever, provided that the countries using it defray the expenses involved. He desired a strict application of the Cairo agreements.

14. The Chairman put to the vote the provisions of § 1 and § 2 (1) of the proposal of the Latin-American nations (Doc. No. 338 TR-E).

The vote was taken by roll-call.

45 countries declared themselves in favor of these provisions: the Union of South-Africa, Argentina, Australia, Austria, Belgian Congo, Bielorussia, Burma, Brazil, Bulgaria, Canada, Chile, China, Vatican City, Colombia, Cuba, the Dominican Republic, El Salvador, Ecuador, the United States of America, the territories of the United States, France, the French Colonies, the United Kingdom, the Colonies, Protectorates, and Territories under mandate of Great Britain, Southern Rhodesia, Guatemala, Hungary, India, Italy, Mexico, New Zealand, Panama, Peru, the Philippines, Poland, the Portuguese Colonies, Siam, Switzerland, Czechoslovakia, Turkey, Ukraine, the Soviet Union, Uruguay, Venezuela, and Yugoslavia.

16 countries declared themselves against: Afghanistan, Saudi Arabia, Denmark, Egypt, Ethiopia, Finland, Greece, Iraq, Iran, Lebanon, Norway, the Netherlands, the Netherlands Indies, Portugal, Sweden, Syria.

One abstention: Morocco and Tunisia.

15 countries were not represented: Albania, Belgium, Bolivia, Costa Rica, Haiti, Honduras, Ireland, Iceland, Liberia, Luxembourg, Monaco, Nicaragua, Paraguay, Roumania, and Yemen.

The Chairman concluded that § § 1 and 2 (1) of Document No. 338 TR-E were adopted.

The Committee agreed to postpone until the next meeting the continuation of the discussion, particularly the study of the amendments to the text which had just been adopted.

* * * * *
* * *

15. The Chairman of the Conference pointed out that the Committee should examine as soon as possible the recommendations submitted to it by the Radio Conference concerning the C.C.I.R. and the I.F.R.B. so as not to delay the closing of this Conference which was scheduled for September 15. He was therefore of the opinion that

Committee C should hold one or, if possible, two additional meetings during that week.

After some discussion, the Committee agreed that:

- 1) The recommendations of the Radio Conference should appear on the agenda immediately after the end of the discussions concerning the official languages;
- 2) The Chairman should, together with the Secretary General and the Chairman of the Conference, study the possibility of holding one or two additional meetings during the week.

The meeting was adjourned at 1:15 p.m.

The Rapporteurs:

J. Persin
B. Yourovski
W. E. Lineweaver

The Chairman:

A. Fortoushenko

1947

7 septembre 1947

T E X T E S

présentés par le groupe de travail 1
de la commission C

Recommandation présentée par la commission C
(Organisation) de la Conférence des
Plénipotentiaires de l'Union Internationale
des télécommunications à l'Assemblée Plénière
en vue de l'institution du Conseil d'adminis-
tration et de la première élection de ses
membres par la Conférence d'Atlantic City, 1947.

1947

September 7, 1947

T E X T S

presented by Working Group 1 to Committee C.

Recommendation submitted by Committee C
(Organization) of the Plenipotentiary Conference
of the International Telecommunication Union to
the Plenary Assembly with a view to the institution
of the Administrative Council and the initial
election of its members by the Conference of
Atlantic City, 1947.

(358 TR)

La Commission C (organisation) recommande à l'Assemblée Plénière d'adopter pour l'institution du Conseil d'administration les dispositions définies dans les articles suivants:

Article 1

Les Membres du Conseil d'administration sont au nombre de dix-huit.

Article 2

Les Membres du Conseil d'administration sont élus par l'Assemblée Plénière parmi les candidats Membres de l'Union figurant sur quatre listes présentées respectivement par les Membres de l'Union groupés dans les quatre régions définies ci-après:

Région A - Région américaine, telle qu'elle a été délimitée par la 3^e conférence interaméricaine de radio-communications réunie à Rio de Janeiro en 1945.

Région B - Régions occidentales de l'Europe et de l'Afrique occidentales, situées à l'est de la région précédente et délimitée à l'est par le méridien 20° E jusqu'à l'équateur, suivant l'équateur jusqu'au méridien 60° Est et ensuite par le méridien 60 E vers le sud.

Région C - Région de l'Europe orientale et de l'Asie septentrionale, délimitée à l'Ouest par le méridien 20° Est, au Sud par le parallèle 40° Nord, à l'Est par la Région américaine.

Région D - Le reste du globe terrestre, délimité à l'Ouest par la limite Est de la région B, au nord par le parallèle 40° Nord, à l'Est par la limite

(358 TR-E)

Committee C (Organization) recommends that the Plenary Assembly should adopt the procedure laid down in the following articles for the institution of the Administrative Council:

Article 1

The Administrative Council shall be composed of eighteen Members.

Article 2

The Members of the Administrative Council shall be elected by the Plenary Assembly from the candidates Members of the Union appearing in four lists submitted respectively by the Members of the Union belonging to each of the four regions specified below:

Region A - American region, as established at the Third Inter-American Radio Conference held in Rio de Janeiro in 1945.

Region B - The western region of Europe and Africa situated to the east of the preceding region and bounded on the eastern side by meridian 20° E down to the Equator, by the Equator eastward as far as meridian 60° E and then by meridian 60° E southward.

Region C - East European and North Asiatic region, having as western limit the meridian 20° East, as southern limit parallel 40° North and as Eastern limit the American region.

Region D - The remainder of the world, bounded on the West by the eastern limit of Region B, on the North by parallel 40° N and on the

(358 TR)

Ouest de la région américaine.

Article 3

Pour la constitution précise des quatre groupements régionaux de l'Union correspondant aux quatre régions ci-dessus définies, tout Membre de l'Union dont le territoire est traversé par le méridien 20° Est ou par le parallèle 40° Nord (à l'Est du précédent méridien et jusqu'à la limite ouest de la région américaine), par l'équateur ou par le méridien 60° Est, choisira librement celui des deux groupements contigus auquel il décidera de se joindre.*)

Article 4

Chacun des quatre groupements régionaux constitués conformément aux dispositions des articles 2 et 3 désigne, en appliquant la procédure qui lui paraît la plus convenable, sous la réserve qu'aucun Membre ne peut être désigné s'il n'a pas été appuyé par au moins deux Membres de sa région, au moins huit de ses Membres dans les régions A, B, D et au moins cinq de ses Membres dans la Région C, pour être candidats à un siège au sein du Conseil d'administration.

Article 5

a) Tout Membre de l'Union, présent à l'Assemblée Plénière, a le droit de voter pour au plus cinq candidats différents de chaque liste des régions A, B et D et pour, au plus, trois candidats différents de la liste de la région C.

b) Le vote est exprimé en utilisant un bulletin unique pour chaque liste.

c) Tout bulletin de vote ne remplissant pas les conditions

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East by the western limit of the American region.

Article 3

For the precise constitution of the four regional groups of Members of the Union, corresponding to the four regions defined above, any Member whose territory is crossed 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), by the Equator, or by meridian 60° East, shall choose freely to which of the two adjoining groups it wishes to be attached.*)

Article 4

Each of the four regional groups established in accordance with the provisions of article 2 and 3 shall nominate, following the procedure it considers most appropriate, provided, however, that no Member shall be nominated by a region unless he is supported and seconded by at least two Members from the same region; not less than eight of its own Members, in the cases of Regions A, B and D, and not less than five of its own Members in the case of Region C, to be candidates for election to the Administrative Council.

Article 5

a) Each Member of the Union present at the Plenary Assembly has the right to vote for a maximum of five different candidates from each list of the Regions A, B and D and for a maximum of three different candidates from the list of Region C.

b) The vote is cast by using a single ballot for each list.

c) Each ballot which does not fulfill the conditions formulated in a) and b) above shall be considered

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précisées aux §§ a) et b) ci-dessus, est considéré comme nul.

d) Les cinq Membres de chacune des trois régions A, B et D et les trois Membres de la région C qui obtiennent le plus de voix sont déclarés élus.

e) Dans le cas d'égalité des suffrages pour le cinquième Membre des régions A, B, D ou pour le troisième Membre de la Région C, la désignation du ou des candidats à élire pour le ou les sièges en question est faite par voie de tirage au sort.

*) La Commission C recommande que lorsque les pays visés à l'article 3 auront choisi la région dans laquelle ils désirent être incorporés, les régions seront définies par les noms des pays au lieu des lignes de longitude et de latitude marquées arbitrairement et qu'en conséquence l'article 3 ci-dessus sera supprimé de la recommandation finale que l'on présentera à l'assemblée plénière de la Conférence des Plénipotentiaires.

(358 TR-E)

as void.

d) The five Members in each of the three Regions A, B and D and the three Members in Region C which obtain the highest number of votes shall be declared as elected.

e) In the case of a tie for the election of the fifth Member from Regions A, B or D or of the third Member from Region C, the selection of the Member or Members to be elected for the seat or seats in question shall be determined by lot.

*) Committee C recommends that after the countries mentioned in Article 3 have chosen the region in which they wished to be included, the regions should be defined by lists of names of countries instead of by arbitrary lines in terms of latitude and longitude and that, as a consequence, Article 3 above should be deleted from the final recommendation to the Plenary Assembly of the Plenipotentiary Conference.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No 359 TR-E

904 R-E

86 Rhf-E

INTERNATIONAL
RADIO CONFERENCE
ATLANTIC CITY
1947

September 7, 1947

INTERNATIONAL HIGH FREQUENCY
BROADCASTING CONFERENCE
ATLANTIC CITY, 1947

PROBABLE SCHEDULE
of future Telecommunications Conferences

<u>Conference</u>	<u>Date</u>	<u>Inviting Government Concerned</u>	<u>Possible site</u>
1. Meeting of the pre- paratory European Broadcasting Group	January 1948	Belgium	Brussels
2. Provisional Fre- quency Board	January 1948	Switzerland	Geneva
3. C.C.I.F. (Technical)	April 1948	Netherlands	The Hague
4. Safety of Life at Sea	April 1948	United Kingdom	London
5. World Aeronautical	Spring 1948	Belgium	Brussels
6. C.C.I.T.	May 1948	Belgium	Brussels
7. C.C.I.F. (Rates and Traffic)	June 1948	Sweden	Stockholm
8. HF Broadcasting			Mexico
9. North American Broadcasting	August 1948	Canada	Montreal or Quebec
10. International Scientific Radio Union	August 1948	Sweden	Stockholm
11. European Broad- casting	Summer 1948	Denmark 1) Czechoslovakia 1)	

1) Not as yet definitely fixed.

- 9 Sept 1947

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 (359 TR-E)
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	<u>Conference</u>	<u>Date</u>	<u>Inviting Government Concerned</u>	<u>Possible site</u>
12.	C.C.I.R.	September 1948	Sweden	Stockholm
13.	Inter-American Radio	October 1948	Colombia	Bogota
14.	Conference for Approval of Frequency List	March 1949	Switzerland	Geneva
15.	Telephone and Telegraph Admini- strative Conferences	Spring 1949	France	Paris
16.	European Conference on band 1605 to 2850 Kc/s	June 1949	Norway	Oslo
17.	Next regular Admini- strative & Pleni- potentiary Conferences, I.T.U.	1952	Argentina	Buenos Aire
18.	European maritime services Conference	3)		
19.	South American Broadcasting Conference	2)		Lima

2) Date to be fixed at the Inter-American Conference at Bogota.

3) It has been suggested that this Conference meet at the same time as the European Broadcasting Conference.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 360 TR-E

September 8, 1947

INTERNATIONAL
RADIO CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 912 R-E

September 8, 1947

M I N U T E S

of the Joint Meeting of the Heads of Delegations
of the Telecommunications and Radio Conferences
of Atlantic City

2nd meeting
September 3, 1947

AGENDA

1. Confirmation of steps taken by Committee C of the Telecommunications Conference with regard to the Seat of the Union. (Document No. 327 TR-E).
2. Transitional Arrangements (Document No. 328 TR-E).
3. Schedule of future conferences.
4. Work of the C.C.I.R. (Documents No. 305 TR-E and 326 TR-E).
5. Miscellaneous.

The meeting was called to order at 8:15 p.m., under the Chairmanship of Mr. Charles R. Denny, Chairman of the Conferences.

The Chairman announced that this meeting had been called to consider some general matters of overall future planning. These matters were of interest both to the Radio and the Plenipotentiary Conferences and could be taken up at this joint meeting of the Heads of Delegations, in order to permit appropriate recommendations to be presented to Plenary Sessions without any loss of time.

1. Confirmation of steps taken by Committee C of the Telecommunications Conference with regard to the Seat of the Union (Document 327 TR-E).

The Chairman proposed examination of Document No. 327 TR-E of the United States of America. Committee C of the Telecommunications Conference had unanimously adopted the proposal and the resolution set forth in that document. Committee C recommended that the Seat of the Union be maintained in Switzerland, but that it be moved from Bern to Geneva. This latter step was to be accomplished in two stages:

First, an office would be established in Geneva in order to provide services for the P.F.B. which, if the proposals of Committee 6 of the Radio Conference were adopted, would begin its work in Geneva in January, 1948 in connection with the preparation of a new frequency list. The first step of establishing an office in Geneva for these purposes was to be accomplished at once.

The next step would involve moving the existing Bern Bureau to Geneva as soon as possible, when negotiations for this move had been completed and accommodations in Geneva were obtained.

This subject was closely related to the next item on the agenda, namely, the transitional arrangements. The Chairman asked the Delegation from the United States of America if it had any suggestions to present regarding changes to be made in the wording of the resolution.

Mr. de Wolf (U. S. A.) proposed that the resolution which had been voted and which appears in Document No. 327 TR-E be modified as follows:

"WHEREAS, for convenience of administration, the Headquarters of the International Telecommunications Union should be moved from its present location at Berne, Switzerland, to Geneva, Switzerland;

"IT IS RESOLVED by the International Telecommunications Conference of Atlantic City. that the

Director of the Bureau of the Union be instructed to initiate negotiations with the competent authorities of the Swiss Government in order to arrange for the establishment of an office of the Union at Geneva, Switzerland, not later than January 1, 1948, to serve the Provisional Frequency Board, and to take immediate steps to transfer the existing Bureau from Bern to Geneva as soon as practicable."

The Chairman proposed that a recommendation be made to the Plenary Assembly of the Telecommunications Conference that the resolution be approved in this form.

Approved.

2. Transitional Arrangements.

The Chairman noted that the Atlantic City Conferences were planning to modify the structure of the Union by establishing new organizations, such as the Administrative Council and the I.F.R.B. They were also contemplating changes in the organization of other bodies, such as the Secretariat. It is therefore necessary to prepare a practical program for effecting these changes.

Document No. 328 TR-E, presented by the Delegation from the United States, contained proposals with regard to the provisional arrangements. The floor was given to Mr. de Wolf to explain these proposals.

The Delegate from the United States made the following statement:

"Ladies and Gentlemen:

We have attempted in Document 328 TR to outline a practical program for bringing the new Convention and the new structure of the Union into effect in the most direct and economical manner we could devise.

We believe that after the long lapse of 15 years since our last Plenipotentiary Conference, and after our work of almost three months here at Atlantic City, the Conference will wish to avoid all unnecessary and arbitrary delays in giving effect to our decisions regarding the new Convention. At the same time, we must remember that we are proposing a new structure for the

Union, in which new organizations are to be created, and existing organizations are to be strengthened. Changes such as these cannot be accomplished overnight. They must be planned step by step so that the transfer of existing responsibilities and the assumption of new duties will proceed in accordance with an orderly program.

In our proposal we have attempted to balance these two considerations: the desirability of having the Convention become effective speedily and with a minimum of procedural complications; and the necessity of providing sufficient time and opportunity to permit the new structure of the Union to be organized and to take over its regular duties as soon as the new Convention becomes effective.

I would like first to sketch the four-point program which we believe will accomplish these objectives. But before doing so, I would like to emphasize two considerations:

First, we believe that the program we have presented must be considered as a whole. Each point in the program depends on acceptance of the other points, and each aspect has been formulated with a specific purpose of advancing the whole plan.

Second, we would like to get agreement on the general principles of the program, with the understanding that on various matters of detail, there is room for modification. We would, of course, be most happy to consider suggestions for improvement or amplification of the details for working out the mechanics of the plan.

The general principles underlying our proposal are these:

1. The Convention shall become effective on the fixed date of January 1, 1949, which, incidentally, is the beginning of the fiscal year of the Union.
2. The new bodies of the Union shall be appointed and organized here in Atlantic City, so that they will be

able to take over their duties under the new Convention as soon as it becomes effective, and without any further procedure at that time.

3. Provision should be made for authorizing expenditures for the transitional year 1948, and separately for the following years until the next regular Plenipotentiary Conference. The year 1948 should be dealt with individually, because it will include expenses of transferring the Bureau to Geneva, servicing the P.F.B., and placing the Union's funds on a sound basis for transfer to the new Secretariat at the beginning of 1949. We have suggested that the Plenipotentiary Conference itself fix upper annual limits of expenditure because we felt that it might not wish to delegate this authority to the Administrative Council, which will not assume its regular duties until 1949. If, however, the Conference believes that it would be more practical to empower the Administrative Council to authorize the expenditure of funds, we would have no objection to this course.
4. Finally, we propose that the Government of Switzerland, where the Union will maintain its headquarters, continue the function of advancing funds to the Union and auditing its accounts. We believe that this function has been carried on in an eminently satisfactory fashion in the past, and should be continued, even though under the new Convention, the Administrative Council of the Union, rather than the Swiss Government, will supervise budgeting and expenditures.

* * *

These are the broad outlines of our proposal. I know that some questions may have arisen as to the authority for carrying out such a program and as to precisely how it will work in detail, and I will try to address myself to these questions.

There should scarcely be any doubt as to the first point, involving fixing a specific effective date for the Convention. The Madrid Convention was signed on December 9, 1932. It provided for an effective date on January 1, 1934, approximately 13 months after signature. We are proposing a similar procedure, with an effective date of January 1, 1949, approximately 15 months after signature. An effective date as of the beginning of the year is convenient for many reasons. For one thing, it coincides with the beginning of the Union's fiscal year, and would provide a clean dividing point between the present fiscal administration and that planned for the future.

Fixing a specific effective date for the Convention also makes it possible for the new organizations of the Union automatically to take over their duties on the designated date. But to permit this, we must appoint the members of these organizations before we leave Atlantic City. The United States is convinced that the Plenipotentiary Conference has ample authority to do this. We are here to revise the Convention and the Regulations. We are carrying out that task, and our revisions involve new articles providing for these new organizations. In our Conferences, we have debated for weeks on the composition, the method of election, and the functions of these organizations. Before we leave Atlantic City, we will have a meeting of the minds on these points. Having decided exactly what type of organization we want and how they should be created, why should we not proceed to establish the organizations we have decided on? Let me point out that if we fail to establish these organizations now, we will have labored three months to produce a document without life or force. If we do not act now, all action will be held in abeyance for another year until the new Convention becomes effective. Then after that year, we will have to hold another Plenipotentiary Conference simply to go through the formal motions of giving effect to the decisions which were arrived at in Atlantic City.

It is our position that we cannot afford this excess of unnecessary procedure. We must set

up the organizations we have decided upon, so that they will be in existence and ready to take over their duties on the appointed date.

Now on this subject, it may be claimed that we have no authority in the matter -- that the Madrid Convention does not authorize us to create new organizations and that the Atlantic City Convention, which will contain such authority, is not yet in effect. Such an argument places us in a no-man's land where we would be powerless to take any necessary and constructive action to carry out our decisions. It is my view that we have authority to establish these new organizations. That authority does not derive from the Madrid Convention or from the future Atlantic City Convention. It is derived from the very nature of this Conference -- a Conference of Plenipotentiaries, which has already declared itself to be the supreme organ of the Union, and is representing the Governments of the world in an effort to improve and strengthen international telecommunication arrangements.

If we create these organizations now, as I believe we should, the question may arise as to whether these organizations can immediately, even before the new Convention becomes effective, take over the duties provided for in that Convention. And if not, what will these new organizations do between September 1947 and January 1949?

The answer to both questions becomes clear when we consider exactly what organizations we are talking about, and what their practical program for the next year will be.

Under our proposal, the new organizations would not take over their regular duties in accordance with the new Convention until that Convention becomes effective. No legal question on this point arises. Moreover, until January 1, 1949, simply as a practical matter, they will not be in a position to carry on their permanent functions.

First, the I.F.R.B.: This organization cannot effectively assume its permanent functions of registering assignments until the new Allocation Table becomes effective and the new Frequency List is established. During 1948, under proposals considered in Committee 6, the I.F.R.B. will be collaborating in the preparation of the new List. It will not be until early 1949 that it will

be in a position to assume the duties set forth in its statutes. Until that time, the List will be in process of formulation in terms of national requirements, and the Bern Bureau will be processing notifications.

Second, the new Secretariat: Under our proposal, the new Secretariat will be substantially the same body as the existing Bern Bureau. Specifically, we propose that the existing Director of the Bureau succeed himself as head of the Union's Secretariat and that the existing Vice-Directors succeed themselves as his principal assistants. Incidentally, we have referred to these new officials in our proposal as "Secretary-General" and as "Deputies Secretaries-General." Upon reconsideration, we would prefer the designations of "Director-General" and "Directors."

This proposal for continuity of personnel and administration in the Secretariat removes any problem of status of the new Secretariat during the transitional period, or of duplication of organization. The present Director and Vice-Directors of the Bureau will carry on their regular functions throughout 1948; and in addition, will plan the transfer of accounts, operations, and responsibilities to the new Secretariat. On January 1, 1949, they will succeed themselves in their capacity as executive officials of the new Secretariat.

Finally, as to the Administrative Council: According to present plans, this organization will not sit permanently, but will meet periodically during the year to supervise the Secretariat and carry on other administrative duties. Under our proposal, it would not be idle in 1948, nor ~~would~~ it assume full responsibility for carrying on the functions designated in the new Convention. ~~It~~ would meet perhaps once to review the plans of the Secretariat for transfer of functions, to approve the budget for the year 1949 (a year when the new Convention will be in effect), and to acquaint itself with the fiscal and administrative problems it will be facing when it takes over its regular duties in 1949.

There is one small point which I might mention. Our proposal contemplates that after January 1, 1949, if a country has not ratified the new Convention, the individual from that country appointed to the I.F.R.B. or the Administrative Council shall

not take his seat on such bodies until the ratification is filed. This is a detail on which there may be a difference of opinion, and we would accept any reasonable disposition of the matter. An additional period of grace for ratification might be provided, or the provision could be otherwise modified.

Turning now to some questions which may arise regarding the fiscal aspects of our proposal:

In the past, the Plenipotentiary Conferences have fixed the basis of the budget for the period between conferences by authorizing an annual upper limit of expenditures. This procedure has not worked too well in practice, because the upper limit has proved to be too rigid a restriction, and various expedients have been necessary to relieve the situation. Some of these difficulties are described in the report of Committee 10 in Document 494 R.

Despite these difficulties, we have proposed that the Plenipotentiary Conference continue to fix an authorized upper limit of expenditures because we were not sure that it would be willing to delegate this power. In order to help the Conference fix a realistic level, we have suggested that a report of estimated annual future expenditures be prepared for its guidance.

Such a report, in our opinion, should deal with the expenditures for the year 1948 separately from the expenditures for following years. We believe that this is advisable because there are certain items of expense for that year which should not recur in the following years. For one thing, it would be advisable to place the Union's funds on a sound basis during that transitional year, so that the new Secretariat can inherit a clean set of accounts on January 1, 1949. This calls for dealing with various fiscal problems described in the final report of Committee 10. That Committee noted that the Retirement Fund of the Union requires larger contributions to establish it on a sound basis. It also pointed out that certain former members of the Union have lost their identity as a result of the war, and that the dues owed by them are probably uncollectible. We believe that it would be well to take provisions for meeting these obligations so that we can make a fresh start when the Convention becomes effective on January 1, 1949. In addition, provision must be made in the 1948 expenses for the expenses of preparing the new Frequency List, moving the Union's headquarters from Bern to Geneva, and other transitional arrangements. Thereafter, the annual budget can be based on regular recurring administrative expenses for 1949 and subsequent years in terms of the regular functions under the new Convention.

With regard to the fiscal aspects of our proposal various possible changes of detail and mechanics can be considered.

For example, if it is believed that the Administrative Council, rather than the Plenipotentiary Conference, is in a better position to authorize expenditures, we could agree to such a modification. If this Conference is willing to delegate such power, it would certainly be more flexible to administer.

Further, we have proposed that the Director of the Bureau prepare a report of estimated annual expenditures for the guidance of whatever authority will authorize the upper limit of expenses. The Conference may feel that this report should be submitted by Subcommittee C-1, on Finances and Personnel, and we certainly would be completely satisfied with such a course. I should emphasize, however, that this estimate should be promptly submitted, because the information will be essential to the Conference if it is to fix the basis of the basis of the budget itself.

The final aspect of our proposal involves the continuation by the Swiss Government of the function of advancing funds for the Union and auditing its accounts. I do not believe extended discussion of this point is necessary. I think we will all agree that this function has been exercised in the past with impartial thoroughness and skill, and there is no reason to propose a change. It is, of course, contemplated that after the new Convention becomes effective, the Union itself, through its Administrative Council, will supervise the administration of its headquarters and of its budget. But although these supervisory functions are carried on by the Administrative Council, the Swiss Government can, if it is willing, continue to act as financing and auditing agency for the Union.

Ladies and Gentlemen, that concludes my remarks on the United States proposal for transitional arrangements. Thank you, Mr. Chairman."

The Chairman thanked the speaker, and asked the Heads of Delegations if they wished to put any questions to Mr. de Wolf concerning his proposal.

The Delegate from Portugal congratulated Mr. de Wolf on his explanation and stated that he would suggest some minor changes.

The Delegate from South Africa, referring to paragraph 2 of the summary of the proposal, thought that the countries elected to the Administrative Council and the I.F.R.B. would not necessarily be represented by the delegates here present. Likewise, if certain of the delegates here present were chosen and elected, he felt it would be necessary to validate their nomination by obtaining the approval of the Government concerned. He wished to know how, under these conditions, it would be possible to hold the organizational meetings contemplated for Atlantic City.

Mr. de Wolf answered this question as follows:

As far as the Administrative Council was concerned, he thought that it should be possible for the elected countries to appoint temporarily, some one here present to sit at the first meeting of the Administrative Council, even if this appointment were changed subsequently.

As far as the I.F.R.B. was concerned the question appeared in a somewhat different light, because the Radio Conference had fixed certain conditions which appointees must fulfill. They shall be chosen for a period of five years, shall receive a salary and shall be, in fact, permanent officials of the Union.

He acknowledged that, if a provisional meeting of the I.F.R.B. were convened at Atlantic City, the Plenipotentiary Conference could rule that those participating in this meeting would be appointed on a temporary basis, with the distinct understanding that the members of the committee would be absolutely free to appoint permanent officials at a later date.

In reply to a question by the Chairman as to whether this was to be considered as an amendment, the Delegate from the United States said that such was his intention.

The Delegate from Italy seconded the proposal of the United States with regard to the effective date. Although the Plenipotentiary Conference had all the necessary authority to sign such provisional arrangements, in order for them to become operative it would be necessary for them to be ratified by the respective governments or legislative assemblies. In the case of Italy such ratification would be made by the Constituent Assembly. The Italian Delegation proposed the addition of a clause stipulating for instance, that the transitional arrangements would become effective on November 1, 1947. The arrangements could be ratified in the interim, and could then become effective.

The Delegate from the United States thought that the adoption of the temporary provisions subject to reservations with respect to legislative approval would create many difficulties. The American Congress would not convene until 1948. The same situation would occur in other countries. He admitted that as a Plenipotentiary Conference, we were in a position to sign a protocol which would enable us to place temporary provisions in effect.

The Chairman specified that, when signing the convention, each Delegation could mention the fact that such signature was given with the reservation that it be approved by the competent authority.

The Delegate from Portugal commented on the following four points:

1) We all know, he said, that it will be impossible to make an Administrative Council function under the aegis of the Madrid Convention, because everything relating to the Bureau of the Union is clearly defined under this Convention. But the Administrative Council is to be entrusted with the temporary task of organizing the future Bureau of the Union, that is, not the Bureau of the Union as it now exists, but as it will be in its new organization. Can there be a doubt as to the legality of this process? The Delegate from Italy has just raised one. If we examine this question a little more closely, it seems that the only point on which any difficulty might arise would be in connection with the expenses of the Union. This difficulty could be solved by specifying that, for the meetings of the year 1948, all expenses would be borne by the countries represented in the Administrative Council.

2) With respect to the work of the I.F.R.B., during the year of 1948, when it would function thru the P.F.B., there is nothing to prevent us from considering it as the preparatory work of a Conference and from carrying the expenses this agency might incur under the heading of extraordinary expenses of the said Conference. An adequate addition could be made under B, c) of Document No. 328 TR-E.

3) The Delegate from the United States thought it would be proper to fix the limit of the expenses. In Subcommittee C 1 we have been striving for weeks to establish estimates for the expenses of the future organizations of the Union. It must be recognized that the task is extremely difficult in view of the complexity of the problem. It is almost impossible, at present, to arrive at any dependable figures. It seems that it would be advisable to establish the budgetary limits of the Council, with the authorization of exceeding them if necessary, with the understanding that sound economic principles

will be observed.

4) The question is whether the task of Subcommittee 1 of Committee C should be considered as completed, or whether the Assembly is of the opinion that it should be continued.

Recognizing the merits of the comments of the Delegate from Portugal, the Delegate from the United States agreed that the Governments represented in the Administrative Council should bear the expenses of their Delegates during the transitional period. There would probably be only one meeting in 1948 and these expenses would not be very high.

The Chairman asked the Assembly whether it had any objection to adopting the amendment mentioned under Item 1 of the remarks of the Portuguese Delegation, the application of which would simplify the accounting.

No objection being made, this amendment was adopted.

The same applied to the amendment presented in Item 2. Thus, the expenses incurred by the P.F.B. would be considered as extraordinary expenses chargeable to conferences.

The Delegate from Cuba wished to know specifically who would pay the extraordinary expenses of the I.F.R.B. Would it be the countries represented or all the members of the Union?

The Chairman gave his views on the subject.

The P.F.B. was provided for in the recommendations of Committee C. It included primarily the I.F.R.B. The salaries of members of this Committee would be paid by the Union. The P.F.B. included individual representatives of countries which had no members on the I.F.R.B. Certain countries which had a member on the I.F.R.B. could send an additional representative to participate in the work of the Provisional Board. As for the additional members, the expenses would be paid by the countries which sent them. However, the P.F.B. should have a secretariat paid from the expenses of the Union.

The Delegate from Portugal: I consider that the expenses and salaries of members of the I.F.R.B. as having to be included in the expenses of the P.F.B. as extraordinary expenses under the heading of "Preparation for a Conference". The salaries of (international) members of the I.F.R.B. should be charged to the expenses of the Union, but not the expenses incurred by each delegate (National Delegates) which should be charged to each Government.

The Delegate from the United Kingdom wished to express in turn his hearty thanks to the Delegation of the United States which had prepared a very helpful document, giving a clear and complete overall study. In connection with the question of finances, he thought there was a risk of losing the general perspective if one began to examine details. The expenses relating to the transitional period in connection with the expenses of the future organization would not be very much greater; but by what authority could we incur such expenses, and how would such expenses be paid? It was obvious that expenditures which were not derived from the provisions of the Madrid Convention, could not be charged compulsorily to the members of the Union until they had ratified the new Convention.

"If I understood the proposal correctly," continued the Delegate from the United Kingdom, the Swiss Government would continue to advance the necessary funds as it has in the past; steps would then be taken to effect ratification of the Convention. As far as he was concerned, he did not think it would be advisable to make detailed provision for each and every kind of expenditure; furthermore, he did not think we were in a position to do so. He moved that the proposal in Document 328 TR-E be adopted in its entirety, with the single proviso that the clauses dealing with financial questions affecting the transitional period be examined by Subcommittee C 1. This was not a legal question but a financial one.

The Chairman: "The Delegate from the United Kingdom has just made an interesting proposal. It is true that we have Subcommittee C 1 to examine financial questions and, when we receive the report of Committee C, we shall have to deal with financial questions once again. Moreover, - and this is the fourth item of the remarks of the Portuguese Delegation - are we to continue preparing budgetary estimates for the Bureau of the Union? I imagine that you will agree to invite the Subcommittee and the Bureau to cooperate in this work and submit recommendations to us. In accordance with the proposal of the United Kingdom, we should consider this question this evening without going into the details."

The Delegate from Lebanon agreed that the question of finances should be dealt with by the competent committee; but he wished to call to the attention of the meeting the principle adopted for the meetings of the C.C.I., whereby the expenses of these meetings are always charged to the participating members.

(360 TR-E - 912 R-E)

The Chairman reminded the meeting that the Assembly had already handed down a decision on the first point raised by the Portuguese Delegation; namely that of ascertaining who would reimburse the expenditures of the Administrative Council. Could this question be considered as settled?

The Delegate from the United Kingdom had no very definite opinion on this subject, but thought that the question should be handled as a whole.

The Chairman: "In that case, we will leave the question of finances in abeyance. We shall consider it at a later date when we have the report of Subcommittee C 1, which perhaps might be left entirely free to settle the question of the expenses of the Administrative Council. Nevertheless I think, we should recommend that the said committee consider the suggestion which has been made and the fact that our Assembly has ruled that the countries which send members to the Administrative Council must bear the expenses of this Council."

The Delegate from the U.S.S.R. added his most hearty thanks to those already expressed to the United States Delegation which had presented such a clear and logical proposal and to which he gave his complete agreement.

He believed that on the basis of this general proposal it would be advisable to prepare a resolution, or even a special protocol, which would be presented to the Plenary Assembly.

He also thought that the wording of his resolution, or protocol, should be assigned to Committee C and that it would be in accordance in every respect with the proposal of the United States and also with the decisions taken by this Committee on the general organization and new structure of the Union. The Plenary Assembly would then approve the text of the new Convention, and afterwards the resolution relating to the transitional period. He was also of the opinion that the details of the budget of the Union pertaining to its new activities should be examined by Subcommittee C 1 (Finance and Personnel). He was in agreement that the expenses of the Administrative Council, until the effective date of the new Convention, should be borne by the countries represented in the Council. As for the expenses of the I.F.R.B. and P.F.B., they should be borne by all members of the Union, in accordance with the decisions taken by Committee C. He did

not think that there should be any doubt on the subject.

The Chairman was of the opinion that the Assembly was in agreement with regard to entrusting Committee C with the wording of the resolution in question. Also, he agreed that the consensus of the Assembly was to entrust Subcommittee 1 of Committee C with making budgetary estimates in collaboration with Dr. von Ernst, Mr. Mulatier and Mr. Gross.

The Delegate from Switzerland announced that a statement regarding the transfer of the headquarters would be made at tomorrow's plenary meeting. He noted that in Document No. 328 TR-E, two distinct services were requested of the Swiss Government: the first referring to the advance of the necessary funds for financing the Union, and the second relating to the verification of accounts.

As for the first item, the Delegate from Switzerland pointed out that the advances made by his Government, with an annual I.T.U. budget of approximately 500,000 Swiss francs, would today amount to 2 million Swiss francs. Article 17, § 3 (5) of the Madrid Convention provided that the sums advanced should be reimbursed in a period of four months: these advances were made without interest. It was only at the expiration of this period that the sums due bore interest. But, it was to be expected that the Union budget would be proportionally increased from 1 to 15 or even from 1 to 20, and that, if the advances of funds made by the Swiss Government increased in the same proportion, they would amount to a very large sum. It was possible that it might be necessary to make other provisions than those effective at present. Document 328 TR-E provided that the advances of funds be made at a designated rate of interest. An arrangement on this matter between the Swiss Government and I.T.U. would certainly be possible. However, Document 328 TR-E provided that reimbursement of these advances would be made by the member states through the Secretariat. The Swiss Delegate wondered whether this point should not be slightly modified, considering that the supervision of finances which, under the Madrid Convention, was the responsibility of the Swiss Government, would, under the new Convention, be carried on by the Administrative Council. Under these circumstances, should the Swiss Government supervise? Advances of funds were, in fact, made to the Bureau of the Union and not to the states individually. It would be preferable that this Bureau be considered the debtor to the Swiss Government rather than each state in particular.

(360 TR-E - 912 R-E)

As to the second point, the audit of the Union's accounts, the Swiss Delegate felt sure that this work would not be very onerous and that his Government would be willing to undertake it. He felt that it would be advisable that the Government continue to have direct and official contact with the Bureau of the Union, on a somewhat modified basis, either through reserving a seat at the Administrative Council for Switzerland or in some other manner.

He noted a divergence between the English and French texts of Document 328 TR to the effect that the term "contrôle des comptes" did not correspond to the term "auditing" which was more accurately expressed by "verification des comptes." He understood that his Government was not asked to "contrôler" (supervise) if it did not have the supervision of finances, and the Swiss Government did not wish to be the judge of the expenses agreed upon. This would be the responsibility of the Administrative Council. The Swiss Government would limit itself to auditing the accounts on presentation of the necessary vouchers.

In conclusion, the Delegate from Switzerland announced that he had telegraphed his Government and that he had received a favorable reply on the two points mentioned above, subject to an agreement as to the rate of interest and some other details.

The Chairman thanked the Delegate from Switzerland, and said he was glad to hear that the Swiss Government was prepared to accept their suggestions. Subcommittee 1 of Committee C, he added, would prepare a resolution on this matter. He emphasized the fact that there would be no change in the functions carried on by the Swiss Government until January 1, 1949, in other words, that during the transitional period, the accounts would be handled as they had been hitherto.

As to the divergence between the French and English texts, the term "verification des comptes" (auditing) could be adopted.

The Assembly concurred.

The Delegate from the United Kingdom was of the opinion that the questions raised by the Delegate from Switzerland were of great importance, and that it would not be advisable to consider them in detail at the moment. Inasmuch as the Swiss Government was called upon to play the role of banker to the Union, so to speak, and in view of the large amount involved in the figures

quoted, it would be advisable to ask that Government to delegate a representative to the preliminary Assembly of the Administrative Council, so that these questions might be studied by both sides.

Mr. Laffay, Delegate from France then said:

"I hope that in our Plenary Assembly of tomorrow a unanimous vote will be cast on the proposal of the United States. It will be a just reward for the excellent work they have done on our behalf. Perhaps I should be the last person to say this, but I believe it sincerely."

There is another reason.

It is that, contrary to the general belief here, we shall put ourselves in an illegal position. If all of us together put ourselves in that position, it will not matter, but if a considerable minority were to dissent, I should ask to have the question reopened. It is for this reason that I hope that we shall reach a unanimous agreement on the proposal of the United States of America.

In fact, in matters touching the Administrative Council, the Plenipotentiary Conference is entirely competent to decide upon the creation of the Provisional Administrative Council and even to elect its members. Up to this point nothing inconsistent with it enters the framework of the powers of our Conference.

But when you put this Administrative Council into action, you are making it act by virtue of a Convention which will become effective only after ratification. The case is the same in regard to the I.F.R.B. It was regularly constituted. We did this in a regular manner. Up

to this point, everything is in order. But the moment that you decide that on January 1, 1948, this new organization of the Union is to make decisions, it will make them under legally irregular conditions, because it will act by virtue of a Convention, of General Regulations, or of one set of Regulations, which will come into force only after the instruments of ratification. I am making this observation as an invitation to everyone to obtain the unanimity indispensable to tomorrow's decision. The French Delegation will do its part in this unanimity. But there are still, in my opinion, two awkward problems:

1. Each of the French Delegations here present has a Head. They cannot appoint themselves;
2. Every expense should be the outcome of an act. But no such "act" exists."

The Delegate from Greece spoke as follows:

"First I wish to join the other speakers in thanking the Delegation from the United States for their felicitous initiative in submitting to us the proposal now before us. My delegation wishes to support this proposal as a whole because it believes that the proposal provides very satisfactory solutions for the transitional problems which are engrossing us, and that this proposal supplies a veritable bridge between the old and new Conventions of the Union.

We also share in the view that the Plenipotentiary Conference has full authority to prepare the new organization and to ensure the continuity of the Union until the entry into force of the new Convention.

In my personal opinion, financial questions fall within this authority, and could also be covered by a decision of the Plenipotentiary Conference in the form of a protocol. To my knowledge, this is not the first time that a conference has decided to apply certain provisions before the entry into force of a new set of Regulations or a new Convention.

I should like to ask the Delegation from the United States if it agrees to making the two small amendments to its proposal to which the Honorable Mr. de Wolf has already alluded.

After the happy solution of the question of the seat of the Union, I believe that it would be desirable to make as few changes as possible in the terminology now in use in the scale of the Bureau's traditional hierarchy.

For this reason my first amendment bears on the retention of the titles of Director General and Directors for the high officials, instead of Secretary-General and Deputies Secretaries-General..

My second amendment bears on the provision which contemplates making the present Bureau responsible until January 1, 1949, for the performance of the duties assigned to it by the Madrid Convention and having it do the preparatory work for the transfer of its duties and its accounts to the new secretariat.

In regard to the competence of the present Bureau to assume these responsibilities until January 1, 1949, I believe that this is entirely normal, but in regard to the preparatory work of the transfer and of its accounts to the new secretariat, it would be preferable to specify that

this mandate be given to the three high officials of the Union, namely, the Director General and the Directors.

The Chairman pointed out that the first amendment of the Greek delegation was already incorporated in the proposal of the United States. He asked Committee C to take the second amendment into account without fail when preparing the resolution.

He stated that all the delegates who had been recognized had expressed themselves in favour of the over all plan. He therefore proposed:

- 1) that Document No. 328 TR-E be approved in principle.
- 2) that a recommendation to that effect be made to the Plenary Assembly.
- 3) that the proposal be referred to Committee C so that the necessary improvements might be added.

With respect to the details of the financial provisions, this Committee would take into account our wish for the continuance of the work of its Subcommittee 1 in cooperation with the Director and Vice-Directors of the Bureau of the Union.

Furthermore, it would draft a resolution containing the recommendations of the Bureau of the Union and Subcommittee 1.

These various proposals were approved unanimously by the Assembly.

The Chairman introduced the question of the nomination of the members of the Administrative Council and of the I.F.R.B. He asked the Delegation of the United States if it was prepared to formulate a definite proposal in this subject.

The Delegate from the United States answered that in the first place it would be necessary for Committee C to approve the composition of the Administrative Council and the I.F.R.B.; this work was almost finished. Then, meetings of regional groups should be called to appoint the candidates. He thought that a series of meetings of each of these organizations would be necessary, and that the Chairman of the Conference could take the necessary measures to fix the date and place of each of these meetings. Then, after the nominations had been made by these two agencies, a Plenary Assembly would proceed with the election.

The Chairman announced that, if he were entrusted with this task, he would take pleasure in drawing up the program of these meetings. He asked Mr. Fortoushenko, Chairman of Committee C, when his Committee would complete its work, so that they could begin to think about convening the regional meetings. The Chairman of Committee C thought his committee would be ready to present its recommendations on the procedure of the elections of the I.F.R.B. towards the end of this week.

In connection with the recommendations concerning the elections to the Administrative Council, he thought that they could be ready next Saturday if it was the wish of the Assembly that this question be given priority.

The Delegate from the United States pointed out that the question of the salaries for the members of the I.F.R.B. might have an influence on the candidatures, because it would be difficult to find candidates if the salaries were considered insufficient.

The Chairman assumed that the salaries would be sufficient and that a satisfactory situation could be arrived at.

Concerning the work of Committee C, he suggested that it complete its work on the question of languages before taking up the questions relating to the I.F.R.B. and the Administrative Council.

The Delegate from the United Kingdom expressed the opinion that it would be dangerous to proceed with the elections for the I.F.R.B. before making a decision on the salaries, which would have a bearing on the qualifications of the candidates.

The Delegate from Guatemala made the following statement:

"Our Delegation believes that the situation as it has been explained here, is quite complex. Before the Convention and the Regulations are ratified and put into effect, I think it is advisable to provide that this depends on the legislation of each country. Some countries have no difficulty in securing the approval of their legislative bodies, but there are others, among which Guatemala is included, for which the situation will be extremely delicate. Our country can not participate in the nomination of the executive members of an international Convention before this act has been ratified by our national legislative Assembly, by our national Congress. I think we will have to deal with such a situation and that other countries will be in the same position. Therefore, I wish to take advantage of this opportunity to have the peculiar position of Guatemala in this problem mentioned in the minutes of this meeting."

The Chairman took note of this wish. He thought that it was advisable to emphasize the fact that this procedure did not contemplate the entering into effect of new agencies before ratification of the acts of the Conference. It could be assumed that this ratification will be secured 15 months from now, that is the first of January, 1949.

We were now taking measures so that the new agencies would be ready to function efficiently without having to organize a new plenipotentiary conference to put them in operation.

The Delegate from Mexico spoke as follows:

"We have listened very attentively to the speeches during these deliberations and unfortunately, we discover that we are confronted by the exact situation to which the Delegate from France alluded; subsequently, the Delegate from Guatemala had expressed the same viewpoint."

As you have just explained, Mr. Chairman, it is a question of deciding upon the proper procedure. Every procedure which involves obligations on our countries necessitates previous ratification by our Parliament.

Mexico also wishes its statement to appear in the minutes of this meeting."

The Chairman said: "This statement will also appear in the minutes."

Mr. Lahaye (France) was then recognized:

(360 TR-E 912 R-E)

"I should simply like to make a practical observation touching the election of members of the I.F.R.B., as well as members of the Administrative Council of the Union.

As you know, in both cases we provided for an election in two stages.

In the first stage, candidates must be nominated by four regional groups of member countries of the Union, corresponding to the four regions which we have called regions A, B, C and D. But, at the present time, at least to my knowledge, the four regional groups in question have not been definitely determined, because, as you know, we were obliged to use meridian 20° East, on the one hand, and, on the other, parallel 40° North as limits of the three regions concerned and the rule was adopted that any country territory of which was crossed either by the meridian in question or by the parallel I have just cited, had the right to choose freely one of the two groups on one side or the other of this line. Consequently, in order to determine the definite composition of each of the four regional groups entitled to appoint candidates, it is essential that the different countries crossed by the two limits I have mentioned, should make their choice known.

I shall therefore ask, Mr. Chairman, that, if this has not already been done, the countries concerned state as soon as possible, which of the two regional groups-- between which they may choose in each case, they wish to join, and that the statements of these countries be published as soon as possible in a document of the Conference, so that no one may remain in doubt as to the composition of the four regional groups concerned."

The Chairman: you have made an excellent suggestion which I shall take into consideration. I shall try to get in touch with the delegations of the countries status of which is not perfectly clear, so that they may inform me of their preference as to the region to which they wish to belong.

The notice announcing the date of the meeting will also indicate the list of countries belonging to each region, so that there may be no doubt as to who should be present and at what meeting.

To summarize the situation in this connection, may I propose that we recommend to the Assembly of the Plenipotentiary Conference to be held tomorrow, that it authorize us to continue preparing the plans required for the I.F.R.B. and the Administrative Council, and that it approve the preliminary steps we expect to take, and convene these meetings in good time? It is understood that you will allow me to set the date for these meetings, and that we shall announce them at least 48 hours in advance.

(General assent).

3. Schedule of future conferences.

The Chairman gave the reasons which led to the preparation of the list which formed the subject of the Annex to Document 337 TR-E. He particularly specified that, in certain cases, the indication of the possible site was based upon information from delegates now present in Atlantic City, who had expressed the wish to have a conference held in their country or whose governments had declared their willingness to receive a conference. He proposed taking up the list point by point, calling attention to the fact that some of these conferences were purely regional conferences, which were included in order to avoid any overlapping with other conferences.

1 - Preliminary meeting of European Broadcasting.

After an intervention by Mr. Meyer (France), who pointed out that there was a misunderstanding in this case, since it could only concern a preparatory group which was to meet in January, it was agreed to make the following changes in this entry:

1. Meeting of the preparatory European Broadcasting Group at Brussels, in January, 1948.

2. Provisional Frequency Board

The Delegate from Switzerland asked the Chairman if it was definitely understood that the Swiss Government would not have to send invitations to this meeting. The Chairman replied that it was not necessary to send special invitations inasmuch as this meeting would be held at Geneva, future seat of the Bureau of the Union, and as the Swiss Government had already expressed its wish to have the Conference held at Geneva.

3. C.C.I.F. (Technical)

The Greek Delegate, overwhelmed by the number of meetings scheduled, asked if it would not be possible to combine meetings 3* (C.C.I.F. Technical) and 7 (C.C.I.F. Rates and Traffic).

The Delegate from Sweden reminded the meeting of the decisions made at the Montreux Plenary Assembly of the C.C.I.F. where the question came up for discussion. In this connection, he called attention to the housing difficulties which certain countries would experience if large Conferences were to be convened.

The Delegate from Portugal also felt that the Montreux decisions were not applicable.

The Delegate from the U.S.S.R. undertook to plead the cause of the small nations which would have to bear heavy expenses--asking that the number of Conferences be reduced. He further suggested that consideration be given to the possibility not only of combining meetings 3 and 7, but also of

(360 TR-E 912 R-E)

convening the C.C.I.F. and the C.C.I.T. at the same time and place.

The Swiss Delegate did not see any possibility of such a solution, inasmuch as the questions before the C.C.I.F. were totally different and, as a rule, concerned different people. Moreover, the C.C.I.T. had been waiting for its turn for a long time..

The French Delegate, Mr. Laffay, supported the opinion expressed by the Delegate from Switzerland. It must not be forgotten, he said, that we are now emerging from a period of arrested activity on the part of international organizations, and that the C.C.I.T. had a very full agenda. In a certain sense it would do the ground work for the 1949 Telegraph Conference.

He believed that it would be advisable to abide by the present schedule, but concurred in the opinion of the Delegate from the U.S.S.R. insofar as the future was concerned.

The Delegate from the United Kingdom thought that the divergence of opinion was due to a misunderstanding. Certainly we all agree that the 1948 schedule of meetings is exceedingly heavy, and that we must lighten it, if we can, beginning by simplifying the work to be done. However, work is not simplified by convening three Conferences at the same time. We are learning that from our present experience. The work of the C.C.I.T. is entirely distinct from that of the C.C.I.F., and we could only increase the difficulties if we insisted upon combining the three scheduled meetings.

In the end, the Delegate from the U.S.S.R. said he would no longer insist upon combining meetings 3, 6 (C.C.I.T) and 7 which would remain as they appear on the schedule.

4. Safety of Life at Sea

No comment.

5. World Aeronautical

The Delegate from the U.S.S.R. wished to know what questions would be dealt with by this Conference. Would it be a Radio Conference for Aviation or would it handle broader questions, aviation questions in general?

The Belgian Delegate replied that the purpose of the Conference was to prepare a frequency plan for the aeronautical service for the guidance of the P.F.B.; but that he was not in a position to state whether it would handle other radio questions.

The Delegate from Ireland explained that his country had proposed a meeting of a semi-official Aeronautical Conference instructed to look into the allocation of frequencies to this service. This proposal had been modified to the effect that the conference under consideration in an administrative and official capacity was to devote itself exclusively to the allocation of frequencies to aeronautical stations.

The Delegate from India reminded the meeting that he had made certain reservations in Committee C of the Radio Conference, because he felt that the allocation of frequencies to aviation encroached upon the terms of reference of the P.F.B. or of the I.F.R.B.

The Delegate from the U.S.S.R. pointed out that if it were suggested to convene an Administrative Conference, specifically entrusted with the allocation of frequencies to the aeronautical service, it would give rise to doubt. How would it be possible to perform this task without preliminary preparation? It has been apparent here at Atlantic City, in the case of the High Frequency Broadcasting Conference, that this undertaking could not be carried out. Now, the task would be still more difficult in this specific case, and the Conference under discussion would of necessity meet with the same fate. It should be convened at a much later date in order to give the P.F.B. time to prepare its frequency allocation plan. If, however, it was thought that the P.F.B. could not do this preparatory work, it would be advisable for the specialists in the aeronautical field, who are present here, to agree on the procedure to follow in preparing the concrete proposals to be submitted to the World Aeronautical Conference.

The discussion continued among the Heads of the Delegations from Argentina, the United Kingdom, the U.S.S.R., India, the Chairman of the Conference, and the Chairman of Committee 6 of the Radio Conference, Mr. van der Toorn, with respect to whether the frequency allocation to the aeronautical service should be made initially by the P.F.B., or prepared preliminarily by the Conference in question for subsequent

submission to the P.F.B., as well as with respect to the date this World Aeronautical Conference should be convened.

After having recalled that Committee C had formulated a recommendation with a view to an Aeronautical World Conference taking place in the spring of 1948 to prepare a frequency allocation plan for subsequent submission to the P.F.B., the Chairman had this recommendation voted on by a show of hands to indicate approval.

By 40 votes to 5, the Assembly decided to maintain the date fixed previously for the Aeronautical World Conference.

6) C.C.I.T. (Already examined under 3).

7) C.C.I.F. Tariffs and traffic. (Already examined under 3).

8) H.F. Broadcasting.

The Chairman stated that the United States would be very pleased to convene this Conference in view of the fact that it had already started in this country. However, if a neighboring country would like to submit an invitation, the United States would be willing to step aside.

The Chairman of Committee 14 of the Radio Conference (Colombia) recalled that this Committee had received an offer from the Mexican Delegation to hold the the High Frequency Broadcasting Conference in Mexico City. However, the prescribed date of June 1948 should be changed so there might be no overlapping with the European Broadcasting Conference which was to take place at that time.

The Delegate from Mexico said it was a great honour to his country to be the host of an international conference of such importance. He expressed the hope that the other countries of the Western Hemisphere would be kind enough to accept this invitation.

After a short debate in which the Delegations from France, Colombia, Egypt, and Sweden participated, the Chairman proposed that the date should be left blank temporarily and that Mexico should be accepted as the location for the Conference.

Adopted.

9) North American Broadcasting.

No comment.

10) International Scientific Radio Union.

No comments, apart from an explanation from Dr. Dellinger, who recalled that since this was a meeting of a scientific nature which, of interest to many members of the Union, it should appear on the list unofficially.

11) European Broadcasting.

The Delegate from Czechoslovakia made the following statement.

"Mr. Chairman,

I was personally a little perplexed on consulting the list of conferences proposed for the near future. The schedule in fact provided for a great number of meetings. Among these, many will take place in Scandinavian countries or neighbouring countries. It is a great pleasure to note the great hospitality of all these countries. Certainly, other countries would be very happy to see one of these conferences convened in their own countries. I would like to draw your attention to the following facts.

In 1929, the first European Broadcasting Conference held after the World Conference in Washington, took place in Prague. The Government of the Czechoslovakian Republic thought that this precedent should be followed and that it would be logical that the next European Broadcasting Conference which follows the World Radio Conference, now being held in the United States, should also take place in Czechoslovakia. The Czechoslovakian Government would thus be greatly honoured and has instructed me to officially transmit to the Delegations of European countries represented at the Atlantic City Conferences, the most cordial invitation to hold the meeting of the European Broadcasting Conference in our country which although badly hit by the German occupation and the war is nevertheless desirous of working and recovering again.

I apologize for not having presented this invitation earlier, because I wanted to do so at the meeting of the representatives of the European countries. But since the question has been raised here, I am taking the liberty of presenting this invitation now.

Gentlemen, you now have the choice between two countries. I am in a very delicate position, since I am forced to apologize to the Danish Delegation for obeying the orders of my government by presenting this invitation to the assembly. I hope that, in spite of this, we shall remain good friends as we have always been in the past."

The letter which the Chairman had received from the Danish Delegation concerning this conference was read. Its text follows:

- Atlantic City,
August 26th, 1947.

The Chairman of the International
Telecommunication Conferences,
Mr. Charles R. Denny, Jr.

Dear Mr. Denny:

I have the honour to inform you that the Danish Government has instructed the Danish Delegation to make it known at the International Telecommunication Conferences that Denmark will consider it a great honour if a regional European Broadcasting Conference similar to the precious conferences in Prague, Lucerne, and Montreux would convene in Copenhagen during the summer of 1948.

I trust that you will make this invitation known to the Conferences in the way you consider most suitable.

I am, Sir,

Yours sincerely,

signed: Gunnar Pedersen.

The Chairman proposed that the task of choosing between the two invitations be left to the European Broadcasting Group which has been formed here.

Provisionally, the date indicated on the schedule remained unchanged.

12. C.C.I.R. (Sweden will make a proposal at item 4 on the agenda),

13. Inter-American Radio.

No comments.

14. Conference for Approval Frequency List

No comments.

15. Telephone and Telegraph Administrative Conferences

No comments.

16. North Sea Baltic

The Delegate from Norway said that his Government greatly appreciated the choice of Oslo as the site of the North Sea and Baltic Conference.

He proposed, however, that the date be changed to the end of May or June 1948.

The assembly agreed.

On the other hand, at the request of Mr Lahaye, Delegate from France, it was decided to change the name of this conference to: "European Conference on the frequency bands between 1605 and 2850 kc/s."

17. Next regular Administrative and Plenipotentiary Conferences of the I.T.U. (1952)

The Chairman announced that he had just received communication from the Argentine Government inviting the members of the Union to meet in Argentina for these conferences.

(General agreement).

The Delegate from France, (Mr. Lahaye) pointed out an omission in the schedule which had just been discussed: no arrangements had been made for a European Maritime Mobile Service Conference, similar to the Conference that met in Montreux in 1939 and made arrangements for the assignment of frequencies to the coast stations of the regions of the North Sea and the Baltic Sea, the Atlantic coast and the shores of the Mediterranean.

Considering the great number of broadcasting stations which would again be placed in derogation in the radiomaritime service bands, he was of the opinion that it was necessary to establish a close relationship between the Conferences of these two services, and he suggested that European Maritime Mobile Service Conference be held in the same place and at the same time as the European Broadcasting Conference.

The Chairman proposed that it be left to the European countries to set the date and place of this new conference.

The Delegate from Peru in turn asked that a conference which would be held in Lima in January, 1949 be listed. This is the South-American Broadcasting Conference, which primarily interests the South American countries.

The Chairman replied that the two conferences announced above would also appear on the schedule of meetings which would be submitted to the Plenary Assembly.

Item 4 on the Agenda (work of the C.C.I.R.)

The Chairman: "The fourth item on our agenda concerns proposals for organizing the work of the C.C.I.R., so that it can proceed with a minimum of delay. We have two proposals on this subject: a proposal of Sweden (Document No. 305 TR-E) and a proposal of the United States (Document No. 326 TR-E). Both proposals have as their objective a procedure whereby the working Commissions of the C.C.I.R. could be organized promptly and assignment of technical questions to these Commissions could be made. This would permit these Commissions to begin their technical work in the near future and to submit recommendations to the next Plenary Assembly of the C.C.I.R. Both proposals point out that, if this is not done, the beginning of the C.C.I.R.'s technical work would be long delayed, because it would have to wait until a Plenary Assembly organized working Commissions and assigned questions for study to each of them.

The United States proposal is a supplement to the Swedish proposal. It goes into greater detail by setting up a tentative list of subjects which certain Commissions of the C.C.I.R. might be assigned to study. It also suggests that a meeting of interested delegations be held at Atlantic City within the next week or so in order to draft recommendations for a plenary session of the Plenipotentiary Conference.

If the United States suggestion is adopted, the present meeting of Heads of Delegations should fix a time for this meeting in order to plan the C.C.I.R. work."

The Delegate from Sweden called the attention of the Assembly to the fact that the Swedish proposal and the United States proposal had been drawn up in cooperation with other delegations. He supported the United States proposal but asked that the meeting mentioned in paragraph b) of this proposal should have a limited duration. He stated that his delegation would cooperate in the important work which must be undertaken during the next two years in order to carry out



the task to be assigned to the C.C.I.R. by the Atlantic City Conferences. He could not, however, at this time, present an official invitation for participation in this meeting of the C.C.I.R., which is to take place in Stockholm in September, 1948, as is proposed. The question of accommodations for the delegates presented some difficulties. He thought he would be able to give more definite information on this subject during the coming week.

The Delegate from the United States noted with satisfaction that the Swedish Delegation fully supported his point of view. The purpose of the American proposal is to accelerate the work of the C.C.I.R. He said that the substance of this proposal is to place the responsibility in the hands of the Swedish Government, in whom we have full confidence for implementing this work promptly.

He reminded the meeting that American proposal provides for a meeting of the interested delegations within the next two weeks. He wondered if this meeting was necessary and if the Plenary Assembly on the following day could not approve the suggestions presented in paragraphs c), d) and e) of Document No. 326 TR-E.

The Delegate from the United Kingdom supported by the Delegate from France would prefer that a meeting of the interested delegations be organized to make the necessary decisions.

The Assembly decided that this meeting would take place on Tuesday evening, September 9.

Item 5 on the Agenda (Miscellaneous)

The Chairman stated that the Polish Delegation had submitted to the Director of the Bureau of the Union on August 21, 1947, a note explaining that, in its view, the Polish Administration should not be charged with dues to the Union from 1940 to 1944 because Poland was under military occupation. He asked the Secretary-General to read this letter. Since this was a matter on which the Heads of Delegations should present a recommendation to the Plenary Session, he asked if there were any suggestions as to the action which should be taken. This text of this letter was as follows:

Dear Sir:

With reference to your letters of June 5 and 13 and July 28, and after consulting with my government, I have the honor to convey the following message to you:

As a result of the war in 1939, the territory of Poland was invaded and entirely occupied by the enemy up until 1945. During that period, a large portion of Polish territory was incorporated into the Reich by unilateral action of the enemy.

The Polish Post and Telegraph administration was deprived of the right to operate freely. Operation of the telecommunications network was performed in a manner contrary to the interests of the Polish nation by enemy military and civil authorities, which collected all telegraph and telephone receipts.

Therefore, the Polish Administration considers that during the entire period of occupation, it has been suspended de facto as a member of the Telecommunications Union, enjoying neither the rights nor fulfilling the obligations stipulated in the International Telecommunications Convention and the Regulations annexed thereto, up until the date of liberation. The administration was, of course, in no position to profit in any way by the services provided by the Bureau of the Union.

Consequently, the contributions for the years 1940 - 1944 inclusive ought not be charged to the Polish Administration.

I take this opportunity to draw your attention to the fact that in a parallel situation, the universal postal Union has not demanded payment of contributions for the years 1940-1944.

I am respectfully asking that the contents of this letter be brought to the attention of the Chairman of the Conference.

Yours truly etc...

(signed) Eugeniusz Stallinger
Chairman of the Polish
Delegation

The Delegate from Greece sympathized with the request of the Polish Delegation. However, he commented that Poland is not the only country which suffered the misfortune of being occupied by the enemy. He was of the opinion that if a resolution or a recommendation was accepted, it should include all countries occupied by the enemy during the years 1940 to 1944.

The Delegate from Lebanon would prefer that the amount of the dues in question should be charged to the account of the German debt.

The Chairman asked the Assembly whether this question should be referred to Committee C or whether it should be decided upon immediately.

The Delegate from U.S.S.R.:

"I think that the issue is very simple. It seems to me that it is not necessary to refer this matter to another agency of our Conference. I simply consider that the request presented by the countries which were occupied during the war is a very fair and just request. Poland is not the only country involved, but as Greece very clearly pointed out, there are other countries, too, which were occupied during the war and which were therefore absolutely unable to continue their membership in the Union during this occupation period. It seems logical to me that no dues be asked of them for this period. I do not believe that this would constitute a very heavy financial loss for the Union, and by making this gesture, we should give tangible proof of the deep sympathy we feel for the victims of cruel occupation during the war years.

Therefore, Mr. Chairman, I submit the following proposal:

"In compliance with the request submitted by Poland, and the verbal statement made by Greece, I propose that it be decided to exempt all countries which were occupied from payment of dues for their period of occupation."

The Delegate from the United Kingdom said he was sure that all the delegates present sympathize deeply with the countries which were occupied by the enemy, but that this is a financial question which should be very carefully considered at the proper time and place by the Committee in charge of the finances of the Union.

The Chairman asked the Assembly if there were any objections to referring the question to Committee C.

There were no objections and the matter was therefore referred to Committee C.

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

Secretaries:

E. RUSILLON
P. OULEVEY
H. VOUTAZ

Chairman:

CHARLES R. DENNY

September 7, 1947

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Minutes
of
6th Plenary Session
September 4, 1947

AGENDA

- 1) Approval of minutes of 4th and 5th Plenary Sessions and the 1st Joint Plenary Session (Doc. 230 TR, 234 TR and 266 TR)
- 2) Confirmation of Committee C action with respect to Seat of the Union (Doc. 327 TR).
- 3) Transitional arrangements (Doc. 328 TR)
- 4) Schedule of future conferences (See Work Sheet annexed to Agenda, Meeting of Heads of Delegations - Doc. 857 R and 337 TR)
- 5) Work of C.C.I.R. (Doc. 305 TR and 326 TR)
- 6) Report of Negotiating Committee on relations between U.N. and I.T.U. (Doc. 335 TR)
- 7) Admission of Pakistan.
- 8) Continuation of discussion on the admission of Outer Mongolia (See Doc. 230 TR)
- 9) Miscellaneous Correspondence.

The meeting was opened at 10:15 a.m. by Mr. Charles R. Denny, Chairman.

The minutes of the Plenary Sessions were adopted without comment:

Fourth Plenary Session, of August 5, 1947
(Document 230 TR-E).

Fifth Plenary Session, of August 9, 1947 (Documents 231 TR-E and 264 TR-E)

First Joint Plenary Session of the Plenipotentiary Conference and the Radio Conference, of August 15, 1947, convened to celebrate the independence of India and Pakistan (Document 266 TR-E).

The second item on the Agenda called for the confirmation in a Plenary Session of the decisions taken with regard to the seat of the Union (Document 327 TR-E).

The Chairman explained that Committee C had unanimously adopted a proposal, according to the terms of which the seat of the Union would remain in Switzerland, but would be transferred to Geneva. The Committee had also approved a resolution providing for the creation in a short time of a Bureau of the Union in Geneva, which would be used for the work of the P.F.B. and providing also for an authorization to transfer the present Bern Bureau as soon as possible to Geneva. The Heads of Delegations approved this decision and recommended that the present Plenary Assembly adopt a resolution which would appear in the form indicated below. This resolution is a slight modification of the resolution examined by Committee C concerning the form of the authorization. The resolution recommended by the Heads of Delegations is as follows:

"Whereas, for administrative reasons, the headquarters of the International Telecommunications Union must be moved from its present location at Bern, Switzerland, to Geneva, Switzerland,

It is resolved by the International Telecommunications Conference of Atlantic City that the Director of the Bureau of the Union shall be entrusted with undertaking negotiations with the competent Swiss government authorities in order that the necessary arrangements may be made with a view to the establishment of a Bureau of the Union at Geneva (Switzerland) not later than January 1, 1948, in the service of the Provisional Frequency Board, and to take immediate steps to transfer the existing Bureau from Bern to Geneva as soon as possible."

This resolution raised no objection. It was therefore adopted unanimously.

The Head of the Delegation from Switzerland then made the following statement:

Mr. Chairman,

Gentlemen,

By the adoption of this resolution, the fate of the seat of the International Telecommunications Union has been decided. Between the 1946 Moscow Conference and the beginning of the Atlantic City Conference, the Swiss Delegation has followed the development of this important question with the closest attention, and it is with deep emotion that we now see it settled in favor of the Swiss Confederation. I wish to express, on behalf of my government and the Swiss Delegation, our most warm and sincere thanks as well as our deep emotion that you have arrived at this happy solution which confers so great an honor on my government and on my country. May I take the liberty also of adding my personal gratitude--which is all the greater because the proposal originated with the Delegation of the United States, the great sister republic, to which we, as a people, and I as an individual, are so closely bound by ties of history and of friendship?

I hope I may also be permitted to take this opportunity of expressing not only the wish but also the assurance that you will never regret this decision and that the future will prove not only that this is a wise solution, but also that it is in the best interests of our Union as well as all its individual members.

It is true that, ever since the foundation of the Union, the Berne Bureau, which will doubtless be known henceforth as the Geneva Bureau, has always been domiciled in Switzerland, as have also the Universal Postal Union, and many other International bureaus such as the Bureau of the International Committee of the Red Cross, the International Railroad Bureau, the International Copyright Bureau, the International Labor Bureau, the European headquarters of the U.N.O., and many other specialized agencies. If time permitted, I could add many other bureaus.

Our constant and firm exercise of neutrality, our federalist system, our uninterrupted democracy of more than 650 years, the rule of equality and liberty, as well as tolerance have certainly been favorable to the establishment and maintenance of international offices in Switzerland, without adding that economic and financial conditions there have remained extremely stable.

Furthermore, I feel that the question of expenses has played a great part in the matter, and, on this subject, I would like to point out that not only the Swiss Government but also the high officials and personnel of the Bureau, by their experience, by their good judgment and their devotion have succeeded in keeping the overhead and actual expenses to a minimum. Consequently, I do not doubt that the maintenance of these headquarters in Berne(?) will be a favorable factor in this respect also.

Gentlemen, I can assure you that the Swiss Federal Government, as well as the Government of the Canton and the Republic of Geneva will willingly collaborate with such a Bureau as ours and will always feel for it the utmost understanding and interest. Moreover, I am glad to believe that these considerations have contributed to the decision which you have just made.

As for the substance of the resolution which we have just adopted, you will note that the competent authorities in Switzerland are requested to collaborate with the Bureau in order to take the necessary measures to establish the Bureau of the Union in Geneva. I am happy to be able to tell you in the name of my Government, which I have consulted on this subject, that the Government, will willingly give every assistance which lies within its power in order to facilitate the transfer from Berne to Geneva.

In conclusion, I wish to inform you that all departments of the Swiss Government, especially the Telegraph and Telephone Administration, will make every effort to facilitate the installation of the new Bureau by putting at its disposal the most modern technical improvements which we now possess.

I thank you, Mr. Chairman and Gentlemen."

The Chairman thanked Minister Nef, Delegate from Switzerland.

"For almost 80 years," he said, "the seat of the Union has been in Switzerland, and I am sure that I am speaking in the name of all the delegates here present when I tell the honorable delegate from Switzerland that we are very glad that the seat of the Union will remain in Switzerland, and that we shall continue to enjoy the close collaboration of the Federal Government.

"I imagine that all the delegates here present, are eager to express to the Swiss Delegate how delighted we are with the unanimous decision which has just been reached."

(Loud applause)

3. Transitional Arrangements

The Plenary Assembly then proceeded to the examination of the Proposals for Transitional Arrangements appearing in Document No. 328 TR-E.

The Chairman reminded the Assembly that this question had been examined by the meeting of the Heads of Delegations who suggested that the following decisions be made:

1. that the plan proposed in Document No. 328 TR-E be adopted in principle;
2. that Subcommittee C1 of Committee C be asked to prepare a report on the future budget, availing itself of data which will be supplied to it by the Director of the Bureau of the Union, with the assistance of his Vice-Directors. Committee C will then examine this report and draw up a resolution based both on Document No. 328 TR-E and on the Report of Subcommittee C1 in order to permit this program to be implemented.

This resolution will then be submitted to a Plenary Session of the Conference.

This procedure was adopted without comment.

The Delegate from Ethiopia then made the following statement:

"Mr. Chairman:

I regret very much to raise this matter at this stage.

Normally, International treaties come into force after their ratification by the signatory powers, parties to such treaties. It is only in certain exceptional or minor cases that they become

effective without awaiting ratification; even in that case the signatory powers have to give their express consent in advance to the effect that such treaties need ratification.

The Chairman added that there would be certain details of a purely practical nature to be examined after Committee C had come to a decision with regard to the composition of the Administrative Council and the salaries of the members of the I.F.R.B. If the assembly had no objection, the Chairman would call the necessary meetings to enable the different regions to select their candidates.

The Assembly agreed.

4. Schedule of Future Conferences.

The Chairman reminded the assembly that, at their meeting on September 5, the Heads of Delegations had examined a list of various conferences concerning telecommunications which will take place in the near future. This list formed the annex to Document No. 337 TR-E.

Certain changes in this list had been proposed. The Chairman cited them:

The conference listed under 1: the title is to be modified as follows: "Meeting of the Preparatory Group on European Broadcasting." The date should also be changed from November 1947 to January 1948.

No. 8: High Frequency Broadcasting. The date should be left blank since Committee 14 of the Radio Conference is now studying the question of this date. The place, instead of "Western Hemisphere" should be: "Mexico".

No. 11: European Broadcasting. We have received invitations from Denmark and Czechoslovakia; last evening it was suggested that the Delegates from European Countries meet and make a choice. The place shall, therefore, be left blank until this meeting has been held.

No. 16: The title should be changed to read: "European Conference on the 1605 to 2850 kc/s frequency band." The date should be: June 1949.

Further, two other conferences should be added to this list. The first is "European Maritime Broadcasting Conference", the date and the site not yet having been fixed. It may take place simultaneously with the European Broadcasting Conference, but the final decision will not be made until the European group meets and hands down its findings.

The second is the "South American Broadcasting Conference" which will be held in January 1949 at Lima, Peru.

On this last item, the Delegate from Peru requested that the date be left blank. This date will be fixed at the time of the Inter-American Conference at Bogotá.

The Chairman approved and said that a list incorporating these modifications would be printed and distributed by the Secretariat.

5. Work of the C.C.I.R.

The Chair pointed out that we had a recommendation from the meeting of Heads of Delegations. It was based on Documents Nos. 305 TR-E and 326 TR-E, which were drawn up with the close cooperation of the Delegates from Sweden and the United States. No final decision will be made until those directly concerned in the C.C.I.R. have held a preliminary meeting here in Atlantic City on September 9. The Plenary Assembly will then act.

6. Relationship between the U.N. and the I.T.U.

The Chairman called the attention of the Assembly to Document No. 335 TR-E, and emphasized that the Committee on Negotiations had submitted an excellent report, in the form of an exceedingly helpful synopsis. The Committee deserves the highest praise for its achievement. The Chairman of the Committee was given the floor so that he might comment on the main points.

Sir Harold Shoobert took the floor:

"At its Fifth Plenary Session held on August 8th, this Conference authorized the Committee of which I have had the privilege to be Spokesman to carry on negotiations with a group representing the United Nations, on the basis of the draft agreement prepared by Committee D (Document No. 227 TR).

1. Three additional directives were given to my Committee:

1) We were to obtain assurances of the independent status of the I.T.U., at least equivalent to the assurances obtained by the U.P.U. in its negotiations with the U.N.

2) We were to make every effort to obtain agreement upon the retention of the following provision which appears in Article VII of the attached draft agreement:- I quote: 'without prejudice to the sovereign position of individual members of the Union who are not members of the United Nations.' If, however, agreement on the maintenance of this passage were to prove impossible, we were to insist upon a satisfactory alternative, and in any case to make sure that the report of the discussions on this point

was entered in the minutes of the negotiations.

3) We were to obtain assurances that the International Telecommunications Union will retain its freedom to publish any documents which it may choose within its own sphere-(with special reference to Article IX of the I.T.U. draft).

2. The Document (TR 335) now before the Conference contains a very brief report upon our negotiations, (which proved by no means easy) and includes the text of the draft agreement emerging from these negotiations. This, Mr. Chairman, we now submit to the Conference. With your permission I propose to go through it Article by Article explaining any variations from the text of the draft originally approved by this Conference - and giving the reasons for them. I shall particularly advert to any matter of which special mention has been made in the summary record of proceedings either at the request of the I.T.U. negotiators or at the request of the U.N. group. We hope that when delegates have studied the drafts and heard my report, they will be satisfied that the I.T.U. Negotiating Committee has faithfully carried out the directives given to it.

3. On scrutiny of the statement which forms Appendix I of Document No. TR 335, it will be noticed that in certain Articles, although the wording of the English draft prepared by the I.T.U. and appearing in column 1 of the statement is identical with that of the agreed draft in column 3, there are some differences in the two French texts. The explanation is that our translators consider that column 3 presents a more faithful rendering of the English text.

4. I have to preface my review of the draft by stating that, although the highest tribute must be paid to the great courtesy and to the consistently helpful and reasonable attitude shown by Mr. Kotschnig, Spokesman of the U.N. negotiators, and his colleagues, the form in which many of the Articles should appear was warmly contested, and discussion was protracted. The I.T.U. representatives, however, contrived to get their own way on most issues. The few points which we conceded to the opposite group, were generally conceded as a matter of tactics or because it seemed reasonable to compromise.

Throughout, the I.T.U. group gained far more than they gave. This is fairly evident from the texts as they have been presented to you. Although our negotiating group had to adjourn for discussion upon several occasions there was always complete unanimity in regard to the course finally followed in each case. In fact, Mr. Chairman, as I have already informed you personally, at the end of four days spent in constant communion with them in New York and Lake Success, I suddenly awoke with considerable surprise to the realization that our negotiating group consisted of delegates from eleven different nations and speaking various languages. This group worked in such complete unison and amity and with such enthusiasm, as a team representing - and honoured to represent - the I.T.U. that during those few days I myself quite lost sight of the fact that they had any other function except that of members of the I.T.U. side. Indeed somebody said that this team-work might well be regarded as an example to the United Nations as an organization. May I, Mr. Chairman, following English tradition express the hope that if the Conference decides that the side played a good game, you as our President will decree that all members of the XI be awarded their "Colours."

I now pass to the actual draft agreement. But at the outset Delegates will wish to know what has been done in regard to the initial and most important directive given by this Conference. At the beginning of the U.N. summary record of the first meeting of the negotiating groups giving a precis of the opening remarks of the Chairman of the U.N. Negotiating Committee and the Chairman of the I.T.U. Committee, the following passage is to appear:

Sir Harold Shoobert in his opening remarks emphasized the insistence of the I.T.U. upon an assurance that conclusion of the projected agreement between the I.T.U. and the U.N. did not constitute any derogation of the autonomy of the I.T.U. Mr. Kotschnig gave the assurance requested.

This and other statements made by Mr. Kotschnig, the Chairman of the U.N. Committee, during discussions of different Articles of the draft are considered satisfactory by the I.T.U. Group.

PREAMBLE:

The contents of the Preamble in the I.T.U. text and the U.N. text are essentially the same, but it

was decided that it was appropriate to adopt the arrangement of the words as in the U.N. text.

ARTICLE I:

In the text prepared by the U.N. the expression "A Specialized Agency" was used whereas "The Specialized Agency" appeared in the I.T.U. text. It is on record that I informed the Chairman of the U.N. group that I would find it difficult to accept a change because I could not contemplate that any other Specialized Agency would act in the field of Telecommunications. Mr. Kotschnig asked whether insistence upon the word "The" would debar an Agency such as I.C.A.O. from any kind of work touching upon Telecommunications. I replied in the negative and on that understanding Mr. Kotschnig agreed to replace "A" by "The."

MEMBERSHIP ARTICLE:

We objected to inclusion of a Membership Article because the directive from the I.T.U. Plenary Session did not cover this question and it was felt to be a purely domestic matter. It was pointed out that there was no membership clause in the U.P.U. agreement. Mr. Kotschnig for the United Nations explained that the Article was omitted in the U.P.U. draft on the understanding that in future the membership of the U.P.U. would be determined by a 2/3 majority of the existing members, and called attention to the General Assembly resolution on Franco Spain. I emphasized that the problem of Spain was an extraneous matter on which our negotiators had no directive from the Conference. When questioned upon the subject, I gave a factual statement of the action taken by this Conference in regard to the Franco Government in Spain, but refused to discuss the main issue. When the Spokesman of the U.N. stated that omission of the membership clause might involve a recommendation by the Economic and Social Council for adoption of the agreement conditional upon a decision of the I.T.U. in consonance with the U.N. General Assembly's resolution regarding Franco Spain, I very emphatically advised him against such tactics. The recommendation made by the Economic and Social Council was, however, conditional as will be seen from TR 335, Appendix III.

The Negotiating Committee does not consider that it is within its functions to comment upon the Economic and Social Council's resolution.

Our view is that - we have brought an agreement to this Conference, which we consider suitable in every respect.

Any reservation made by the Economic and Social Council should not influence the judgment of this Conference upon the merits of this draft agreement in its present form for achieving the purpose for which it has been framed.

The question of Spain has been - or will be - considered in the appropriate Committee or in Plenary Conference - at the appropriate time. And the U.N. will receive information of the attitude of the I.T.U. to that question in due course.

ARTICLE II: Reciprocal Representation:

This Article was the subject of prolonged discussion. It was agreed that there should be no mention of the Administrative Council in para 1 although such mention appeared in the U.N. draft. I stated that "Other meetings of the Union" would be taken to include meetings of the Administrative Council and this will appear on the record.

The United Nations group pressed for the use of the expression "shall be invited" instead of "may be invited" in the 2nd part of this paragraph, arguing that otherwise the principle of reciprocity would not be fully established. It was suggested that failure by the I.T.U. to concede this point would weaken mutual confidence and that the Secretary-General of the United Nations should be trusted not to send representatives when it was unnecessary to do so. In reply to my request for an assurance that the United Nations did not intend to take part in meetings which were not of concern to it, Mr. Kotschnig affirmed that the U.N. had no such intention, and that it had sent representatives to about five per cent of the I.C.A.O. meetings to which it had been invited. It was suggested that the words "may be invited" here as against "shall be invited" throughout the rest of the Article, "stuck out like a sore thumb." Finally after private discussion our group agreed that it would appear impolitic and churlish to press this point further and with the insertion of the words "after appropriate consultation," agreed to the paragraph in its present form.

Paragraphs 2, and 4 of the agreed text reproduce in essence paragraph 3 of the original I.T.U. text but paragraph 2 actually grants a little more authority to the I.T.U. Paragraph 3 is identical with paragraph 2 of the I.T.U. text, and paragraph 5 is identical with paragraph 4 of the I.T.U. text.

Before leaving this Article I must inform the Conference of another statement made by Mr. Kotschnig which has been brought onto the record of proceedings. This is - "With respect to the I.F.R.B. Mr. Kotschnig stated that the I.F.R.B. is concerned with highly technical matters of a kind not of interest to the United Nations and that therefore the U.N. would not be likely to attend these meetings."

ARTICLE III: Proposal of Agenda Items:

The words in the I.T.U. text "or shall otherwise appropriately inform its members of such items for their consideration" have now been omitted because the U.N. felt that there had been a mistake in the U.P.U. agreement from which these words were originally taken, with respect to this matter, inasmuch as the term "agenda items" had been confused with "recommendations." The passage was in fact superfluous and requirements are covered by the following Article.

The proposal of the U.N. to include a specific mention of the Administrative Council in this Article was rejected, but the Article was made somewhat more elastic by reference to "meetings of other organs of the Union" instead of "consultative committee or other meetings."

ARTICLE IV: Recommendations of the United Nations:

At the beginning of paragraph 1 mention has been made of the Articles of the Charter which are relevant at the request of the United Nations. This renders the paragraph somewhat more precise than that in our original draft. The words "for such action as may seem proper" were omitted because they were considered superfluous in the agreement.

Paragraphs 2 and 3 are identical with the original I.T.U. draft.

ARTICLE V: Exchange of Information and Documents:

This Article which was identical in both the drafts (submitted by the I.T.U. and the U.N.) was accepted without discussion.

ARTICLE VI: Assistance to the United Nations:

This is a most important Article and is one of those in regard to which a special directive was given to our Negotiating Committee by the Conference. The argument for the United Nations' draft was that it already represented a compromise. Various members of the United Nations' Committee would have preferred inclusion of Articles dealing separately with the Security Council, Trusteeship Council and non-self-governing territories. It is important to note that on the record of the discussions there is a statement of Mr. Kotschnig that "recommendations to the I.T.U. for assistance and cooperation would be made to the organization itself and not to its individual members. The I.T.U. would then make its decision. The United Nations could not issue directives; it merely made recommendations. The sovereign rights of the members of the I.T.U. would thus be fully safeguarded." After protracted discussion the Article as it now appears in column 3 of the statement contained in Appendix I was adopted. The wording was considered satisfactory by our negotiating group. The second paragraph of the original I.T.U. draft article has been omitted. This contained a specific reference to the U.N. Charter, and, as the United Nations did not wish to retain it, the I.T.U. was not interested to do so.

ARTICLE VII: Relations with the International Court of Justice:

This Article, which grants the I.T.U. access to the International Court of Justice, was inserted in the draft provisionally pending a decision of the Plenary Session of the Conference. The Spokesman of the U.N. explained to us that it was included purely in the interest of the I.T.U. In view of the provision for an Arbitration Board in the I.T. Convention and the infrequent occasions on which recourse has been had to that Board, there was some question as to whether there would be any advantage to the I.T.U. in inclusion of the Article. Our Committee felt however, that on the whole there would be something to gain by having it in and nothing to lose. It was therefore decided to submit the matter of decision to this Conference.

ARTICLE ON HEADQUARTERS AND REGIONAL OFFICES:

At our request it was agreed to delete this Article proposed by the U.N. with the informal understanding that if the I.T.U. should contemplate a transfer of its permanent headquarters, the appropriate officers of the I.T.U. would consult with the Secretary General in regard to pertinent arrangements. This is on record.

PERSONNEL ARRANGEMENTS:

I was constrained to observe that the U.N. draft of this Article and of those dealing with statistical services and Budgetary arrangements were far more detailed than would be appropriate for an agreement of this kind, and in fact rendered the appearance of the draft ill-balanced. The U.N. draft for this Article and the next appeared to contain matter which might more suitably find a place in a departmental handbook of instructions.

The agreed draft includes all essential points from the I.T.U. draft - and the following passage has been inserted in the summary record:

"Sir Harold Shoobert requested and it was agreed that the record would indicate that in making personnel arrangements the specific circumstances of the employment and the location of functions of I.T.U. personnel would be taken into consideration."

Before he left I brought this to the notice of M. Cortail, the Delegate of Belgium, on whose motion the mention of specific circumstances of employment and location of functions had been included in our draft article. He expressed himself satisfied.

STATISTICAL SERVICES:

The I.T.U. Committee accepted paragraph 1 of the U.N. draft which was considered clearer and more comprehensive than our own.

Paragraph 2 is identical with the U.N. draft, and varies from ours only by addition of the word "dissemination."

For para. 3 also the U.N. version was accepted, with the very important addition of the last sentence. I quote:

"All decisions as to the form in which its service documents are compiled rest with the Union."

By securing this addition we effected compliance with the third directive given to us by this Conference.

In regard to this paragraph 3, I requested that the U.N. Committee's explanation for the substitution of the expression "concern itself" for "make use of" should be entered on the record. The explanation (as stated in the summary of the proceedings) is found in the general responsibilities of the U.N. for the development of international comparability in statistics. In furtherance of this responsibility all phases of statistics including these special fields of primary concern to the I.T.U., could be of concern to the U.N. In this respect, the U.N. would not only

"make use of" I.T.U. statistics but might be concerned with the possible usefulness of such statistics in the general development of statistical data and methodology.

Paragraphs 4 and 5 of the U.N. draft were rejected.

Paragraphs 6 and 7 were accepted after consultation in our Committee but with the addition of the words "upon request" at the end of each paragraph.

ARTICLE ON ADMINISTRATIVE AND TECHNICAL SERVICES:

This Article was the same in both the U.N. and the I.T.U. drafts and was accepted without change.

ARTICLE ON BUDGETARY AND FINANCIAL ARRANGEMENTS:

The negotiations in regard to this Article were difficult, and several pages of the summary record of the proceedings are devoted to them. Fortunately the draft upon which agreement was eventually reached is such that I need not ask delegates to do much more than refer to the statement in Appendix I of TR 335, Article XI (X). I hope the staunch representative of France on our Committee will not mind me quoting him. He was unavoidably absent at the last meeting of the negotiating groups when this draft Budget Article was adopted. When he saw it he said:

"It was a great victory"

Although the Article as it now stands does not appear to call for comment it is only proper to mention that the Spokesman of the United Nations explained that in preparing their budgetary Article the U.N. had been influenced not only by previous agreements but also by the knowledge that during the next few years quite a number of governments might find it difficult to discharge their financial obligations to international organizations. He mentioned that a number of smaller countries were already growing apprehensive about their load. He pointed out that some of the expansion programme of the Union might be hampered by financial difficulties and that the specialized agencies might benefit from the kind of discussion provided for in paragraph 3 of the U.N. draft.

He concluded these remarks by stating that the U.N. budget article would in no way establish control over the budget of the Union. Later he suggested consultation between the Secretaries General of the U.N. and the I.T.U. on the preparation of the Budget. In the long tussle over this draft, the reasonable and helpful attitude of Mr. Kotschnig and his colleagues must again be acknowledged.

FINANCING OF SPECIAL SERVICES:

This Article is identical with the U.N. draft and varies from the I.T.U. draft only in substitution of the word "assistance" for "information" in paragraph 1. That expression is more appropriate to the intention of the Article.

INTER-AGENCY AGREEMENTS:

In paragraph 1 the wording adopted is that of the I.T.U. draft with the addition of "or international non-government organization." The Spokesman of the U.N. pointed out the possibility that the I.T.U. might wish to enter into an agreement with a non-governmental organization - for example in the field of radio research, that U.N.E.S.C.O. might enter into an agreement with the same organization and that all organizations should therefore be so informed. We therefore accepted the inclusion of "non-governmental organizations" but on condition that the word "international" should be added.

The U.N. negotiators were very reluctant to accept the I.T.U. 2nd paragraph, but eventually did so after slight alterations to meet their difficulties.

LIAISON:

This Article has undergone no change and is identical in the three drafts.

UNITED NATIONS TELECOMMUNICATION SERVICE:

This replaces Article II of the I.T.U. draft and Article XVII of the U.N. draft. It was drafted by the I.T.U. negotiating group. The arrangements contemplated in para. 3 have actually been referred to Committee C.

IMPLEMENTATION OF AGREEMENT:

The concluding words of the I.T.U. draft have been omitted as it was agreed that they were superfluous.

REVISION:

After some discussion the I.T.U. drafted was accepted.

ENTRY INTO FORCE:

With regard to this Article the Spokesman of the U.N. asked whether it would not be possible to obtain approval of the agreement by our Plenipotentiary Conference at Atlantic City in order that it might enter into force after

approval by the General Assembly. He informed us that with the exception of the U.P.U. the appropriate bodies of all specialized agencies had approved their respective agreements and their approval was not subject to ratification by Governments. We all felt that if possible it would be desirable to have an agreement which could come into force at least provisionally without waiting for ratification of the I.T. Convention 1947. The draft which has been adopted was framed by members of our group and we were assured by the Senior Legal Adviser to the British Foreign Office who happened to be in Lake Success at the same time as we were.

That, Mr. Chairman, concludes the review of our work - and I must apologize for having taken so much of the valuable time of the Conference. Since the return of our Committee from Lake Success we have received a reference regarding the advisability of including in our agreement an Article similar to paragraph 4 Article IX of the agreement of the U.N. with the International Bank for Reconstruction and Development to secure for officials of the I.T.U. the right to use the laissez passer of the U.N. We have also received a reference regarding a convention on the privileges and immunities of the specialized agencies. It seemed proper to mention these matters here but our Committee considers that they should be the subject of arrangements entirely separate from the agreement now under consideration.

In conclusion, Mr. Chairman and Ladies and Gentlemen, I would like once more to acknowledge the courtesy and reasonable attitude of the U.N. Committee on Negotiations, and the fine team work of my colleagues and also to express our appreciation of the assistance given to us by the group's Secretary, Miss Elizabeth Fox, and the interpreter, Mr. Gutmans. While we are engaged as a working group Miss Jessica Lambert gave us most valuable assistance.

Finally, I have to revert to two points:

Firstly, I must remind the Conference that a decision is required regarding the question of including the Article about the International Court of Justice.

Secondly, with regard to the reservation made by the E.C.O.S.O.C. in recommending acceptance of the agreement by the General Assembly, I would again repeat that in our view this is an extraneous matter which should emphatically not affect the decision of the I.T.U. Conference or the agreement as such. Thank you, Mr. Chairman."

Lastly, Sir Harold Shoobert pointed out an error in Article 2, paragraph 1, which should be corrected to read:

"....elles seront aussi invitées..." instead of
"....elles pourront aussi être invitées..."

The Chairman:

"Your Negotiating Committee has recommended that this Conference approve the Draft Agreement emanating from the two Negotiating Committees which appears in the right-hand column of Document 335 TR-E.

If we follow this recommendation, it will imply the adoption of the two specific points which have been mentioned.

Can we obtain unanimous agreement and approve in toto the agreement which has been negotiated?

Are there any objections?

No objection? The wording is therefore approved unanimously.

(Applause)

I should like to suggest that the minutes of this meeting make special mention of the fact that our Assembly expressed its most sincere thanks to Sir Harold Shoobert and to each of the members of the Negotiating Committee, who have accomplished such efficient and brilliant work in arriving at the agreement which we have just approved.

I am quite certain that I speak for all the delegates here present in expressing our hearty thanks to our colleagues.

(Loud applause)

Sir Harold Shoobert expressed his thanks on behalf of the entire Committee and stated that the reward most appreciated by the negotiators was the reception given by the present Assembly to the draft agreement.

7. ADMISSION OF PAKISTAN.

The Chairman recalled that Pakistan had already been admitted to the High Frequency Radio Conference. The Government of Pakistan had telegraphed to request the formal admission of its Delegation to the two other Atlantic City Conferences. Does anyone request the floor on this subject?

The Argentine Delegation made the following statement:

"We have not asked for recognition at this time to raise an objection. Quite the reverse. The point which we are about to discuss deals with the incorporation of Pakistan, and above all, the Argentine Delegation rejoices in the pleasant fact that a new free country is being added to the group of old members of the International Telecommunications Union. And for that reason, and for the real esteem which Pakistan, as a new country deserves, the Argentine Delegation feels compelled to call the attention of this assembly to a criterion of procedure, the so-called 'admissions,' which it is vital to clarify once and for all.

The order of the day which we have before us, speaks, in fact, of the 'admission' of Pakistan. The Argentine Delegation deems it necessary to stress the fact that a perceptible error of concept has crept into the idea of 'admission.'

The present conference -- it has been repeated to the point of exhaustion -- is regulated exclusively by the Madrid Convention, which concretely establishes the necessary criteria which must be expressly satisfied in order to acquire membership in the Union, that is to say, signature of the Convention itself on the one hand, or formal adherence on the other. In effect, Article 3 establishes the procedure of adherence for all new members who have not signed the Madrid Convention, and this adherence, when duly effected, automatically carries with it membership in the International Telecommunications Union at once, under normal conditions, without need of any further process of "admission." "Admission," then, has nothing to do with membership and must normally be limited to those cases contemplated by all the internal regulations which we have hitherto known.

(361 TR-E)

However, we do not wish to imply -- and are glad to make this assertion -- that Pakistan should go through the process of admission in order to become a member of the Union. It is obvious, from even slight survey of the case, that the process of adherence is not applicable to Pakistan. The case of Pakistan is "sui generis," which -- we repeat -- in our judgment, does not imply the necessity of a formal "admission" apart from the Madrid Convention, or, still less, the necessity of a precise and prescribed "adherence." On the contrary, the fact we must face is this: a member of the International Telecommunications Union, British India, has been divided into two neighboring states which today form part of the "commonwealth" of British nations under conditions of absolute legal equality. One of these dominions, India, retains its old constitutional and political name; the other acquires a new designation: Pakistan. But the two states are, in reality, the legitimate successors to the rights and commitments acquired by British India within the International Telecommunications Union when it signed the Madrid Convention. Therefore, it is not fitting to bring up the question of an "admission" apart from the Madrid Convention, and still less, to limit the process of admission to only one of the two successors. On the contrary, what is fitting -- purely and simply -- is to "recognize" that both these new states are equally the lawful successors of the old member of the Union which was called British India. And nothing more.

We move, therefore, that these two new states which today have become part of "commonwealth" of British nations, India and Pakistan, be "recognized" as members of the International Telecommunications Union in their capacity as successors of the British India, without subjecting them to any process of "admission" which, insofar as membership is concerned, is not authorized under normal conditions by the Madrid Convention, and for that very reason should not be adopted nor imposed."

The Chairman observed that the opinion expressed by the Argentine Delegation had given rise to no objection, and that Pakistan should be considered as admitted to the Telecommunications Conference. He stated, on behalf of the whole Assembly, that the Delegates of that country were very welcome.

Mr. Kari, Head of the Delegation from Pakistan, replied that his country would greatly appreciate their reception here on a footing of equality. He desired to express his sincere thanks to the Assembly and to Committee C.

(Very loud applause)

Sir Harold Shoobert. "Speaking for myself, I scarcely know how to express how much I appreciate the fact that Pakistan has been admitted to this Assembly in such a spirit of cordiality.

After spending twenty seven years in India, and after serving under Hindu Administrators, I feel that India and Pakistan are both very close to my British heart, and today I am very happy."

The Chairman gave a cordial welcome to the Delegate from Saudi Arabia, whom he greeted for the first time.

The latter, who had arrived sometime ago, thanked the Chairman warmly.

(Loud applause)

8. CONTINUATION OF THE DISCUSSION ON THE SUBJECT OF OUTER MONGOLIA (Document 230 TR-E).

The Chairman:

"You will remember that at the 4th Plenary Session, held on August 5, 1947, the Delegate from Outer Mongolia presented a request for the purpose of obtaining for Outer Mongolia the right to participate in the work of the Plenipotentiary Conference. This request given on page 35 of the minutes of the meeting just mentioned was worded as follows:

"....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."

This motion was presented at the end of a long session which began at 10 o'clock in the morning and was adjourned at 3 o'clock. Considering the lateness of the hour and the possibility that debates on this question would be inordinately prolonged, thus preventing the normal meetings of committees from taking place according to schedule, in the afternoon, I asked the Delegate from the Mongolian People's Republic if he would be good enough to agree to the postponement of this question until the next favorable opportunity. He agreed to my suggestion, and, as our present session is the first opportunity we have had to study the question, it was placed on the agenda.

The discussion is open."

The Delegate from the U.S.S.R.:

"Mr. Chairman, Gentlemen,

Realize, Gentlemen, that I have taken upon myself the functions of an advocate for the Republic of Outer Mongolia. I should now like to avail myself of the opportunity and once more to address the delegates here present, asking them to give favorable reception to the request of the Mongolian Republic and to admit it to participation in the Conference. I should like to have you admit it not simply in a consultative capacity but as a full member entitled to vote as a sovereign state.

I have great hopes, Gentlemen, that today we may, at last, reach an agreement on this subject.

My hope is founded upon the following fact: you have all had the opportunity of becoming personally acquainted with the Delegates from Mongolia who have already been taking part in the two other Conferences at Atlantic City. My hope is also founded on the fact that the High Frequency Broadcasting Conference unanimously decided on August 16 to admit the Delegation from the Mongolian Republic on a footing of equality with the other participants in this Conference.

It is with the greatest pleasure that I wish to stress the fact that those who have spoken in favor of the admission of the Mongolian Republic include not only myself but also the Delegates from Colombia and Cuba, following the brilliant address made today by the Delegate from Argentina himself, Dr. Mayo, who asserted that the topic for discussion must be the recognition, not the admission of Pakistan, since it is a sovereign state, and hence the question was that of its admission to the Union, not to the Conferences. I wish to endorse the words spoken by Dr. Mayo, and I feel that the reasons he adduced can be applied with equal force to the case of Mongolia.

I must remind you, Gentlemen, that in 1946 the Chinese Republic signed an official act recognizing the complete independence of the Mongolian People's Republic and, consequently, there can be no real doubt on the subject of the complete independence and sovereignty of the Mongolian People's Republic.

I wish to remind you also, Gentlemen, that at the last Plenipotentiary Conference 32 delegations voted in favor, 25 against, with 18 abstentions.

(361 TR-E)

Thus, you see that the majority opinion was in favor of an act of justice with respect to this sovereign state. It seems to me that if the delegations which are not wholly convinced of the rights of the Mongolian Republic wanted to abstain from voting, and if the delegations which had previously abstained consented to cast their votes for a just cause, the Atlantic City Conference could congratulate itself on having made one more great step forward."

The Chairman said he felt that the U.S.S.R. had presented a different proposal from the one submitted on August 5, namely, that Mongolia be admitted now as a member entitled to full voting rights.

The Delegate from the U.S.S.R. concurred.

The Chairman hoped, that if the question were reviewed, membership qualifications would not again be the subject of long discussions. This was a topic which had already been studied on several occasions. He asked delegates who wished to be recognized, to limit their speeches to the shortest possible time.

He asked whether anyone wished to second the proposal of the U.S.S.R.

It was supported, in particular, by Bielorussia, the Ukraine, Egypt and France.

The Chairman opened the discussion by explaining that the question before the meeting was to ascertain whether the Assembly wished to take up the study of the "admission" of Mongolia again or whether it wanted "recognition" of Mongolia as a member entitled to full voting rights.

The Delegate from the United Kingdom:

"I sincerely regret that I am obliged to speak. I shall only do so upon a point of procedure, which is as you have put it, the position in which we now stand. The question is as follows:

Do we or do we not wish to reopen discussion on a decision which was made after long study? There is no necessity for me to go into the details of this question. We remember them very well. I feel that everyone in this room will agree with me in saying that we should not again take up the study of this question without valid reasons for so doing.

As far as I know, Gentlemen, no reason whatever has been adduced in favor of reopening this question.

(361 TR-E)

The Delegate from the Soviet Union has made one observation, which is that we have become acquainted with the delegates from this country; this is the reason. I wish to emphasize that admission of a member with the right to vote should not be decided on the basis of personal questions. I have no personal motive; no one has. I repeat that no reason has been brought forward for reverting to the question and repudiating a decision which we have made. In the absence of such a reason, we should not reopen this question."

The Delegate from Cuba:

"I think we are now facing a problem of pure procedure, and it seems indispensable that we should reopen the discussion on the question of Mongolia. We are confronted by an abnormal case. Are we going to continue to follow illogical procedures here? We have allowed Mongolia to be present at the Radio Administrative Conference, and have admitted it to the High Frequency Broadcasting Conference. The Madrid Convention, which is always in force, and the Convention which we are now drafting both provide that a country cannot be a party to a Regulation if it is not a party to the Convention. As we have admitted Mongolia to participate in drawing up of the Radio Regulations and to sign this Act, I fail to understand how anyone can withdraw its recognized rights by refusing to allow it to participate in the work of the Plenipotentiary Conference."

The Delegate from Belorussia:

"After the meeting of August 5th, when the question of Mongolia was again raised, certain new events have occurred which justify taking up again the question of the admission of Mongolia as a member with full rights at the Plenipotentiary Conference.

This question can be favorably resolved by us in view of the unanimous decision taken by the High Frequency Broadcasting Conference. I repeat that the decision was unanimous. I am in complete agreement with the Delegate from Cuba who has just stated that the situation would be abnormal if Mongolia were a party to the Regulations and could not be a party to the Convention. Inasmuch as Mongolia is a sovereign state, its participation in all the work of the Union is not only desirable but would be very useful, and .

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it would indeed be desirable for the Republic of Mongolia to be included among the countries taking part in such work. It seems to me that this is one of the essential aims of our Union. Account must also be taken of the fact that Mongolia has fulfilled all the necessary formalities in accordance with the Madrid Convention. The question of the Republic of Mongolia must be settled and should be in line with what we have already done regarding Pakistan. I believe that this question, which has been deferred several times, can now be favourably resolved; in this way the principles of justice will triumph, and the high principles on which our Union is founded will win an overwhelming victory. We support the proposal of Cuba tending to rule on this question now, so that the abnormal situation involving this sovereign state may now be settled once and for all."

The Delegate from Colombia:

"We have been asked to present a new argument to justify reopening discussion. The argument is very simple: *errare humanum est*. An error has been made, as the Cuban Delegation has just remarked. It is the privilege of men to make mistakes and to rectify the mistakes which they have made. Every time that we make a mistake we should reopen the procedure and the line of conduct of the Union has always been to rectify at the right moment any mistakes which it may have made.

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The Delegate from Argentina:

"The Argentine Delegation does not entirely share the viewpoint which maintains that the case of Mongolia is similar in all points to that of Pakistan. As we have observed, in the case of Pakistan, it is a question of two countries succeeding a country with vested rights, whereas in the case of Mongolia, it is a question of a country whose independence has been recognized by China, but which has not the same recognized rights as China. Under these conditions, we recognize the fairness of the argument which has been advocated by the Delegate from Cuba, and we approve the statements of the Delegate from Colombia, which we fully endorse.

Moreover, I should like to introduce a new element which might perhaps place the Republic of Mongolia in a special position. This concerns the method of election of the members of the Frequency Registration Board. When this election procedure was formulated, it was decided to provide for four geographical regions, and to assign membership qualification to each of the participants; we have provided for a region C extending eastward from meridian 90° and northward from parallel 40°. We considered at that time that Mongolia could be included in the candidate countries, subject to the examination of the Assembly.

For this reason the Delegation from Argentina reaffirms its viewpoint, outlined at the time we examined the case of Mongolia, and sustains the proposal of Colombia and that of Cuba. We would like to see discussion reopened with respect to the admission of Mongolia."

The Egyptian Delegation believed that after the discussions in Committee C and in the light of what had just been said, there were sufficient reasons to justify a new examination of the question.

The Chairman wished to put the question to a vote.

The Delegation from the United Kingdom took the floor and stated:

"All the arguments advanced are, in my opinion, hardly rational. The first argument for reviewing the question is that Mongolia has obtained the right to vote in the Radio Conference. This happened before our Plenipotentiary Conference had taken a position. In the second place,

the fact has been noted that Mongolia has obtained the right to vote at the High Frequency Radio Conference. This argument is of no value. The Conference referred to and the Radio Conference are administrative Conferences.

The fact that outer Mongolia has obtained the right to vote in another Conference is not an argument for giving it the right to vote in the Plenipotentiary Conference. Another argument that was advanced was that we should reopen the question because no objection was made on August 5. No objection was raised on August 5 because we did not have time. The United Kingdom is opposed to giving Mongolia the right to vote in this Conference. The argument that there is a parallel between the situation of Mongolia and that of Pakistan is also without foundation. This parallel does not exist, it is false. Pakistan has been admitted as a member of the United Nations on the decision of the Security Council. Mongolia, at the same meeting, perhaps on the same day, was refused by this same Council of the United Nations. It has also been advocated that we reopen the debate on this question because we made a mistake in taking this decision. If there has been an error, it has not been in refusing outer Mongolia a vote in this Plenipotentiary Conference, but in granting her votes in the Radio and High Frequency Broadcasting Conferences. It has also been stated that Mongolia should have the right to vote in view of its independence having been recognized by China. The situation existing between Mongolia and China has not changed since our previous decisions. It existed at that time, and there can be no reason for this state of affairs being altered. It has been maintained, and I think this is one of the most amazing arguments presented, that for certain reasons relating to admission to the Frequency Registration Board, Mongolia should be given the right to vote in the Plenipotentiary Conference. It is inadmissible that questions discussed in committee should have a bearing on decisions of the Plenipotentiary Conference.

Lastly, I think that the Delegate from Egypt alluded to a discussion in Committee C. The fact is that the conditions of admissions of new members have not yet been dealt with in Committee C. I repeat that no reasonable and valid argument has been presented for reopening a question which we have already fully decided upon."

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The Delegate from Vatican City:

"I have observed that reference has been made here to various motives bearing on the admission of members. I cannot share all the opinions which have been expressed on this subject, but without going into detail, principles remain: general principles govern the admission of members, and these general principles can and must permit reopening a question which has already been settled. Insofar as the principle of membership itself is concerned, I believe that we should still at this time abide by the Madrid Convention. As I stated the first time the membership question came up, the following principles should govern the discussion:

In the first place, we must determine whether or not a country is a member of the Union under the terms of the Madrid Convention. If it is a member, we have no authority to exclude it. If it is not a member, we have no authority to make it a member under the Madrid Convention. With regard to the procedure, it has been said that *errare humanum est*. But if one perceives that one has erred, one's duty is to correct that error. I have no intention of stressing this statement in connection with any specific error, but, referring back to the principles which I have set forth, I am convinced that our Conference has erred. That is why I am embarrassed now, because I personally, am very anxious to abide by principles, whether they are the principles which govern membership at the present time, or the principles of review of an erroneous decision. And that would make it necessary for me to be consistent, to point out other errors, and I would therefore strengthen my argument to show that it would be in the interest of the Conference to review this question. I am sure a discussion would ensue which would embarrass the Conference. In order to avoid embarrassing you, I believe that the best solution on my part is to abstain from voting on this question.

I beg you to take my abstention as proof of my desire not to embarrass the Conference with another allied question. In conclusion, I say to you: Fear not."

The Delegate from South Africa:

"I should merely like to call the attention of the Conference to the fact that Outer Mongolia was admitted to the Radio Conference as the result of a vote, and that, subsequently, when the question came up for discussion again at the Plenary Session of the High Frequency Broadcasting Conference, it was decided that, in this matter, the High Frequency Broadcasting Conference could

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be considered as an extension of the Radio Conference. Later, when these questions were discussed at our Plenipotentiary Conference, we ruled that admission to the Union should be determined by a two-thirds majority vote.

Mongolia did not obtain this two-thirds majority, and all the arguments submitted this morning have already been submitted. I therefore second the motion of the United Kingdom; this question should not be reopened.

The Delegate from Cuba:

"I gather that my previous statements were not clearly understood by all the members of the Conference. I can assure you, gentlemen, that we did not base the principle of the admission of Outer Mongolia to the Plenipotentiary Conference on the fact that it had been admitted to the Radio Administrative Conference. In my statement, I confined myself to pointing out one fact: it is the obvious fact that the Outer Mongolian Republic was admitted to the Radio Conference as a voting member; that is a fact which we are not called upon to discuss, it is an obvious fact as every one knows. Mongolia, therefore, has the right to sign the Radio Regulations. That is another fact, and, another right, and I do not see how it can be denied to her. To exclude the Outer Mongolian Republic from the Plenipotentiary Conference is to prevent her from fulfilling a condition necessary to the signing of the Regulations; it is, moreover, resorting to a legal subterfuge to deprive her of rights which have already been recognized and established. Nevertheless, I agree absolutely with the Delegate from the United Kingdom that the time has come for this assembly to decide by a vote whether or not it has sufficient legal authority and motives to warrant reconsideration of the decision previously reached. Under these circumstances, Mr. Chairman, I request you to carry out your plan of reopening this question of procedure."

The Chairman remarked that questions of procedure must be settled by the Assembly. He recognized the Delegation from the United Kingdom, which made the following statement:

"I wish to reply to the new argument presented by the Delegates from the Vatican and from Cuba. It is based on the fact that Mongolia is a member of the Union under the terms of the Madrid Convention. It is not necessary to discuss this question; on this point, as far

as I know, there is no parallel with any other case. There is no provision in the Madrid Convention authorizing any agency whatsoever to vote in the Plenipotentiary Conference. Under the terms of the Madrid Convention, each Plenipotentiary Conference must make new rulings in order to determine which members shall have the right to vote and which ones shall not. It has been decided that Mongolia is not entitled to vote. There can be no further discussion on this point. If the Delegates concerned will be good enough to study the Convention they will see that the question of rights must be eliminated. I regret to say that no valid argument on this subject has been advanced."

The Chairman then had a roll-call vote taken to determine whether it was the desire of the Assembly to reopen the discussion on the case of Mongolia.

The results of the vote were as follows:

Ayes: 40; Noes: 17; Abstentions: 13; (8 delegations were absent).

Voted for: Albania; Saudi Arabia; Argentina; Austria; Belgium; Belgian Congo and Territories under Mandate of Ruanda Urundi; Bielorussia; Burma; Brazil; Bulgaria; Colombia; Cuba; Denmark; Egypt; Ecuador; Ethiopia; Finland; France; Colonies, Protectorates and Overseas Territories under French Mandate; French Protectorates of Morocco and of Tunisia; Hungary; India; Iran; Lebanon; Luxembourg; Monaco; New Zealand; Pakistan; Netherlands; Curacao and Surinam; Netherlands Indies; Philippines; Poland; Portuguese Colonies; Sweden; Syria; Czechoslovakia; Ukraine; Union of Soviet Socialist Republics; Venezuela; Yugoslavia.

Voted against: Union of South Africa and Territory under Mandate of South West Africa; Australia; Canada; Chile; 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; Ireland; Iceland; Mexico; Peru; Portugal; Uruguay.

Abstentions: Afghanistan; China; Vatican City; EL Salvador; Guatemala; Haiti; Iraq; Italy; Norway; Panama; Siam; Switzerland; and Turkey.

Absentees: Bolivia; Costa Rica; Dominican Republic; Liberia; Nicaragua; Paraguay; Roumania; Yemen.

The Chairman stated that the Assembly had decided to examine the proposal of the U.S.S.R. Delegation tending to admit Mongolia. He believed that one could abstain from reopening the question in the main as it had already been examined at great length, and he proposed to put the question to a vote without delay.

The Delegate from the United Kingdom regretted that he was unable to give his agreement. The result of the vote, he said, shows that a strong majority believed there were sufficient reasons to review the question, but we have not yet reconsidered it at all. Under these circumstances, we can not put the question to a vote without discussion.

The Chairman did not intend to limit the rights of Delegations to explain their points of view but since a matter which had been examined at length was involved, he would like the discussions to be as limited as possible, and the speeches brief with not too many speakers. He hoped that the Delegation from the United Kingdom would share this opinion.

The Delegate from the United Kingdom stated that he had been caught unawares and was therefore in a disadvantageous position. The initial question had been to admit Mongolia in a consultative capacity. Although time was precious, he asked permission to reflect a little on this new situation, and proposed that the debate should be postponed.

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The Chairman asked whether any Delegation wanted to take the floor regarding this proposal.

The Delegation from Colombia, noting that the "time" factor was most precious, and that the Conference was familiar with every detail of the question, made a counter proposal to take an immediate vote.

The Delegate from the U.S.S.R.:

"I sincerely regret that the very distinguished Delegate from the United Kingdom tenaciously insists on preventing the People's Republic of Outer Mongolia from being admitted, and that he is even opposed to what has already been adopted by the majority at this meeting. I must admit that I fail to understand the motives behind Mr. Townshend's action in so insisting against this admission. Perhaps it is a personal matter on his part, and I do not want to investigate it, but in any case we have just now voted, and the majority has expressed the opinion that the question must be re-examined immediately. I must again confess that I have no reason whatever why we should not accede right now to the wishes of the majority. I therefore believe that the only procedure to follow now is to act in accordance with the decision which has just been taken."

The Delegate from Lebanon believed that the decision of the majority must be applied, and, opening the debate, asked whether the Chinese Delegation was in a position to tell us the degree of independence and economy which the legal Government of China had accorded to Outer Mongolia.

The Chairman thought that the question of possible postponement should be settled first.

The Argentine Delegation supported the counter-proposal of Colombia and added: "We believe that the discussion concerning Mongolia may be considered as exhausted. If we were to make a balance sheet of the reasons which have been presented to admit Mongolia, we could divide them in two parts: The reasons which are known by all and those that no one knows.

Concerning the known reasons, we believe that these have been discussed sufficiently and that the question was exhausted. As for the unknown reasons, the Argentine Delegation

has doubts that by delaying to-day's decision, such reasons can be known in time for the next meeting. We therefore support the counter-proposal of Colombia to proceed with the vote to-day and settle finally the position of Mongolia.

The meeting then proceeded to a vote by a show of hands.

The motion to adjourn was lost by a large majority.

The Chairman opened the discussion and renewed his appeal for brevity. He recognized the Delegate from the United Kingdom, who spoke as follows:

"This question is obviously of the greatest importance, and we are here to discuss it as plenipotentiaries of our respective governments which are, for the most part, members of the United Nations.

"However, we are not members of our respective Foreign Ministries but of the telecommunications service. This is our position; we are specialists in the field of telecommunications, we are not specialists in questions of foreign policy. We cannot insist too strongly that so important a question must not be settled until we have had time to consult our respective governments, and to obtain information on questions such as those raised by the Delegate from Lebanon on the underlying relations between Mongolia and China. I am no expert, and the majority of the delegates to this conference are probably unable to come to a decision on these political questions and on questions which have been discussed in the United Nations. I stated, when I was endeavoring to convince you that no reasons existed for repudiating an earlier decision, that nothing new had developed since then to warrant reverting to this point. One thing which I omitted, has however, arisen since that time, which is that, for the second time, the Government of Outer Mongolia has applied for admission to the United Nations. Its application was rejected by the Security Council. I believe that we shall be guilty of frivolity, yes, I said frivolity, of culpable irresponsibility, if we do not in some manner obtain information on the reasons underlying this decision and on the aspects of broader policy which concern the United Nations and the specialized agencies. We have not had an opportunity to study this particular question of the Security Council, and it is six weeks since we carried out the studies which were made. Since then, we have not had an opportunity to refresh our memories. Hence, I can only say that if this decision be made now after the statement which I have just made without being able to prepare it, if, I repeat, this decision is made, we shall have no alternative but to vote against the admission of Mongolia. In fact, we are of the opinion that, at the present time, Outer Mongolia is not generally recognized as an independent country in its foreign relations.

That completes my statement."

The Delegate from Lebanon said he would like to ask the Chinese Delegation to reply to the question he had put. There might be circumstances, he said, which would militate for Mongolia, or against it.

The Chairman asked the Delegation in question if it wished to reply.

The Delegate from China said that he could not make a precise statement. Newspapers and broadcasts have made it known that, in the Security Council, China was one of the countries which opposed the admission of Outer Mongolia. He said that he could not give a very definite answer.

The Chairman asked whether a secret ballot was desired. Six delegations requested the secret ballot.

After obtaining recognition, the Delegate from the U.S.S.R. spoke as follows:

"I raised my hand only to add two words with a view to clarifying the question put by the Delegate from Lebanon, a question to which the Delegate from China was not in a position to reply. I officially state that the Republic of China signed the act which is generally known, recognizing the complete independence of the People's Republic of Outer Mongolia. The fact that, in the Security Council of the United Nations, the Delegate from China opposed the admission of Mongolia to the United Nations is obviously not based upon the fact that the Delegate from China at the Security Council had any doubts as to the independence and sovereignty of Mongolia, the question was put in another manner. Between the Republic of China and that of Mongolia, there are several questions which have not yet been solved, questions of frontiers. For this reason there have been several frontier incidents. I do not intend to go into details and try to ascertain who is guilty of these frontier incidents, but I believe that this is a fact which might have an influence on the question of the admission of Mongolia to the United Nations. However, this is a reason which can have no influence whatever on the decision we must make here in the International Telecommunications Union."

The Delegate from the United Kingdom: "I think it would be unfair not to give me an opportunity to reply to the statement which has just been made by the Delegate from the Soviet Union. The facts and motives which led the Security Council to take this step have been mentioned, but we have been given no time to obtain authoritative information from our respective governments. Mr. Fortoushenko has pointed out that these facts could have no bearing on our decisions.

How can we make a decision without having time to contact our governments? The Delegate from China said that he did not have this documentation. Mr. Chairman, may I ask you to take this point into consideration in connection with the procedure.

The Chairman again consulted the Assembly concerning the eventual postponing of the discussion.

By a strong majority the Assembly voted a second time against postponement.

The Delegation from the United Kingdom understood that the question raised was whether Mongolia would be admitted as a member with the right to vote at the Plenipotentiary Conference, and that a positive result could be obtained only by a two-thirds majority vote.

The Chairman confirmed this interpretation, and proceeded to a vote by secret ballot.

This vote gave the following results:

For: 32; against: 28; abstentions: 9.

The Chairman indicated that 60 votes had been cast, and that, since two-thirds of 60 is 40, the required majority had not been obtained, and that the proposal was therefore rejected.

The United Kingdom Delegation wish it to be placed formally on record that in their view

- (1) decisions of major importance should not be taken by the Plenary Assembly on disputed issues which have not been placed, on the agenda, and
- (2) in the event of such matters being raised in the course of debate, delegations should be allowed the opportunity, by adjournment of the debate for a reasonable time, of obtaining readily available authoritative information relating thereto and of seeking instructions from their Governments, if they so desire.

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The Chairman: "This statement will be included in the minutes."

The Delegate from Bielorussia reminded the assembly that the original proposal to admit Mongolia in an advisory capacity remained to be examined, and he asked that this proposal be put to the vote.

The Chairman pointed out that the Internal Regulations do not provide for participation of this sort, but that on the other hand, they provide that the meetings are, in general, to be public. The Internal Regulations should be completed, but no proposal has as yet been brought forward in this connection.

The Delegate from the U.S.S.R.:

"Mr. Chairman:

I am in complete agreement with the point which you have just explained. As a matter of fact, no regulations of the conferences and still less of the Plenipotentiary Conference contain any provisions allowing any State to take part in a conference in a consultative capacity as an observer. Such a rule can only apply to certain international organizations or private operating agencies.

Consequently, speaking for myself, I am not in a position to support the proposal made by the Delegate from Bielorussia, since I believe that any sovereign state, and, in particular, the Republic of Outer Mongolia, cannot accept such a situation: that is to say, to be present at plenipotentiary conferences such as ours in the capacity of a simple observer.

On the other hand, I should like to have minutes of the present Session include the expression of our emphatic protest. We are in fact, deeply moved, and we protest very strongly, and we insist that the minutes should repeat our protest. The decision which has been made is unjust towards a sovereign state.

I desire that this should appear in the minutes as a very strong protest, Mr. Chairman, to go down in History, since, in future days History will study and will judge, and such a case, without any precedent, will find its reflection in History. I therefore demand once more that my declaration should appear in the minutes."

The Chairman said that this would be done.

He asked the Delegate from Bielorussia whether they wished to pursue the matter.

In view of the explanations which had been given, the latter replied in the negative.

9. Miscellaneous.

The Delegate from Lebanon recalled that the date for the signature of the Acts had been fixed for September 15. In view of the difficulties in making reservations on steamships, planes....he asked whether it was possible definitely to count upon this date.

The Chairman pointed out that the Conference had set September 15 as the approximate date for signing the Radio Regulations and eventually the Convention, and September 28 as the deadline for the departure of the Delegations. This final date could be observed. On the other hand, on September 15 (or September 16) it would be possible to sign only the Radio Regulations.

With the way thus cleared, the work of the Telecommunications and the High Frequency Broadcasting Conferences could be expedited.

The Convention could in all probability be signed on September 22 or 23, and the last documents could be finished about September 27. In order to observe these dates, it would be necessary to take appropriate steps (detailed day by day schedules, six meeting days a week) - steps which the Assembly tacitly approved.

Lastly, it will be necessary, the Chairman added, for us to follow the example set at today's meeting, and reduce all statements to a minimum.

In this connection, he drew attention to a very commendable note drawn up by the United Kingdom Delegation, and distributed to the Heads of Delegations. Several copies of this note were still available.

The Chairman pointed out that the Polish Delegation had requested that this country be exempt from paying its contribution to the Union during the Occupation period (1940-1944). Yesterday's meeting of the Heads of Delegations had recommended that this question and questions connected with it be referred to Committee C.

This recommendation was approved.

Then, the Secretary General read the following two communications:

1) Letter from the Delegation from Lebanon:

"Atlantic City, August 30, 1947

The Chairman of the Telecommunications
Conferences
Atlantic City.

Mr. Chairman,

I beg to advise you that I have entrusted the Egyptian Delegation with the task of representing me in the various Radio and High Frequency Committees. This Delegation shall thus be empowered to take part in all discussions on behalf of Lebanon and to vote on its behalf.

Yours very truly,

The Delegate from Lebanon

(sgd.) G. Nammour."

2) Telegram from Tinane (Albania)

" In the name of the Government of the People's Republic of Albania, we name Mr. Josif Guljet, Delegate of the Yugoslav Government, as Delegate of the Albanian Government at the Telecommunications, Radio, and Broadcasting Conferences. Credentials for the signature of the Telecommunications Convention follow by mail.

The Prime Minister and Minister of Inculture

Nako Spiru."

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A record was made of these two communications.

Since there was nothing further on the agenda and no one asked for the floor, the meeting was adjourned at 1.30 p.m.

The Secretaries-General:	The Secretaries:	Approved:
L. Mulatier	E. Rusillon	The Chairman
Gerald C. Gross	P. Oulevey	Charles R. Denny
	G. Corbaz.	

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 362 TR-E

September 7, 1947
Committee E

Report of the Convention
Committee
(Committee E)

17th Meeting, 4th
September, 1947

1. The Chairman called the meeting to order at 3:40 p.m.
2. The Committee agreed the minutes of the 15th Meeting (345 TR) subject to the following amendments: -

[In the English text]

- (i) Para. 3. delete two references to "Denmark" and insert "the Netherlands."
- (ii) Para. 4. (iii), in the fifth line insert quotation marks before "The"; in the ninth line delete "int'l" and insert "international"; in the tenth line insert quotation marks after "etc".
- (iii) Para. 5. third line, delete "afriad" insert "afraid".
- (iv) Para. 6. delete "1876" insert "1875."
- (v) Para. 12. end of para., delete "E."
- (vi) Para 21. Note, second line, delete last four words and insert "the text will be."
- (vii) Para. 25. first line, delete "their", insert "the U.K."
- (viii) Para 27. delete "[see Annex.1.]"
- (ix) Para 32. delete "forwarded" insert "favoured."
- (x) Para 34. delete parentheses around last sentence.
- (xi) Alter the Chairman's initials from "C.B." to "H."

3. The Committee agreed the Minutes of the 16th Meeting (346 TR) subject to the following amendments: -

[In the English text].

(i) Para. 3, statement of U.K. delegate, fourth line, delete "on"; sixth line, delete "Articles", insert "Paragraphs."

(ii) Para. 3, statement of the Canadian delegate, delete "be in charge of" insert "need to send."

(iii) Para. 4, at request of U.K. delegate delete his statement and insert "The delegate of the United Kingdom, referring to paragraphs 271 and 693 of Telegraph Regulations, stated that while the Convention definition was clear, the provisions of the Telegraph Regulations might lead to doubt whether press telegrams were "private telegrams." He suggested that the point should be noted for the next Telegraph Conference."

(iv) Para. 5, insert following heading "Government Telegrams and Radiotelegrams."

(v) Para. 5, second sub-para., insert "of" after "definition."

(vi) Para. 5, third sub-para., delete "working" insert "wording."

(vii) Para. 6, top of p. 3, second line after colon insert "the" before "department" strike out "or service" and "and the Regulations."

(viii) Para. 6, sub-para. five, insert "of the Radiocommunications Conference" after "definition."

(ix) Para. 6, sub-para. seven, delete "service" and "any service" and insert respectively "the department" and "a department or agency."

(x) Para. 7, page 5, delete fourth sub-para. beginning "An operating agency etc."

(xi) Para. 7, page 5, fifth sub-para., delete "companies" and insert "operating agencies."

(xii) Para. 7, page 5, tenth sub-para. 1 at the request of the delegate of the U.K. delete his statement and insert "... further pointed out that an additional column could be added to the list of private operating agencies in the Rapport de Gestion of the Bureau."

4. 330 TR.

Article 22. "Telecommunications as a Public Service."

At the suggestion of the Chairman it was agreed to defer consideration of this pending the agreement of definitions of "public correspondence." The Chairman reminded the Committee that they had agreed to alter the title by substituting a suitable phrase in place of "public service" para. 8, 346 TR.

5. 330 TR.

Article 26. "Stoppage of Telecommunications."

The Chairman considered that the Committee should make quite sure that the point raised by the delegate of the Netherlands (345 TR para. 3.) had been covered. He invited the delegate of the United Kingdom to comment on this as a member of the Drafting Group.

6. The delegate of the United Kingdom explained the reasons for the wording of the text submitted by the Drafting Group. (See statement at Annex 1.)

7. The delegate of the Netherlands said that he had been doubtful whether the text covered his point but was prepared to accept it, in view of the statement by the United Kingdom representative.

8. The Delegate of France suggested the substitution of "telegram" in place of "telegraphic communication" in Art. 26 § 1., and "or telegraphic communication" in place of "conversation" in Art. 26, § 2. He felt that these changes would make the sense clearer and he did not think that § 2 as it stood would give the right to cut off telegraphic communication.

9. After discussion in which the delegates of France, the U.S., the U.K., the Netherlands, South Africa, Canada, and New Zealand participated it was agreed to amend the text as proposed by the delegate of France and submit it as follows, to Committee G.

" Article 26
Stoppage of Telecommunications

§ 1. Each contracting government reserves the right to stop the transmission of any private telegram or radiotelegram 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.

§ 2. Each contracting government also reserves the right to cut off any private telephone or telegraphic communication which may appear dangerous to the security of the state or contrary to its laws, to public order or to decency."

10. 330 TR.

Article 35. "Interference."
Art. 35 § 1.

The delegate of the United States suggested that "interfere with" be deleted in § 1. and that "result in harmful interference to" be inserted.

11. The Chairman said that in the English text "reorganized" should be changed to "recognized" and "them" should be inserted in place of "these contracting governments."

12. The Committee agreed the text as amended.

13. Art. 35 § 2.

The Committee agreed the text of § 2 subject to the deletion therefrom of "which does not itself operate radio facilities."

14. Art. 35 § 3.

The Committee agreed the text of § 3.

15. Art. 35 § § 1, 2 and 3.

The Committee agreed to submit the following text to Committee G.: -

Article 35

Interference

§ 1. All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio services or communications of either the other contracting governments or the private operating agencies recognized by them and of other duly authorized operating agencies which carry on radio-communication service.

§ 2. Each contracting government undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of paragraph 1 above.

§ 3. In addition to the obligations provided in paragraphs 1 and 2 above, the contracting governments recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in paragraph 1."

16. 330 TR.

Article 36. "Distress Calls and Messages."

The United States delegate believed that the Committee had agreed to amend the text to cover all radio stations. As to § 2, the United States had already stated its position that it did not favour putting this paragraph in the Convention and would prefer a more detailed provision in the Regulations. He questioned whether § 2 should be put in Article 36 which was an Article appearing in the Chapter on Radio-communications.

17. The Chairman stated that it was for Committee G to decide where § 2 should appear in the Convention.

18. The Committee agreed to insert "Radio" at the beginning of § 1, to delete therefrom the words "participating in the mobile service" and to submit the text as follows to Committee G.: -

Article 36
Distress Calls and Messages

§ 1. Radio Stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as they may require.

§ 2. The international telegraph and telephone services must accord absolute priority to communications concerning safety of life at sea or in the air.

19. 330 TR.

Article 39. "Installations for National Defense Services."

The Committee agreed (i) to delete "provisions of the regulations" in § 2, and to insert "regulatory provisions."

(ii) to submit the following
text to Committee G.: -

"

Article 39
Installations for National Defence Services

§ 1. The contracting governments retain their entire freedom with regard to military radio installations of their army, naval and air forces.

§ 2. Nevertheless, these installations must, so far as possible, observe the regulatory provisions relative to giving assistance in case of distress, and to the measures to be taken to prevent interference.

§ 3. 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.

§ 4. Moreover, if these installations take part in the service of public correspondence or other services governed by the Regulations annexed to the present Convention, they must, in general, comply with the regulatory provisions for the conduct of such services."

20. Article 32.

The Committee agreed to submit the Madrid text to Committee G. ()

21. Definitions
344 TR

(a) "Private operating agency"

(b) "Recognised private operating agency"

The delegate of the United States considered that the definition of "private operating agency" should be "any individual or any company or corporation other than a governmental establishment or agency operating telecommunication installations" and the definition of a "recognised private operating company" should be "an agency is regarded as recognised by the government of the country in which the Head Office of the Agency is situated, which government, being a member of the Union, undertakes the obligations contemplated in Article 9. of the Convention." He thought that the provision about notifying the Berne Bureau should appear in some place other than the Convention or Regulations.

22. After discussion in which the delegates of France, the U.S., the U.K. and Canada participated, the Committee agreed, on the suggestion of the Chairman, to request the Drafting Group

(1) to prepare a definition based on (a) of 344 TR as it stands, possibly omitting the words "under Article 9." etc. to the end, and also to permit a separate and suitable definition to cover only those private operating agencies which should be included in a list in the Rapport de Gestion

and

(2) to consider the appropriate form of the list in the Rapport de Gestion.

23. The Chairman stated that the work remaining for the Committee was as follows: -

Remaining definitions.

Art. 22. (dependent on a suitable definition of "public correspondence")

Art. 33.

Art. 15.

Proposals by the U. S. in Doc. 2 - TR and by the U. K. in Doc. 9 - TR., relating to privileges and immunities of the Union.

Texts remitted to the Drafting Group.

24. The Chairman adjourned the meeting at 5:36.

Rapporteurs:

A.G. David

Chairman:

A. Fortoushenko

ANNEX 1

Until the rules in the Telegraph Regulations have been developed as a result of C.C.I.T. studies, it is difficult to adopt precise terms in the Convention. With the terminology at present at our disposal for the Convention a telex message may be regarded as a telephone call or as a telegram.

The words "any private telegraphic communication" in § 1 are intended to cover both private (as distinct from Government) telegrams transmitted over the public network and also messages "teleprinted direct from subscriber to subscriber over the public telex network. It is suggested that if a telex call is regarded as a telephone call the case is covered by § 2.

The same remarks apply to facsimile. If a non-Government facsimile is sent by a "public to public" service is it not covered by "any private telegraphic communications?" If it is sent between two stations owned by private enterprises such as newspapers, a telephone channel is booked and § 2 would apply. So far as private channels, properly so called are concerned (e.g. leased wire), there is no provision in the Acts. I suggest that Administrations take all necessary powers of control in their agreements with renters.

I suggest that in view of difficulty of getting greater verbal precision at the present stage of development of telex and facsimile the Netherlands delegates might be ready to accept the text now offered, with perhaps some record of its interpretation in the minutes. The interests of the Netherlands in the matter of telex is fully appreciated in view of their valuable contribution to its development through Mr. Perry the Principal Reporter of the C.R. concerned.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 363 TR-E

September 7, 1947

Committee C

Report
of Subcommittee C-1 (Finances and Personnel)
of Committee C

12th Meeting
September 4, 1947

The Chairman, Mr. J. T. Hwang called the meeting to order
at 3:35 P M

He submitted the reports of the 10th and 11th meetings
(Documents 333 TR-E and 340 TR-E), to the Subcommittee.

Report 333 TR-E was adopted without comment.

In report 340 TR-E, the Delegate from Great Britain re-
quested that in the fourth line on page 4 of the English text,
the word "accepted" be replaced by the word "agreed."

The Delegate from Greece requested the following addi-
tions:

1. On page 1 of the French text (page 2 of the
English text) after the intervention of the
Swiss Delegate, add:

"The Delegate from Greece deemed it advisable
to keep the proposed wording. The Working
Group had presented a first text which was
more general and shorter on the assumption
that the expenses would be enumerated in an-
other resolution of the Conference. However,
Committee C had given us specific instructions
to enumerate the principle categories of ex-
penses."

2. On page 2, after the intervention of the
Portuguese Delegate add:

"The Delegate from Greece believed that it
would be necessary to agree that, with the
exception of the expenses of the Interna-
tional Consultative Committees, all other
expenses of these Committees should be put

in the category of ordinary expenses to be charged to the Union. He failed to understand the separation of the salaries of specialized secretaries from the expenses of the buildings, light, heat etc. All these secondary expenses should be considered as included in the enumeration appearing in the draft of paragraph 4."

Report 340 TR-E thus amended, was adopted.

The Chairman recalled that, at the last two meetings, the Subcommittee had successively adopted drafts for the various paragraphs of Article 5. He proposed reviewing this article as a whole to put it in a final form and referring it to Committee C. The approval of this article which was a condition of the budget of the Union was very important and urgent.

The Subcommittee approved this procedure.

Paragraphs 1 and 2, as they appear in the report of the 10th meeting, were adopted without change although the Delegate from India had suggested replacing the word "class" which, in his opinion, was too sociologic in meaning by the word "category."

Paragraph 3, as it appears in the report of the 10th meeting, was adopted without change. However, the Subcommittee pointed out that, to conform to the decision which might be made by the Conference, the words "Secretary General" would possibly be replaced by the words "Director-General."

In regard to paragraph 4, the Chairman recalled that the Subcommittee had had a long discussion on the question of ascertaining to what extent it was advisable to itemize the enumeration of ordinary expenses.

The Working Group of Committee C had had discussed a provision which appeared in paragraph 9 of Document No. 344 TR-E, which stated that "only traveling and per diem expenses undertaken by the Members of the Administrative Council, and in their capacity as such, shall be charged to the Union."

This Working Group would agree to delete this paragraph 9 if the corresponding point were dealt with in article 5.

The Delegate from Portugal felt that Article 5 should not be made too long. He would prefer that paragraph 4 should deal with ordinary expenses without itemizing them. Details could be shown in the budget submitted to the Plenipotentiary Conference for approval.

The Delegate from Switzerland thought that it would not be wise to review the wording of this paragraph 4 which had already been discussed at great length by the Subcommittee. He suggested retaining the text previously adopted and informing the Working Group of Committee C that it should consider retaining paragraph 9 in Document 344 TR-E.

The Chairman was of the same opinion and the Subcommittee adopted this point of view.

The Delegate from India raised the question of incorporating the expenses of the buildings of all the permanent agencies of the Union in the ordinary expenses of the Union.

The Chairman recalled that this question had been discussed at great length at the previous meeting and that a note relating to paragraph 4 provided that "the text of this paragraph, insofar as it concerns the Consultative Committees, will be subject to revision when Committee C has studied this question." However, he felt that this note was not sufficiently clear and suggested that it be changed.

The Subcommittee adopted paragraph 4 as it appeared in the report of the 11th meeting and, on the proposal of the Delegate from France, the Subcommittee adopted the following text for the note relating to paragraph 4:

"The text of this paragraph must be modified if Committee C decides that all ordinary expenses of the consultative committees shall be borne by the Union."

The Chairman submitted paragraph 5 to the Subcommittee, as this paragraph appears in the report of the 11th meeting.

The Delegate from the United Kingdom asked for some details on the contributions now being paid by private operating agencies and international organizations.

The Director of the Bureau explained that private operating agencies do not contribute to the expenses of the administrative conferences as they are automatically placed in the 10 - unit class for their contributions to the expenses of the meetings of the Consultative Committees. He was afraid that numerous private operating agencies, although they were able to contribute in the proportion of 10-units, would take advantage of the possibility offered by the proposed text to place themselves in a one unit or three-unit class.

The Delegate from France believed that large companies as well as large countries would put themselves in the classes which really correspond to their possibilities and their importance. The new form proposed would enable the small companies which were interested in the work of the Consultative Committees to participate in it, whereas the present form is too onerous for these small companies.

The Subcommittee then studied the conditions under which private operating agencies participate in Administrative Conferences and in meetings of the Consultative Committees. After a short discussion, taking into account the fact that private operating agencies must apply for admission to these Conferences and meetings, the Subcommittee decided to replace in the second subparagraph of paragraph 5 the words "have agreed to participate" by the word "participate."

The Subcommittee then decided to replace the reference "paragraph 2 of this Article" placed in brackets at the end of subparagraph 2 of the proposed text by the words "among the classes contemplated in paragraph 2 of this Article."

The Delegate from Morocco pointed out that the Subcommittee had decided, at that meeting, to add at the end of subparagraph 2) the following sentence:

"The Administrative Council may, nevertheless, authorize certain international organizations to participate in these conferences and meetings, without contributing to the expenses."

The Subcommittee adopted Article 5 thus amended and completed.

The Chairman submitted paragraphs 6 and 7 to the Subcommittee.

The Delegate from India suggested introducing into paragraph 7 the idea of the fiscal year.

The Delegate from the United States asked whether, in fixing the period of six months granted for the settling of accounts, delays in delivery were also taken into consideration.

The Chairman noted that these points had already been discussed and settled by the Subcommittees. The period of four months originally contemplated had been increased to six months to take into account delays in delivery.

The Subcommittee then adopted paragraphs 6 and 7 as they appear in the report of the eleventh meeting.

After the Delegate from Italy had suggested a change of wording for the whole article, which, without altering its substance, would result in slightly changing the wording and the order of paragraphs 2, 3, 4, and 5, a discussion began, and the Subcommittee thought that the time available for the task still confronting it, did not permit it to revert to Article 5. The draft of the Subcommittee would be submitted in its present form to Committee C. It was incumbent on the Delegates, who deemed it necessary, themselves to present an improved text to Committee C or Committee G.

The Delegate from Portugal noted that the meeting of the Heads of Delegations on September 3rd had approved in principle the temporary arrangements proposed by the United States (Document No. 328 TR-E, proposal 217 TR). Committee C must draw up a final text and the Subcommittee of Finances and Personnel must estimate the corresponding expenses, propose the salaries for the members of the I.F.R.B. and prepare the date on the budget with the collaboration of the Director of the Bureau of the Union. This was a very important and urgent work which the Working Group, under the chairmanship of the Delegate from Portugal, proposed dealing with in three parts:

- a) Expenses of the Provisional Administrative Council;
- b) Expenses of the I F.R.B.;
- c) Limit to be fixed for the expenses: 1) for the year 1948; 2) for the years 1949-1952.

The result of this work would be presented with details of the estimates. The Subcommittee and Committee C would then doubtless be able easily and rapidly to modify certain estimates.

The Chairman thanked the Delegate from Portugal and signified his agreement with the proposed procedure.

The Delegate from the United States recalled the fact that the decision of the Heads of Delegations, approved by the Plenary Assembly, entrusted two principal tasks to the Subcommittee:

- 1) To draw up a report on the estimate of the expenses of the Union: a) for 1948; b) for the years 1949 to 1952. This report, after approval by Committee C and the Plenary Assembly, is intended to serve as a guide for the Administrative Council.
- 2) To study the financial aspects of the proposal of the United States and to make detailed recommendations. A list of detail to be studied must be set up. The Delegate cited two of these details:
 - a) What remuneration is the Swiss Government which must continue to advance the necessary funds it needs to the Union to receive, taking into account the fact that the total amount thus advanced will increase considerably.
 - b) Will the ceiling for expenses be fixed by the Plenipotentiary Conference or by the Administrative Council?

The Delegate suggested that each member of the Subcommittee should think over the various details which he thought should be studied, and present the list to the Subcommittee, which could combine them in a single list.

The Chairman thanked the Delegate from the United States for this suggestion. He stated that the work of the Subcommittee may be considered practically over in regard to the first two points of its terms that is: the study and preparation of the wording of the articles of the Convention and the General Regulations relating to finances and the budget of the Union and the committees or agencies attached thereto.

With regard to the third point relating to the preparation of the estimates of expenses, Document 328 TR-E created a new situation which would be studied at the next meeting.

The meeting was adjourned at 7:20 p.m.

The Rapporteur

H. Lacroze

The Chairman

J.T. Hwang

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

1947

Document No. 364 TR-E

September 8, 1947

Committee E

TEXTS

proposed by Subcommittee E2 (Drafting Group)
of Committee E, for Articles 13, 33 bis, 34
and for the definitions of governments
telegrams, radiotelegrams, telephone calls
and conversations; service telegrams and
radiotelegrams and private telegrams and
radiotelegrams.

(see document 345 TR-E
paragraph 21)

Article 13

Special Arrangements.

The Members of the Union reserve for themselves,
for the private operating agencies recognized by them,
for the agencies duly authorized to do so, the right
to make (regional or other) special arrangements on
telecommunication matters which do not concern the
Members in general. Such arrangements, however, shall
not be in conflict with the terms of the Convention and
of the Regulations annexed thereto, so far as concerns
the harmful interference which their operation might
be capable of producing with the radiocommunication
services of other countries.

The Drafting Group is of the opinion that it is
advisable to include in the definitions annexed to the
Convention the definition of the terms "harmful inter-
ference" in the form in which it will be adopted by
the Radio Conference.

(See Documents No. 303 TR-E Paragraph 23
and No. 345 TR-E, Paragraph 2)

Article 33bis

Rational use of Frequencies and Spectrum Space

The Contracting Governments recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services.

Note. The Drafting Group considered it preferable to draft a separate article for these important regulations rather than to include them in Article 34. Article 33bis will be placed at the beginning of Chapter IV (General Provisions for Radiocommunications)

(See 303 TR-E - Par. 23 and 345 TR-E Par. 2).

Article 34

Intercommunication

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

§ 2. Nevertheless, in order not to impede scientific progress, the provisions of the preceding paragraph shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

(See Documents No. 345 TR-E, paragraph 46 and No. 346 TR-E paragraph 5)

Annex

Definition of the terms used in the
International Telecommunications Convention

.....
.....

Government Telegrams /Radiotelegrams/ and Govern-
ment telephone calls and conversations:

Telegrams /radiotelegrams/ or telephone calls and conversations originating with any of the authorities specified below for which Government privileges are claimed:

- (a) The Head of a State;
- (b) A Minister who is a member of a Government;
- (c) The Head of a colony, protectorate, overseas territory under suzerainty, authority, trusteeship or mandate of the Contracting Governments;
- (d) Commanders-in-Chief of military forces, land, sea or air;
- (e) Diplomatic or Consular Agents of the Contracting Governments;
- (f) The Secretary General of the United Nations and the Heads of the subsidiary offices of the United Nations;
- (g) The International Court of Justice at The Hague.

Replies to Government telegrams (or Radiotelegrams) as defined herein shall also be regarded as Government telegrams (and radiotelegrams).

Note. The Drafting Group suggests that the definition of "telegram" adopted by the Radio Conference be put in the Annex to the Convention. This would make it possible to omit the word "radiotelegram" in the definitions and in the Articles of the Convention. It points out further, that subparagraph g) has been added in compliance with the recommendation adopted by the Cairo Telegraph and Telephone Conference.

(See Document 346 TR-E, paragraph 3).

Annex (Con'd.)

Service Telegrams /and Radiotelegrams/

Those originating with telecommunication administrations of the Contracting Governments with recognized private operating agencies or with the permanent organs of the Union and relating to international telecommunication or to objects of public interest mutually agreed upon by the Administrations and private operating agencies concerned.

(See Document 346 TR-E, paragraph 4).

Private Telegrams /and Radiotelegrams/

Telegrams /and radiotelegrams/ other than service or Government telegrams /and radiotelegrams/

Note: The Drafting Group points out that it is leaving to the Drafting Committee the task of substituting "Members of the Union" for "Contracting Governments" in the various Articles, whenever it considers this change advisable.

Rapporteur:

PAUL COMMANAY.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 365-TR-E

September 8, 1947

Committees E and G

Texts given to the Drafting Committee
(Committee G)
by
Committee E
(Convention Committee)

Description of the Articles
(Madrid Convention)

Report of Committee
E to be consulted

- | | |
|--|--|
| 1. <u>Article 32</u> . "Monetary Unit" | Minutes of the 10th Meeting. Doc. No. 257 TR, paras 18-21. |
| 2. <u>Article 26</u> . "Stoppage of Telecommunications" | Minutes of the 17th Meeting. Doc. No. 362 TR. |
| 3. <u>Article 35</u> . "Interference" | ditto |
| 4. <u>Article 36</u> . "Distress Calls and Messages" | ditto |
| 5. <u>Article 39</u> . "Installations for National Defence Services" | ditto |

Article 26

Stoppage of Telecommunications

§ 1. Each contracting government reserves the right to stop the transmission of any private telegram or radiotelegram 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.

§ 2. Each contracting government also reserves the right to cut off any private telephone or telegraphic communication which may appear dangerous to the security of the state or contrary to its laws, to public order or to decency.

Article 35

Interference

§ 1. All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio services or communications of either the other contracting governments or the private operating agencies recognised by them and of other duly authorized operating agencies which carry on radio-communication service.

§ 2. Each contracting government undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of paragraph 1 above.

§ 3. In addition to the obligations provided in paragraphs 1 and 2 above, the contracting governments recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in paragraph 1.

Article 36

Distress Calls and Messages

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

§ 2. The international telegraph and telephone services must accord absolute priority to communications concerning safety of life at sea or in the air.

Article 39

Installations for National Defence Services

§ 1. The contracting governments retain their entire freedom with regard to military radio installations of their army, naval and air forces.

§ 2. Nevertheless; these installations must, so far as possible, observe the regulatory provisions relative to giving assistance in case of distress, and to the measures to be taken to prevent interference.

§ 3. 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.

§ 4. Moreover, if these installations take part in the service of public correspondence or other services governed by the Regulations annexed to the present Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

Article 32

"Monetary Unit"

(Madrid text)

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 366 TR-E

September 8, 1947

Committee C

AGENDA

FOR THE MEETING OF TUESDAY
SEPTEMBER 9th, 1947
AT 10 O'CLOCK

1. Approval of minutes of 14th, 15th, 16th and 17th meetings.
2. Termination of the discussion and decision on the subject of Art. 12 (Languages) Points 3, 4, 5, 6 and 7 of the adopted procedure Doc.No.357 TR.
3. Consideration and approval of recommendations with regard to the elections to the Administrative Council of the I.T.U. Doc. No. 358 TR.
4. Study of proposals of the U.S.A. relating to the coming into force of the revisions of the Convention Doc. No. 2 Article 40.
5. Consideration of various proposals on Committees of the I.T.U. (proposal of Norway Doc. No. 43 TR on unification of C.C.I.T. and C.C.I.F.) and proposals of U.K. and U.S.A. on the establishment of International Committee on Radio Broadcasting.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 367 TR-E

September 8, 1947

United States of America

Suggested Draft of Resolutions Relative to C. C. I. R.

The following draft resolutions are suggested for consideration by the special meeting on Tuesday evening, September 9, at 8 P.M., of those who are interested in the work of the C.C.I.R.

No. 1

The International Telecommunications Conference of Atlantic City,

- Having considered the questions on which it is desired to have recommendations from the International Radio Consultative Committee (C.C.I.R.), and

Having considered the recommendations of the International Radio Conference of Atlantic City with respect to the Organization of the C.C.I.R.,

Establishes the Study Commissions shown in the following list, and requests that the persons indicated serve as Chairmen of the Study Commissions for the purpose of formulating recommendations on the questions referred to them which may be considered at the next Plenary Meeting of the C.C.I.R.

Study Commissions

Chairman

- | | |
|---|-----------------------------------|
| 1. Separation between frequencies assigned to radio stations. | Dr. van Duuren,
Netherlands |
| 2. Radio propagation. | Mr. L. A. Kopytin,
U.S.S.R. |
| 3. Standard frequency and time signal broadcasts. | Dr. Decaux, France |
| 4. Monitoring. | Col. L. A.
De Medeiros, Brazil |
| 5. General technical questions. | Mr. Mumford,
United Kingdom |

Requests these Study Commissions to begin their work immediately by correspondence, particularly on the questions on which recommendations will be helpful to the International Frequency Registration Board (I.F.R.B.), and on the questions on which recommendations will be needed at the next Radio-Administrative Conference, but recognizing that the Provisional Frequency Board (P.F.B.) will itself need to make the necessary decisions in connection with the establishment of the International Frequency List.

The International Telecommunications Conference of Atlantic City,

Having been advised by the Delegation of Sweden that the Swedish Administration renews its invitation to hold the next meeting of the International Radio Consultative Committee (C.C.I.R.) at Stockholm in 1948,

Having considered the proposals of Sweden and the United States (Documents Nos. 305 TR and 326 TR, respectively) that measures be taken with a view to organizing the work of the C.C.I.R. on an interim basis pending the first meeting of the C.C.I.R. according to the decisions of the Atlantic City Conferences,

Accepts, with great appreciation, the kind invitation of the Swedish Administration that the next meeting of the C.C.I.R. be held in its country,

Requests the Swedish Administration to
(1) take the necessary steps to complete the assignment to the Study Commissions of the C.C.I.R. of the questions referred to the C.C.I.R. by the Atlantic City Conference, taking into account the proposed assignments contained in the Appendix of Document 326 TR.

(2) complete any other arrangements for the interim organization of the C.C.I.R. which may be necessary following the action of the Atlantic City Conferences,

- (3) coordinate the work of the Study Commissions with a view to the submission by these Commissions of recommendations on the questions referred to them for consideration, at the next Plenary Meeting of the C.C.I.R.,
- (4) keep the Secretary Général of the Union fully informed, so that he may arrange for the publication of suitable notices affording an opportunity to all interested administrations, private operating agencies and international organizations to participate in the work of the C.C.I.R. if they so desire,
- (5) organize the Plenary Meeting of the C.C.I.R. in 1948 in connection with meetings of the Study Commissions,
- (6) submit a report to the Plenary Meeting of the C.C.I.R., covering the measures which it will have taken in organizing that meeting,

and,

Requests the interested administrations, private operating agencies and international organizations to cooperate actively with the Swedish Administration and with the Chairmen of the several Study Commissions, in order that sound and carefully prepared recommendations may be presented for consideration at the meeting of the C.C.I.R. which, at the invitation of the Swedish Administration is to be held at Stockholm in 1948.

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CONFERENCE INTERNATIONALE
DES TELECOMMUNICATIONS
D'ATLANTIC CITY

DOCUMENT NO 368 TR

1947

7 septembre 1947

COMMISSION C

(Ce document remplace le document no 358 TR.)

T E X T S

présentés par le groupe de travail 1
de la commission C

Recommandation présentée par la commission C
(Organisation) de la Conférence des
Plénipotentiaires de l'Union Internationale
des télécommunications à l'Assemblée Plénière
en vue de l'institution du Conseil d'adminis-
tration et de la première élection de ses
membres par la Conférence d'Atlantic City, 1947.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

DOCUMENT NO 368 TR-E

1947

September 7, 1947

COMMISSION C

(This Document replaces the Document No 358 TR-E.)

T E X T S

presented by Working Group 1 to Committee C.

Recommendation submitted by Committee C
(Organization) of the Plenipotentiary Conference
of the International Telecommunication Union to
the Plenary Assembly with a view to the institution
of the Administrative Council and the initial
election of its members by the Conference of
Atlantic City, 1947.

(368 TR)

La Commission C (organisation) recommande à l'Assemblée Plénière d'adopter pour l'institution du Conseil d'administration les dispositions définies dans les articles suivants:

Article 1

Les Membres du Conseil d'administration sont au nombre de dix-huit.

Article 2

Les Membres du Conseil d'administration sont élus par l'Assemblée Plénière parmi les candidats Membres de l'Union figurant sur quatre listes présentées respectivement par les Membres de l'Union groupés dans les quatre régions définies ci-après:

Région A - Région américaine, telle qu'elle a été délimitée par la 3^e conférence interaméricaine de radio-communications réunie à Rio de Janeiro en 1945.

Région B - Régions occidentales de l'Europe et de l'Afrique occidentales, situées à l'est de la région précédente et délimitée à l'est par le méridien 20° E jusqu'à l'équateur, suivant l'équateur jusqu'au méridien 60° Est et ensuite par le méridien 60 E vers le sud.

Région C - Région de l'Europe orientale et de l'Asie septentrionale, délimitée à l'Ouest par le méridien 20° Est, au Sud par le parallèle 40° Nord, à l'Est par la Région américaine.

Région D - Le reste du globe terrestre, délimité à l'Ouest par la limite Est de la région B, au nord par le parallèle 40° Nord, à l'Est par la limite

(368 TR-E)

Committee C (Organization) recommends that the Plenary Assembly should adopt the procedure laid down in the following articles for the institution of the Administrative Council:

Article 1

The Administrative Council shall be composed of eighteen Members.

Article 2

The Members of the Administrative Council shall be elected by the Plenary Assembly from the candidates Members of the Union appearing in four lists submitted respectively by the Members of the Union belonging to each of the four regions specified below:

Region A - American region, as established at the Third Inter-American Radio Conference held in Rio de Janeiro in 1945.

Region B - The western region of Europe and Africa situated to the east of the preceding region and bounded on the eastern side by meridian 20° E down to the Equator, by the Equator eastward as far as meridian 60° E and then by meridian 60° E southward.

Region C - East European and North Asiatic region, having as western limit the meridian 20° East, as southern limit parallel 40° North and as Eastern limit the American region.

Region D - The remainder of the world, bounded on the West by the eastern limit of Region B, on the North by parallel 40° N and on the

(368 TR)

Ouest de la région américaine.

Article 3

Pour la constitution précise des quatre groupements régionaux de Membres de l'Union correspondant aux quatre régions ci-dessus définies, tout Membre de l'Union dont le territoire est traversé par le méridien 20° Est ou par le parallèle 40° Nord (à l'Est du précédent méridien et jusqu'à la limite ouest de la région américaine), par l'équateur ou par le méridien 60° Est, choisira librement celui des deux groupements contigus auquel il décidera de se joindre. *)

Article 4

Chacun des quatre groupements régionaux constitués conformément aux dispositions des articles 2 et 3 désigne, en appliquant la procédure qui lui paraît la plus convenable, pas moins de 7 et pas plus de 8 de ses membres dans les régions A, B, D et pas moins de quatre et pas plus de cinq de ses membres dans la région C, pour être candidats à un siège au sein du Conseil d'administration.

Article 4 (Variante)

Chacun des quatre groupements régionaux constitués conformément aux dispositions des articles 2 et 3 désigne, en appliquant la procédure qui lui paraît la plus convenable, sous la réserve qu'aucun Membre ne peut être désigné s'il n'a pas été appuyé par au moins deux Membres de sa région, au moins huit de ses Membres dans les régions A, B, D et au moins cinq de ses membres dans la Région C, pour être candidats à un siège au sein du Conseil d'administration.

(368 TR-E)

East by the western limit of the American region.

Article 3

For the precise constitution of the four regional groups of Members of the Union, corresponding to the four regions defined above, any Member whose territory is crossed 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), by the Equator, or by meridian 60° East, shall choose freely to which of the two adjoining groups it wishes to be attached. *)

Article 4

Each of the four regional groups of countries established in accordance with the provisions of Articles 2 and 3 shall nominate, following the procedure it considers most appropriate, not less than seven and not more than eight of its own Members in the cases of Regions A, B and D, and not less than four and not more than five of its own Members in the case of Region C, to be candidates for election to the Administrative Council.

Article 4 (Alternative)

Each of the four regional groups established in accordance with the provisions of Article 2 and 3 shall nominate, following the procedure it considers most appropriate, provided, however, that no Member shall be nominated by a region unless he is supported and seconded by at least two Members from the same region, not less than eight of its own Members, in the cases of Regions A, B and D, and not less than five of its own Members in the case of Region C, to be candidates for election to the Administrative Council.

(368 TR)

Article 5

a) Tout Membre de l'Union, présent à l'Assemblée Plénière, a le droit de voter pour au plus cinq candidats différents de chaque liste des régions A, B et D et pour, au plus, trois candidats différents de la liste de la région C.

b) Le vote est exprimé en utilisant un bulletin unique pour chaque liste.

c) Tout bulletin de vote ne remplissant pas les conditions précisées aux §§ a) et b) ci-dessus, est considéré comme nul.

d) Les cinq Membres de chacune des trois régions A, B et D et les trois Membres de la région C qui obtiennent le plus de voix sont déclarés élus.

e) Dans le cas d'égalité des suffrages pour le cinquième Membre des régions A, B, D ou pour le troisième Membre de la région C, la désignation du ou des candidats à élire pour le ou les sièges en question est faite par voie de tirage au sort.

*) La Commission C recommande que lorsque les pays visés à l'article 3 auront choisi la région dans laquelle ils désirent être incorporés, les régions seront définies par les noms des pays au lieu des lignes de longitude et de latitude marquées arbitrairement et qu'en conséquence l'article 3 ci-dessus sera supprimé de la recommandation finale que l'on présentera à l'assemblée plénière de la Conférence des Plénipotentiaires.

(368 TR-E)

Article 5

a) Each Member of the Union present at the Plenary Assembly has the right to vote for a maximum of five different candidates from each list of the Regions A, B and D and for a maximum of three different candidates from the list of Region C.

b) The vote is cast by using a single ballot for each list.

c) Each ballot which does not fulfill the conditions formulated in a) and b) above shall be considered as void.

d) The five Members in each of the three Regions A, B and D and the three Members in Region C which obtain the highest number of votes shall be declared as elected.

e) In the case of a tie for the election of the fifth Member from Regions A, B or D or of the third Member from Region C, the selection of the Member or Members to be elected for the seat or seats in question shall be determined by lot.

*) Committee C recommends that after the countries mentioned in Article 3 have chosen the region in which they wished to be included, the regions should be defined by lists of names of countries instead of by arbitrary lines in terms of latitude and longitude and that, as a consequence, Article 3 above should be deleted from the final recommendation to the Plenary Assembly of the Plenipotentiary Conference.

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
Document No. 369 TR-E

September 8, 1947

Committee C

Corrections
to Document No. 363 TR-E

Page 2, last paragraph, lines 2 and 3, read.....

in paragraph 8 of Document 334 TR-E.....

Page 3, line 2, read 8 instead 9.

Page 3, paragraph 3, last line, read.....paragraph

8 in Document 334 TR-E.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 370 TR-E

September 8, 1947

MOROCCO

Proposal 226 TR-

Draft for the division of expenses resulting from the use of the various languages accepted by the Union.

- §1. Each member of the Union shall inform the Secretary General of the languages in which he wishes to have the various documents and periodicals of the Union submitted to him.
- §2. Expenses incurred by the use of spoken and written languages at Plenipotentiary and Administrative Conferences and at meetings of International Consultative Committees shall be divided in the same way as are other extraordinary expenses connected with these Conferences or meetings.
- §3. All documents, other than those distributed during Conferences or meetings, indicated in the preceding paragraph, shall be sold at the same price, regardless of the language chosen; the prices are to be set according to the average cost price of these documents.
- §4. Each language group shall contribute at least 15% of the expenses outlined in paragraphs 2 and 3 above. Therefore, if the total number of unites contributed by the various members belonging to a given language group be less than 15% of the total number of units contributed by the entire membership, among which a certain type of expenses is to be divided, the contributions of the members composing this language group shall be increased so as to raise the contribution of this particular language group to 15%.

Reason

The aims of this proposal are:

- 1) to avoid the necessity of having the General Secretariat fix:
 - a) the cost price of each document published by the Union, for each language used;
 - b) the portion of expenses incurred by each language at Plenipotentiary and Administrative Conferences and at meetings of permanent Union organizations.
- 2) to avoid variations in the cost price of the more widely used languages.

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1947

Document No. 371 TR-E

September 9, 1947

Committee C

SUB-COMMITTEE 1 (FINANCE AND PERSONNEL)
OF COMMITTEE C

NOTE :

The following report has been prepared by Working Group 3 of Subcommittee C-1 for consideration at the meeting of the Subcommittee to be held on the afternoon of the 10th, September 1947. In order to facilitate the discussion of the meeting of Committee C to be convened in the morning of 10th September, 1947, this document is distributed for general reference of Committee C, before Subcommittee C-1 had the opportunity to discuss it.

Chairman

J.T. Hwang

PROVISIONAL REPORT OF WORKING GROUP 3
of SUBCOMMITTEE C-1 (FINANCE AND PERSONNEL)
to the Chairman of the Subcommittee

Pay scale for the officials of the Bureau of the International Telecommunications Union and other permanent organizations.

The main task of Working Group 3 of Subcommittee C-1 consisted in making an estimate of the ordinary expenses of the Bureau of the Union and other permanent organizations for the year 1949 and the following years.

Salaries of the permanent personnel take a rather important place in those expenses. In order to make the necessary estimates, the Working Group has been obliged to adopt a pay-scale which might serve as a basis.

The first solution considered was the adoption of the present pay-scale as found in the "Regulations concerning the organization and operation of the International Bureaus placed under the supervision of the authorities of the Swiss Confederation" of January 31, 1947 (see Annex 2).

In view of applying this scale, two solutions have been considered:

1. The Director-General of the Union and the Members of the I.F.R.B. should be entitled to the highest salary (Class A);

2. As the future task of the Director-General will become much more important after the implementation of the new Convention, and as he will have under his administrative control several organizations and many more officials than at present, he will be placed in the highest category and the members of the I.F.R.B. in the following (Class B), as well as the Vice-Directors of the Bureau and the Directors of the C.C.I's.

The two solutions were discussed by the Working Group and all of the delegations present agreed to the second solution with regard to the position of the Director General and other high officials.

However, objections were raised with regard to the salaries to be paid to members of the I.F.R.B. (32,400 Swiss francs), as several delegations were of the opinion that this was not enough.

Such objections cannot, however, be solved by the present salary scale, and the Working Group was therefore obliged to seek a compromise solution, taking as a basis the estimates of a new scale that shall be as close as possible to the present scale (see Annex No. 3).

In this scale, which had been made only to serve as a basis for an estimate of expenses, a new salary class has been considered that shall be higher than Class A of the present scale. Furthermore, the new organization of the Bureau appears to comprise three divisions:

The first and second may correspond exactly to the present divisions of Telegraph Telephone and Radio-communications.

The third shall be a division for Administrative services, services that shall become very much more important in the future.

The Working Group felt that the two first divisions may be directed by two Vice-Directors, whereas the third division does not have to be placed under the authority of an official of the same category.

This consideration has caused the Working Group to prescribe a special category for a Counsellor in charge of the Administrative division, whose salary shall correspond to the new scale of salaries, and shall therefore be as follows for the highest categories:

Class A - Director General,

Class B - Vice-Directors, Members of the I.F.R.B.,
and Directors of the C.C.I.'s

Class C - Counsellor in charge of the Administrative Division

Class D - Counsellors

The Working Group has also been led to establish a new 1st Class with a higher salary than the present 1st Class in order to avoid too great a difference between Class D and the present 1st Class.

This new 1st Class (salary from 17,000 to 24,000 Swiss francs) would be reserved for a limited number of officials.

The new pay-scale has been accepted by several delegations as a satisfactory solution to make possible the estimates of expenses (Annex 1, paragraph A).

However, other delegations have expressed the opinion that these salaries would not be sufficient. These arguments have been condensed in Annex 1, paragraph B.

The Chairman
of Working Group No. 3.

Annex Notes

A - Arguments in favor of the scale under consideration by the working group.

1. Salaries quoted by the new scale are ample, and perhaps even high, when compared with salaries for similar positions in government services in various countries.

2. The development of services, and the increase in responsibilities, have already been taken into account in the new scale. As a general rule, the development of a service does not necessarily call for a general salary increase, except in the case of executive positions. Our Union, moreover, has made provisions for an increase in such salaries.

3. It might prove necessary to employ specialized international officials in the higher brackets; but such needs will prove rare in other categories.

4. In comparing the salaries of the I.T.U. with those of other international organizations, they should be judged by the standards of similar organizations, such as the U.P.U., for example.

5. On frequent occasions, some delegations in Committee C have requested that the entire future organization be established along the most economical lines possible. This widespread desire could not be fulfilled if the present scale of salaries were to be greatly changed.

6. International officials who are not Swiss citizens will benefit from the tax exemption provided by Article 11 of the International Bureaux Statutes, as decided by the Swiss Federal Council on January 31, 1947. This exemption is especially favorable to the members of the I.F.R.B.

B - Arguments in favor of higher salaries.

- a) In order to achieve the truly international character envisaged for the future Union it will be necessary to pay salaries which will be attractive to persons whose qualifications and capabilities will be of benefit to the Union.
- b) There will be a substantial increase in the volume of work and responsibility placed on the officials of the Union as a result of the rulings of Atlantic City, involving the transfer of the headquarters of the Union from Berne to Geneva, and the supervision of newly created agencies and of a greatly expanded staff, etc.
- c) If the salary range for Class I and out of Class D personnel, for instance, is maintained, the expanding Union may encounter difficulty in recruiting from the international field a sufficient number of persons with the specialized qualifications required.
- d) The cost of living in Switzerland has increased upwards of sixty percent today and this increase has been only partially offset by the additional allowances made by the Swiss Government.
- e) The Union holds an important position in international affairs and, for reasons of prestige and parity, the officials of the Union should not be placed in a position inferior to that of officials of other international organizations with whom they have to deal on a personal daily basis. When the Union moves from Berne to the more cosmopolitan city of Geneva, it will be in proximity to international agencies created by the United Nations and maintained by them on a level superior to the standards presently applied to the Union.
- f) While no decision has been taken with regard to salaries of I.F.R.B. members, the delegates at this Conference who have been dealing with the subject of the functions of the I.F.R.B., are of the opinion that the salaries for I.F.R.B. members should be in a range from twenty-five percent to forty percent higher than the present salary for the Director of the Bureau. If so, the salaries for the officials of the Bureau should be in a correspondingly high range.

Annex No. 2

Present Pay-Scale

	<u>Swiss francs</u>	<u>Dollars</u>
Class A -	40.000, -	9,390
Class B -	32.400, -	7,535
Class C -	24.300, -	5,651
Class D -		
<u>1st</u> class	12.600, - to 18.900, -	2,930 to 4,395
<u>2nd</u> "	11.400, - to 16.200, -	2,651 to 3,767
<u>3rd</u> "	10.100, - to 14.900, -	2,349 to 3,465
<u>4th</u> "	8.700, - to 13.500, -	2,023 to 3,140
<u>5th</u> "	7.400, - to 12.200, -	1,721 to 2,837
<u>6th</u> "	6.500, - to 10.800, -	1,512 to 2,512
<u>7th</u> "	4.500, - to 8.500, -	1,047 to 1,977

Annex No. 3

Pay-Scale which served as a basis for the estimate of
the expenses

	<u>Swiss francs</u>	<u>Dollars</u>
Class A -	48.000,-	11,160
Class B -	40.000,-	9,300
Class C -	35.000,-	8,140
Class D -	30.000,-	6,977
1 st class ÷	17.000,- to 24.000,-	3,953 to 5,581
2 nd " ÷	12.600,- to 18.900,-	2,930 to 4,395
3 rd " ÷	11.400,- to 16.200,-	2,651 to 3,767
4 th " ÷	10,100,- to 14,900,-	2,349 to 3,465
5 th " ÷	8,700,- to 13,500,-	2,023 to 3,140
6 th " ÷	7,400,- to 12,200,-	1,721 to 2,837
7 th " ÷	6,500,- to 10,800,-	1,512 to 2,512
8 th " ÷	4,500,- to 8,500,-	1,047 to 1,977

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 372 TR-E

September 10, 1947

227 TR

Lebanon

A credit amounting to one hundred per cent of the present budget of the Union must be voted upon to cover the new expenses.

This credit shall be used:

1. for the payment of the travelling expenses of the members of the Administrative Council;
2. for the nomination of a Director of the Frequency Registration Board as well as two engineers and two secretaries;
3. for the nomination of three directors for the technical Committees.

The budget credits thus doubled must be apportioned on the present basis adopted by the Union. As to additional expenses, resulting from the adoption of five official languages, they must be borne by countries which have asked for recognition of their mother tongue as an official language. The apportioning of such additional expenses among the above-mentioned countries shall be made either on the basis of the principle established by the United Nations, or on that of statistics established by the Bureau of the Union.

Reason.

The possibility of a split of opinion or of reservations being formulated in the Final Protocol of the Convention has induced Lebanon to submit to your Assembly a proposal which tends to maintain in as large a measure as possible the sincere collaboration which is necessary for the continuation and universality of the Union.

This proposal, based on equity and justice, represents the maximum sacrifices to which the small countries will consent.

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International Telecommunications
Conference
ATLANTIC CITY
1947

DOCUMENT No. 373 TR-E
September 10, 1947

Committee C

R E P O R T

of Subcommittee 1 (Finance and personnel) of Committee C.

14th meeting
September 8, 1947

The Chairman, Mr. J.T. Hwang, called the meeting to order at 3:30 P.M.

He outlined the work accomplished by the Committee and the work still to be done. If reference is made to Document 123 TR-E, in which the terms of reference of the Subcommittee are taken up, it will be noticed that the first two items have been completed. A draft plan of Article 5 of the Convention was distributed on September 5 as Document No. 354 TR-E. Item 3 still remains to be studied. As specified in Document 302 TR-E, Working Group 3 has been entrusted with the following tasks :

- a) prepare an article on the extraordinary expenses, recommending an average figure of expenses, taking into consideration all the variable factors, especially the place of meeting;
- b) study the permanent organization of the Union and its ordinary expenses;
- c) evaluation of the expenses according to the languages which would be adopted.

On the other hand, in accordance with a decision taken at the meeting of the Heads of Delegations, the Subcommittee, with the cooperation of the Bureau of the Union, is entrusted with the task of determining the maximum expenses for the year 1948, taking into account provisional arrangements (Document No. 328 TR-E) and placing the finances and the accounts of the Union on a sound basis.

13 Sept. 1947

The Delegate from Portugal, Chairman of the Working Group, gave an account of the work of his Group. He confirmed first that for point a) establishment of estimates for the extraordinary expenses of various conferences, it has been previously agreed that estimates would be based on the results of previous conferences (Document No. 340 TR-E). Concerning items b) and c), the work was well under way and the conclusions could be given by the end of the week in final form.

The Delegate from France called attention to the importance which Committee C attaches to being reliably informed on item c) concerning the expenses according to languages.

The Delegate from Portugal pointed out that even with the knowledge of exactly what languages are to be used both as working languages and for the publication of documents, it will be exceedingly difficult to make an approximate estimate of expenses. Estimates have been made on the basis of three languages; but it is impossible to say: the expenses for one language will be X francs, for two languages Y francs and for three languages Z francs. There must be bases for calculations founded on experience, and we have no way of knowing, for instance, what service documents will be translated; and one may be justified in wondering if it would not be advisable to solve the problem of printed matter, which is an exceedingly delicate one, on a commercial basis by eliminating free distribution. In this way the Union might make use of facilities available to other countries for translations.

The Delegate from France asked whether the Bureau of the Union would be in a position to make an approximate estimate of the additional expenses which would result from the adoption of several official languages.

The Director of the Bureau of the Union announced that the Bureau had drafted for the Working Group an important document which is the draft of the 1948 budget. The ordinary budget for 1948 will amount to approximately 1 million Swiss Francs. As for the budget for extraordinary expenses,

it still contains a certain number of unknown elements, which cannot be calculated until the Conference reaches decisions on these matters, for example, how to deal with certain unpaid dues, as well as the dues of countries which were under enemy occupation. Consideration must likewise be given to the amounts needed for revalorization of the reserve fund, the costs of moving 40 persons with their families from Berne to Geneva, new installations to be made, purchase of matériel, expenses for the conference called at Geneva to draw up the new Frequency List and expected to be in session more than a year, and the decision regarding the formation of an International Provisional Frequency Registration Board, which will charge to the account of the Union the costs of moving eleven families from all parts of the world as well as the expense of setting up this Board in Geneva.

The Chairman thanked the Director of the Bureau for these explanations, and asked whether a reply to the question concerning the estimate of the expenses according to the additional languages adopted might be prepared for Committee C.

After an exchange of views, the Delegate from the United States distributed to the members of the Committee proposals concerning the procedure to be followed in examining the general program set forth in Document 328 TR-E.

When he was consulted, the Delegate from Portugal pointed out that all the member countries of his Group were to have presented a similar piece of work, but as the American document which had been distributed was an excellent basis for work, clear and well-arranged, he was of opinion that it would be highly advantageous for the Subcommittee to follow it.

The Chairman pointed out that Point A of the document concerned detailed estimates of expenses for the year 1948, with a separate estimate for the years 1949 to 1952.

After an exchange of views with the Delegate

from Portugal, it was agreed that Working Group 3 would examine Point A.

Point B concerns the recommendations which could be made regarding the financial aspects of the plan contemplated in Document 328 TR-E, proposal for transitional arrangements: it might first be asked whether the Plenipotentiary Conference should set a limit for the annual budget of the Union until the next Plenipotentiary Conference, or whether this should be left to the Provisional Administrative Council or the Permanent Administrative Council.

The Delegate from Portugal drew attention in the American proposal to the following points in favor of limitation by the Plenipotentiary Conference. He agreed that the argument that such important powers could not be exercised by the Conference had some value. The second argument that the limit can be set if it is based on detailed estimates and on condition that it allows a sufficiently wide margin not only for unpredicted expenses but also for predicted expenses, appeared to him on the contrary to be an unfavourable argument. Also it seemed difficult to him to invoke precedents which do not exist de facto.

The arguments in favor of a decision tending to allow the Administrative Council to set the upper limit of expenses seemed much more convincing, especially the argument which specified that even if it was based on detailed estimates any ceiling might be a source of difficulties. Under these conditions and until the next Plenipotentiary Conference, the Conference might allow the Administrative Council to set the ceiling on expenses.

The Delegate from France was of opinion that fixing a ceiling on expenses was indispensable, but that it would be possible, as provided in the annexed Regulations, to authorize the Administrative Council with the consent of the members of the Union, to exceed this ceiling if it should be absolutely necessary.

The Delegate from Greece did not think that delegation of authority by the Plenipotentiary Conference to the Administrative Council in such a matter was advisable.

The Director of the Bureau of the Union indicated that the expenses for 1948 would be extremely high, as the Delegate from Portugal had pointed out at the beginning of the meeting. He would prefer to have the Conference decide a limit for these expenses, and thus assume its responsibilities.

The Delegate from Portugal agreed that a limit could be set for the 1948 budget, but that for the subsequent years it would be better to leave full responsibility for its management to the Administrative Council. He gave further explanations regarding the numerous doubtful elements which made it impossible to give approximate estimates: number of meetings, scale of salaries, travelling expenses, length of absences, secretariat. If, therefore, "broad estimates" must be made in order to provide for everything, these estimates are necessarily indefinite.

After a further statement by the Delegate from France, who could not understand how the setting of an upper limit would decrease the responsibility of the Administrative Council, the Director of the Bureau of the Union explained that since the Washington Conference in 1927, the Bureau has had a budget limit of a total of 400,000 gold francs. At Madrid this figure was maintained, but the Conference authorized certain accounting operations allowing readjustments. A distinction must be made between the granting of credit and expense commitments; the first operation appertains to the Conference, the second to the Administrative Council.

The Delegate from the United States emphasized the difficulties in setting a limit for expenses for the years 1948 and 1949 to 1952. In the first place, this involves extraordinary expenses resulting from a new establishment. The Conference, in considering these expenses in this light, may leave it to the Administrative Council to control expense commitments. For the expenses of 1949 to 1952, it seemed that the Working Group did not have sufficient elements for judging and making any decision.

After an exchange of views in which the Delegates from the United Kingdom, India, the United States and France took part, and taking into account the information given by the Delegate from Portugal, the Chairman pointed out the two arguments under consideration, and referred to Document No. 354 TR-E, concerning the drafting of Article 5, and to Article 10, § 1 b. According to these texts, what is involved is the base for evaluation of expenses and not the ceiling or limit.

He therefore suggested waiting until the work of Working Group 3 was completed in order to make a decision regarding this matter.

At the request of the Delegate from the United States, and in view of the new facts which had come up since the drafting of Document No. 354 TR-E, it was agreed that § 7 of this document, relating to the measures to be taken in case of delay in the payment of dues, would be the subject of a further examination.

Likewise, at the request of the Delegate from Portugal, and in order to take into account a decision of Committee C to which reference is made in a note in this same document, the Delegation from the United States would prepare a new wording of § 4 for the next meeting.

The Director of the Bureau of the Union asked whether it was clearly understood that, according to the terms of the new wording of Article 5, in future no differences in accounting shall be made, as has been the custom heretofore, in order to make allowance for certain countries which have not adhered to certain Regulations.

The Delegate from the United States confirmed that he was perfectly satisfied with the new text.

The meeting was adjourned at 7 p.m.

Rapporteur:

Chairman:

Jean LEPROUX

J.T. HWANG

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 374 TR-E

September 10, 1947

Committee F

COMMITTEE F

Agenda for the Meeting
at 10 a.m. Thursday, September 11, 1947
in the Trellis Room

1. Approval of the Report of the 16th meeting, Doc. No. 349 TR-E
2. Brief remarks on Proposal 21 TR (Canada) (Doc. No. 3 TR-E) which should be placed in Article 17 bis.
3. Brief remarks on Doc. No. 350 TR-E (text revised by Drafting Group F)
4. Article 20 of the Convention (Doc. No. 212 TR-E)
5. Definitions. Comparative texts in Doc. No. 94 TR-E

11 Sept 1947

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September 9, 1947

Committee B

REPORT
of the Credentials Committee
(Committee B)
6th Meeting
September 6, 1947

1. The meeting was called to order at 3:47 p.m. by Mr. Stamatis Nikoles, the Vice-Chairman.
2. The Committee approved the Report of the 5th Meeting (Doc. No. 311 TR-E) subject to a correction to paragraph 5 on page 2 of the English text; - delete "gross" insert "material."
3. The Vice-Chairman read a letter from the Netherlands East Indies Delegation in which Mr. van der Veen suggested that the Netherlands, Curacao and Surinam should be as follows:-

Netherlands, Curacao
and Surinam

(for the Netherlands)
J.D.H. van der Toorn
A. Spaans
A.C. den Hartog
(for Curacao and Surinam)
H. van der Veen

The Committee agreed this proposal.

4. Saudi Arabia

The Committee agreed to recommend that the credentials of the Delegate from Saudi Arabia are correct but that they are not in proper form to empower the individual named therein to sign the new Convention on behalf of his government since they were not signed by the head of state or the minister for foreign affairs.

5. Pakistan

The Committee agreed to instruct the Rapporteurs to write to the Secretary General asking him to request the full powers of the Delegates from Pakistan.

6. India

The Committee agreed to recommend that the full powers issued to the Delegates from India could be used by the Delegates of the Dominion of India as authority to sign on behalf of their Dominion.

7. Albania

The Committee agreed to recommend that the full powers presented entitled M. Heba to sign the new Convention on behalf of his government. The Committee noted a telegram from Tirana which appointed M. Josif Culjat as Delegate from Albania and stated that full powers for him were following by carrier.

12 Sept 1947

8. Burma
The Committee agreed to recommend that the full powers presented by the Delegation from Burma are in order.
9. Ecuador
The Committee agreed to recommend that the full powers presented by the Delegate from Ecuador are in order.
10. Nicaragua
The Committee agreed to recommend that the full powers presented by the Delegate from Nicaragua are in order.
11. Cuba
The Committee agreed to recommend that the full powers presented on behalf of Señores Lopez and Sarabaza are in order.
12. Czechoslovakia
The Committee agreed to recommend that the new full powers presented, adding the name of Mr. Ehrlich to those already empowered to sign on behalf of Czechoslovakia, are in order.
13. Philippines
The Committee agreed to recommend that the full powers issued to Señor José S. Alfonso are in order.
14. Iran
The Committee noted that full powers will be issued to Mr. F. Noury - Esfandialy.
15. Bolivia
The Committee agreed that the telegram, (a copy of which had been sent to them) from the Bolivian Government ordering Señor Humberto Plaza to proceed to Atlantic City to sign the new Convention did not constitute full power inasmuch that it did not comply with the criteria agreed by the Plenary Assembly. The Committee instructed the Rapporteurs to inform the Secretary General.
16. U.N.E.S.C.O.
The Committee noted that Dr. Arno Huth had been appointed to represent U.N.E.S.C.O.
17. The Committee noted that the following countries had not submitted full powers and agreed not to submit their final report to the Plenary Assembly until the week ending September 20th, in order to give further time: -

Afghanistan, Saudi Arabia, Bolivia, Costa Rica,
Southern Rhodesia, Iran, Pakistan, Paraguay, Roumania,
Syria, Yemen.

18. The Vice-Chairman adjourned the meeting at 4.50
p.m.

Rapporteurs:

Chairman:

✓ LEPROUX

NIKOLIS

A.G. DAVID

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Committee G

REPORT
of the Drafting Committee
(Committee G)

3rd Meeting
September 5, 1947

1. The meeting was called to order at 10 a.m. under the chairmanship of Mr. J. LAFFAY(France).

The Committee adopted without comment the report of the 2nd meeting(Doc. No. 316 TR-E).

2. The Chairman proposed that the plan for the new Convention be discussed at the present meeting. He asked the Delegates to refer to Document No. 343 TR-E, which gives, first, the distribution of chapters in the proposals of the countries which have submitted a complete Convention draft in comparison with the plan of the Madrid Convention and of the Moscow draft and, second, the detailed comparison, article by article, of the plans proposed by the United States and France respectively.

It was understood that this document would serve only as a basis for discussion and that the Committee would take into account all the proposals which had been submitted, as well as any suggestions which may be made during the meetings by any of the delegations represented.

3. The first question discussed was the division into chapters, then the distribution of the articles among the different chapters.

After a lengthy exchange of views, the Delegates from Argentina, the United States, France, and the United Kingdom agreed on the draft plan appearing as an annex to the present report.

4. In proposing this plan, the Committee made the following observations:
- a. The titles of the articles can be definitively adopted only when the exact text of each article has been drafted.
 - b. The order of the articles within each chapter is not final; it can be modified later in order to ensure a logical succession of the different provisions.
 - c. New articles may eventually be inserted among those indicated.
5. In the discussions, the Committee placed particular stress on the placement of the provisions concerning relations between the I.T.U. and the U.N.
- The Delegate from Argentina pointed out that these provisions should be kept separate from those relating to the Union itself.
- The Committee finally decided to insert them in a special chapter - Chapter III - to be placed directly after the chapters dealing respectively with the "Constitution, Organization and Functions of the Union," and with the "Execution of the Convention and the Regulations." In this way, an important place would be given to the provisions dealing with the U.N., at the same time maintaining in the textual form of the Convention the autonomy of the Union in its relationship with the United Nations.
6. In accordance with the Chairman's proposal, the Committee agreed to consider at the next meeting the possibility of immediately arranging the classification of articles within each chapter, with, of course, the proviso that new articles which might prove essential be added thereafter.

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

Rapporteurs:
J. Persin
F. A. Trail

Chairman:
J. Laffay

ANNEX

PLAN OF THE CONVENTION

Chapter I - Constitution, Organization and Functions
of the Union.

1. Constitution of the Union.
2. Aims of the Union.
3. Organization of the Union.
4. Administrative Council of the Union.
5. General Administrative Secretariat.
6. International Committees.
7. International Consultative Committees.
8. International Frequency Registration Board.
9. Regulations.
10. Salaries, Allowances, Statutes.
11. Finances of the Union.
12. Plenipotentiary Conferences.
13. Administrative Conferences.
14. Change of Date and Location of Conferences.
15. Languages.

Chapter II - Execution of the Convention and the Regulations

16. Ratification of the Convention and the General Regulations
17. Approval of Regulations.
18. Adherence of Governments to the Convention and the General Regulations.
19. Adherence of Governments to the Regulations.

20. Adherence to the Convention, to the General Regulations and to the Regulations by Colonies, Protectorates, Territories under the Sovereignty, Authority, Trusteeship or Mandate of Contracting Governments.
21. Execution of the Convention and the Regulations.
22. Denunciation of the Convention and the General Regulations by the Governments.
23. Denunciation of the Regulations by the Governments.
24. Denunciation of the Convention, the General Regulations and the Regulations by Colonies, Protectorates, Territories under Sovereignty, Authority, Trusteeship or Mandate.
25. Abrogation of Previous Conventions.
26. Abrogation of the Regulations.
27. Relations with Non-Contracting Governments.
28. Arbitration.

Chapter III - Relations with the United Nations

29.

Chapter IV - General Provisions relating to Telecommunications.

30. Telecommunication as a Public Service.
31. Stoppage of Telecommunications.
32. Suspension of Service.
33. Responsibility.
34. Secrecy of Telecommunications.
35. Constitution, Operation and Protection of Installations and Channels.
36. Investigation of Violations.

- 37. Charges and Franking Privileges.
- 38. Priority of Transmission for Government Telegrams, Radiotelegrams and Telephone Conversations.
- 39. Secret Language.
- 40. Rendering of Accounts.
- 41. Monetary Unit.
- 42. Special Arrangements.

Chapter V - Special Provisions for Radio

- 43. Intercommunication.
- 44. Interference.
- 45. Distress Calls and Messages.
- 46. False or Deceptive Distress Signals.
Irregular Use of Call Signals.
- 47. Monitoring.
- 48. Limited Service.
- 49. Installations of National Defense Services.

Chapter VI, - Final Provisions

- 50. Effective Date of the Convention.

Appendices

- 1. Definition of Terms used in the Convention.
 - 2. Arbitration Procedure.
-

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September 10, 1947

VOTE

on

F

Meeting of

Delegation	Present	Absent	Votes			Comments
			For	Against	Abstained	
Afghanistan.						
Union of South Africa and Mandated Territory of Southwest Africa.						
Albania.						
Saudi Arabia.						
Argentina.						
Australia.						
Austria.						
Belgium.						
Belgian Congo and Mandated Territories of Ruanda-Urundi.						
Bielorussia.						
Burma.						
Bolivia.						

Delegation	Pre- sent	Absent	Votes			Comments
			For	Against	Abstained	
Brazil.						
Bulgaria.						
Canada.						
Chile.						
China.						
Vatican City (State).						
Colombia.						
Costa Rica.						
Cuba.						
Denmark.						
Dominican Republic.						
Egypt.						
El Salvador.						
Ecuador.						
United States of America.						
Territories of the United States.						
Ethiopia.						
Finland.						
France.						

Delegation	Pre- sent	Absent	Votes			Comments
			For	Against	Abstained	
Overseas Col- onies, Protect- orates and Ter- ritories under French Mandate.						
French Protect- orates of Moroc- co and Tunisia						
United Kingdom of Great Britain and Northern Ireland						
Overseas Col- onies, Pro- tectorates, Ter- ritories and Ter- ritories under the Sovereignty or Mandate of Great Britain						
Southern Rhodesia						
Greece.						
Guatemala						
Haiti						
Honduras						
Hungary						
India						
Iraq						
Iran						
Ireland						
Iceland						

Delegation	Present	Absent	Votes			Comments
			For	Against	Abstained	
Italy						
Lebanon						
Liberia						
Luxembourg						
Mexico						
Monaco						
Nicaragua						
Norway						
New Zealand						
Panama						
Paraguay						
Netherlands						
Netherlands Indies						
Pakistan						
Peru						
Philippines						
Poland						
Portugal						
Portuguese Colonies						
Roumania						
Siam						
Sweden						
Switzerland						

Delegation	Present	Absent	Votes			Comments
			For	Against	Abstained	
Syria...						
Czechoslovakia						
Turkey...						
Ukraine...						
Union of Soviet Social- ist Republics.						
Uruguay...						
Venezuela...						
Yemen...						
Yugoslavia...						

Note: Any government or any delegation duly accredited by any other government may, either permanently or temporarily, authorize a delegation of another country to vote in its stead for the duration of the Conference if this government is unable to send representatives, either for one or several meetings when this country cannot be represented. In no case may one delegation exercise the votes of more than 2 delegations. However the delegations of the United Kingdom and of the United States may vote for their colonies, protectorates and territories as a group.

(Paragraph 2 of Article 18 of the Internal Regulations of the Telecommunications Conference. Document No. TR-E)

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INTERNATIONAL
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Document No. 378 TR-E

INTERNATIONAL
RADIO CONFERENCE
ATLANTIC CITY
1947

Document No. 925 R-E

INTERNATIONAL
HIGH FREQUENCY
BROADCASTING
ATLANTIC CITY
1947

Document No. 89 Rhf-E

September 10, 1947

CORRECTION TO DOCUMENT 359 TR-E
904 R-E
86 Rhf-E

Page 2, under number 19, reads:

South American Radio Conference 2) Peru Lima

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

E
DOCUMENT NO. 379 TR-E

September 11, 1947

CORRECTION
to Document 373 TR

In the title, read 13th Meeting.

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INTERNATIONAL
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DOCUMENT NO. 380 TR-E

September 11, 1947

Committee E

228 TR

UNITED KINGDOM

The United Kingdom has studied the text proposed in Document 307 TR for revision of Article 15 of the Madrid Convention, on the subject of arbitration, and proposes some editorial changes mainly in the English text which it believes would simplify and clarify this text.

For the convenience of the members of Committee E, there is set forth below the text as it appears in Document 307 TR, including the changes proposed by the United Kingdom. Proposed deletions are indicated by a line drawn through the passages to be deleted, and proposed additions are indicated by underlining the added material.

Article ---

Settlement of Difference

The Members of the Union may settle their differences on questions relating to the application of the Convention or to of the Regulations contemplated in Article --- through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon. ~~In case none of these procedures~~ If none of these modes of settlement is adopted, any member of the Union party to a dispute may submit ~~such the~~ dispute to arbitration in accordance with ~~the procedures defined in Annex ---~~

~~1. The party appealing to arbitration shall be considered as the plaintiff, and the party against which complaint is made shall be considered as the defendant.~~

2. 1. The plaintiff party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the defendant other party to the dispute a notice of the submission of the dispute to arbitration.

3. 2. The parties shall decide by mutual agreement if whether the arbitration is to be entrusted to individuals or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree whether the arbitration shall be entrusted to individuals or governments, it shall be entrusted to governments.

4. 3. If arbitration is to be entrusted to individuals, the arbitrators must be neither nationals of the countries parties involved in the dispute, nor have their domicile in such the countries parties to the dispute, nor be employed in their service.

5. 4. If arbitration is to be entrusted to governments, these must be chosen from among the members of the Union which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.

6. 5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall designate appoint an arbitrator.

7. 6. If more than two parties are involved in the dispute, each group of plaintiffs or defendants shall designate an arbitrator shall be appointed in accordance with according to the procedure indicated above set forth in paragraphs 4 and 5 above, by each of the two groups of parties having a common position in the dispute.

8. 7. The two arbitrators thus designated appointed shall agree upon the designation of choose a third arbitrator who, if the first two arbitrators are individuals and not governments, must fulfill the conditions indicated in paragraph 4 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators in as to the choice of a third

arbitrator, each of these two arbitrators shall ~~propose~~
nominate a third arbitrator who is in no way concerned
in the dispute. The (Secretary-General) of the Union
shall then designate draw lots in order to select the
third arbitrator. ~~by drawing lots.~~

9. 8. The parties to the dispute have the right to
~~settle their difference~~ have their dispute settled
by a single arbitrator ~~designated~~ appointed by common
agreement or in accordance with the procedure prescribed
in the preceding paragraph., or alternatively, each
party may nominate an arbitrator. The (Secretary-General)
of the Union shall in the latter case draw lots to decide
which of the persons so nominated is to act as the single
arbitrator.

10. 9. The arbitrators shall be free to to decide ~~freely~~
upon the procedure to be followed.

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

11. 12. Each party shall bear the expenses it shall have
incurred in the investigation and presentation of the dis-
pute. The costs of arbitration other than those incurred
by the parties themselves ~~to the dispute~~ shall be divided
equally between the parties to the dispute.

13. 12. The Union shall furnish all information relating
to the dispute which the arbitrators may need.

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INTERNATIONAL
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Document No. 381TR-E
September 11, 1947

Draft Resolution Approved by the Informal Meeting on September 9, 1947, of the Countries Interested in the Work of the C.C.I.R., and Recommended for Adoption at a Plenary Session of the International Telecommunications Conference.

The International Telecommunications Conference of Atlantic City,

Having been advised by the Delegation of Sweden that the Swedish Administration renews its invitation to hold the next meeting of the International Radio Consultative Committee (C.C.I.R.) at Stockholm during the latter half of July, 1948,

Having considered the proposals of Sweden and the United States (Documents Nos. 305 TR and 326 TR, respectively) that measures be taken with a view to organizing the work of the C.C.I.R. on an interim basis pending the first meeting of the C.C.I.R. according to the decisions of the Atlantic City Conferences.

- a. Accents, with great appreciation, the kind invitation of the Swedish Administration that the next meeting of the C.C.I.R. be held in its country,
- b. Requests the Swedish Administration to
 - (1) take the necessary steps for assigning to the Study Commissions of the C.C.I.R. the questions referred to the C.C.I.R. by the Atlantic City Conferences and the Bucharest meeting of the C.C.I.R., taking into account the proposals contained in the Appendix to this Resolution.
 - (2) complete any other arrangements for the interim organization of the C.C.I.R. which may be necessary following the action of the Atlantic City Conferences.

- (3) coordinate the work of the Study Commissions with a view to the submission by these Commissions of recommendations on the questions referred to them for consideration, at the next Plenary Meeting of the C.C.I.R.,
- (4) keep the Secretary General of the Union fully informed, so that he may arrange for the publication of suitable notices affording an opportunity to all interested administrations, private operating agencies and international organizations to participate in the work of the C.C.I.R. if they so desire,
- (5) organize the Plenary Meeting of the C.C.I.R. in 1948,
- (6) submit a report to the Plenary Meeting of the C.C.I.R., covering the measures which it will have taken in organizing that meeting,

and,

- c. Requests the interested administrations, private operating agencies and international organizations to cooperate actively with the Swedish Administration and with the Chairmen of the several Study Commissions, in order that sound and carefully prepared recommendations may be presented for consideration at the meeting of the C.C.I.R. which, at the invitation of the Swedish Administration is to be held at Stockholm in 1948.

Appendix.

(Appendix not reproduced, pending availability of revised texts as a result of further Conference action.)

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
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Document No. 362 TR-E
September 11, 1947

Committee C

Correction

To Document No. 357 TR-E Requested
by the Delegate from Guatemala

Page 4, Item 11, replace the paragraph by the following text:

The Delegate from Guatemala explained that the principle suggested by the Spanish-American countries, on behalf of which he was speaking, proposed that the five languages of the United Nations: Spanish, French, English, Russian, and Chinese be considered official languages, but that the languages be mentioned by their own names without reference to the United Nations, because that Organization could change its official languages, and because the Spanish-American countries did not believe it desirable that our Union should be subject to those changes which might arise in the U.N. on the subject of languages.

The Delegate from Guatemala further stated that the Spanish-American countries considered it important to indicate the function of the official languages and said that it was for this reason that their proposal regarding languages (Document No. 338 TR-E) specified that the final documents of plenipotentiary and administrative conferences, as well as their final minutes and additional protocols should be drawn up those languages in texts equivalent in form and content.

The Delegate from Guatemala stated that the Spanish-American countries could not agree with the provisions which had been presented by several delegations limiting the official languages for final documents to one or two. Nor could they agree with the proposal appearing in the Moscow Document, which contemplates the introduction of four languages, since that Document does not take the Spanish language into consideration, possibly because of the fact that none of the Spanish-speaking countries had been invited to the Moscow Conference. The Delegate from Guatemala explained that the Spanish-American proposal meets the new world conditions and includes the concept of the proposal of the United States of America contained in Document No. 20 TR-E and that of the United Kingdom contained in Article 13, Document No. 9 TR-E but puts it in more precise form by specifying which languages are to be employed.

12 Sept. 1947

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INTERNATIONAL
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Document No. 383 TR-E

September 11, 1947

Committee G

Agenda
of the Meeting of Saturday, September 13,
at 10:00 A.M.

-
- 1- Approval of the report of the third meeting.
 - 2- Examination of the Articles of the Convention
mentioned in Documents 332 TR-E and
365 TR-E.

12 Sept 1947

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CONFERENCE INTERNATIONALE
DES TELECOMMUNICATIONS
D'ATLANTIC CITY

DOCUMENT NO 384 TR

1947

11 septembre 1947

COMMISSION C

T E X T E S

présentées par la commission C
à la commission G

Recommandation présentée par la commission C
(Organisation) de la Conférence des
Plénipotentiaires de l'Union Internationale
des télécommunications à l'Assemblée Plénière
en vue de l'institution du Conseil d'adminis-
tration et de la première élection de ses
membres par la Conférence d'Atlantic City, 1947.

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

DOCUMENT NO 384 TR-E

1947

September 11, 1947

COMMITTEE C

T E X T S

presented by Committee C to Committee G

Recommendation submitted by Committee C
(Organization) of the Plenipotentiary Conference
of the International Telecommunication Union to
the Plenary Assembly with a view to the institution
of the Administrative Council and the initial
election of its members by the Conference of
Atlantic City, 1947.

12 Sept. 1947

(384 TR)

La Commission C (organisation) recommande à l'Assemblée Plénière d'adopter pour l'institution du Conseil d'administration les dispositions définies dans les articles suivants:

Article 1

Les Membres du Conseil d'administration sont au nombre de dix-huit.

Article 2

Les Membres du Conseil d'administration sont élus par l'Assemblée Plénière parmi les candidats Membres de l'Union figurant sur quatre listes présentées respectivement par les Membres de l'Union groupés dans les quatre régions définies ci-après:

Région A - Région américaine, telle qu'elle a été délimitée par la 3^e conférence interaméricaine de radio-communications réunie à Rio de Janeiro en 1945.

Région B - Régions occidentales de l'Europe et de l'Afrique occidentales, situées à l'est de la région précédente et délimitée à l'est par le méridien 20° E jusqu'à l'équateur, suivant l'équateur jusqu'au méridien 60° Est et ensuite par le méridien 60° E vers le sud.

Région C - Région de l'Europe orientale et de l'Asie septentrionale, délimitée à l'Ouest par le méridien 20° Est, au Sud par le parallèle 40° Nord, à l'Est par la Région américaine.

Région D - Le reste du globe terrestre, délimité à l'Ouest par la limite Est de la région B, au nord par le parallèle 40° Nord, à l'Est par la limite

(384 TR-E)

Committee C (Organization) recommends that the Plenary Assembly should adopt the procedure laid down in the following articles for the institution of the Administrative Council:

Article 1

The Administrative Council shall be composed of eighteen Members.

Article 2

The Members of the Administrative Council shall be elected by the Plenary Assembly from the candidates Members of the Union appearing in four lists submitted respectively by the Members of the Union belonging to each of the four regions specified below:

Region A - American region, as established at the Third Inter-American Radio Conference held in Rio de Janeiro in 1945.

Region B - The western region of Europe and Africa situated to the east of the preceding region and bounded on the eastern side by meridian 20° E down to the Equator, by the Equator eastward as far as meridian 60° E and then by meridian 60° E southward.

Region C - East European and North Asiatic region, having as western limit the meridian 20° East, as southern limit parallel 40° North and as Eastern limit the American region.

Region D - The remainder of the world, bounded on the West by the eastern limit of Region B, on the North by parallel 40° N and on the

(384 TR)

Ouest de la région américaine.

Article 3

Pour la constitution précise des quatre groupements régionaux de Membres de l'Union correspondant aux quatre régions ci-dessus définies, tout Membre de l'Union dont le territoire est traversé par le méridien 20° Est ou par le parallèle 40° Nord (à l'Est du précédent méridien et jusqu'à la limite ouest de la région américaine), par l'équateur ou par le méridien 60° Est, choisira librement celui des deux groupements contigus auquel il décidera de se joindre.)*

Article 4

Chacun des quatre groupements régionaux constitués conformément aux dispositions des articles 2 et 3 désigne, en appliquant la procédure qui lui paraît la plus convenable, pas moins de 7 et pas plus de 8 de ses membres dans les régions A, B, D et pas moins de quatre et pas plus de cinq de ses membres dans la région C, pour être candidats à un siège au sein du Conseil d'administration.

(384 TR-E)

East by the western limit of the American region.

Article 3

For the precise constitution of the four regional groups of Members of the Union, corresponding to the four regions defined above, any Member whose territory is crossed 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), by the Equator, or by meridian 60° East, shall choose freely to which of the two adjoining groups it wishes to be attached.)*

Article 4

Each of the four regional groups of countries established in accordance with the provisions of Articles 2 and 3 shall nominate, following the procedure it considers most appropriate, not less than seven and not more than eight of its own Members in the cases of Regions A, B and D, and not less than four and not more than five of its own Members in the case of Region C, to be candidates for election to the Administrative Council.

(384 TR)

Article 5

a) Tout Membre de l'Union, présent à l'Assemblée Plénière, a le droit de voter pour au plus cinq candidats différents de chaque liste des régions A, B et D et pour, au plus, trois candidats différents de la liste de la région C.

b) Le vote est exprimé en utilisant un bulletin unique pour chaque liste.

c) Tout bulletin de vote ne remplissant pas les conditions précisées aux §§ a) et b) ci-dessus, est considéré comme nul.

d) Les cinq Membres de chacune des trois régions A, B et D et les trois Membres de la région C qui obtiennent le plus de voix sont déclarés élus.

e) Dans le cas d'égalité des suffrages pour le cinquième membre des régions A, B, D ou pour le troisième Membre de la région C, la désignation du ou des candidats à élire pour le ou les sièges en question est faite par voie de tirage au sort.

*) La Commission C recommande que lorsque les pays visés à l'article 3 auront choisi la région dans laquelle ils désirent être incorporés, les régions seront définies par les noms des pays au lieu des lignes de longitude et de latitude marquées arbitrairement et qu'en conséquence l'article 3 ci-dessus sera supprimé de la recommandation finale que l'on présentera à l'assemblée plénière de la Conférence des Plénipotentiaires.

(384 TR-E)

Article 5

a) Each Member of the Union present at the Plenary Assembly has the right to vote for a maximum of five different candidates from each list of the Regions A, B and D and for a maximum of three different candidates from the list of Region C.

b) The vote is cast by using a single ballot for each list.

c) Each ballot which does not fulfill the conditions formulated in a) and b) above shall be considered as void.

d) The five Members in each of the three Regions A, B and D and the three Members in Region C which obtain the highest number of votes shall be declared as elected.

e) In the case of a tie for the election of the fifth Member from Regions A, B or D or of the third Member from Region C, the selection of the Member or Members to be elected for the seat or seats in question shall be determined by lot.

*) Committee C recommends that after the countries mentioned in Article 3 have chosen the region in which they wished to be included, the regions should be defined by lists of names of countries instead of by arbitrary lines in terms of latitude and longitude and that, as a consequence, Article 3 above should be deleted from the final recommendation to the Plenary Assembly of the Plenipotentiary Conference.

INTERNATIONAL
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Document No. 385 TR-E

September 11, 1947

Committee F

229 TR

United States of America

Proposed text for revision of Article 18
of General Regulations (Document 271 TR-E - page 2)

Article 18

Proposals Presented during a Conference

- §1. No proposal or amendment shall be submitted unless it is countersigned or supported by the Head of the Delegation of the country concerned or by his deputy.
- §2. 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 may be allowed to explain his reasons therefor.
- §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.

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September 11, 1947

Committee C

Report presented to Committee C
by
Subcommittee C 1 (Finance and Personnel)

- § 1. Subcommittee C, in its meeting of September 10, 1947, studied Document No. 371 TR prepared by Working Group 3, in order to consider the salaries to be given to members of the I.F.R.B., in accordance with the request of Committee C.

This question being closely related to the one of the salaries of the personnel of the Bureau of the Union, the latter have also been studied.

- § 2. During the course of the discussion, the three following trends were evidenced:

- 1) To assign to members of the I.F.R.B. a salary of 32 400 Swiss francs, included in the present salary scale of the personnel of the Bureau of the Union (Annex I)
- 2) To set up a new scale of 4.500-48.000 Swiss francs for the personnel of the Bureau of the Union and to assign to members of the I.F.R.B. a salary of 40.000 Swiss francs (Annex II)
- 3) To set up a scale of salaries much greater than those of the previous scales and corresponding to a salary of 64.500 Swiss francs for the members of the I.F.R.B. (Annex III)

- § 3. The Subcommittee was unable to reach any agreement on recommending either of the following alternatives. Consequently, these three alternatives are presented in the subjoined annexes so that Committee C may study them and take a decision on this subject.

- § 4. The Subcommittee will proceed to making an estimate of the budget on the basis of the decision taken by Committee C.

ANNEX I

A. Salary scale

	<u>Swiss francs</u>	<u>dollars</u>
Class A Director general of the Union	40.000	9.300
Class B Vice-director Directors of I.C.C. Members of I.F.R.B. (1)	32.400	7.535
Class C Counsellors	24.300	5.651
1st class	12.600 to 18.900	2.930 to 4.395
2nd class	11.400 to 16.200	2.651 to 3.767
3rd class	10.100 to 14.900	2.349 to 3.465
4th class	8.700 to 13.500	2.023 to 3.140
5th class	7.400 to 12.200	1.721 to 2.837
6th class	6.500 to 10.800	1.512 to 2,512
7th class	4.500 to 8.500	1.047 to 1,977

(1) An allowance could be provided for representation expenses of the Chairman of the I.F.R.B.

B. Arguments in favor of this salary scale

1. Whereas the formation of new agencies and the acceptance by the Conference of certain provisions involving a substantial increase in the expenses of the Union, it would not seem advisable or timely to add to the difficulties of this situation by changing the scale now in effect in order to increase the salaries of members of the Bureau of the Union.

2. The present salaries are adequate and are, in general, much higher than those paid to government employees of a similar rank in the national services of the various members of the Union.

3. The extension of the services of the Union is not a valid argument in favor of proposing a new salary scale raising the salaries in the upper brackets and including additional grades as suggested by Working Group 3. It must moreover, be noted that, with the exception of the I.F.R.B., and the various International Consultative Committees, each of which have its own specialized secretariat, there will apparently be no very great increase in the personnel of the Bureau of the Union.

4. Present salaries seem sufficiently high as far as the Swiss personnel is concerned. In the case of the non-Swiss specialized personnel, it may be noted that, under the provisions of Article 20 of the Regulations governing international bureau, this entire personnel receives a foreign service allowance amounting annually to 5,000 Swiss francs for the Director and to 2,600 Swiss francs for the Vice-Directors. Moreover, the non-Swiss personnel enjoys tax exemption, in accordance with Article 11 of the Statutes.

5. Furthermore, while it may be advisable to compare the present salaries of the Bureau of the Union with those assigned to the personnel of other international agencies, it is essential to make this comparison with analogous international agencies, as, for example, the Universal Postal Union.

Since, all international bureaux placed under the supervision of the Swiss Authorities have the same Statutes and the same salaries, it is to be presumed that a modification of the present salary scale applied to members of the Bureau of the Union, would have an immediate repercussion on the salaries assigned to other international bureaux, which are the following :

- a) International Bureau of the Universal Postal Union
- b) "Bureaux internationaux réunis pour la protection de la propriété industrielle, littéraire et artistique."
- c) "Office Central des transports internationaux par chemins de fer."

ANNEX II

A. Salary scale

	<u>Swiss francs</u>	<u>dollars</u>
Class A Director general of the Union	48.000	11,160
Vice-directors		
Class B Directors of I.C.C. Members of I.F.R.B. (1)	40.000	9,300
Counsellor in charge Class C of the Administrative Division (2)	35.000	8,140
Class D Counsellors	30.000	6,977
1st Class	17.000 to 24.000	3.953 to 5,581 (3)
2nd class	12.600 to 18.900	2.930 to 4,395
3rd class	11.400 to 16.200	2.651 to 3,767
4th class	10.100 to 14.900	2.349 to 3,465
5th class	8.700 to 13.500	2.023 to 3,140
6th class	7.400 to 12.200	1.721 to 2,837
7th class	6.500 to 10.800	1.512 to 2,512
8th class	4.500 to 8.500	1.047 to 1,977

(1) An annual indemnity of 8.000 Swiss francs for costs of representation will be granted to the president of the I.F.R.B

(2) New position to be created

(3) New scale

B. Arguments in favor of this salary scale

The reasons which have led Working Group 3 of Subcommittee C to use this new scale as a basis have been indicated in document 371 TR-E.

The arguments against the adoption of a higher salary scale are the following:

1. Salaries quoted by the new scale are ample, and perhaps even high, when compared with salaries for similar positions in government services in various countries.

2. The development of services, and the increase in responsibilities, have already been taken into account in the new scale. As a general rule, the development of a service does not necessarily call for a general salary increase, except in the case of executive positions. Our Union, moreover, has made provisions for an increase in such salaries.

3. It might prove necessary to employ specialized international officials in the higher brackets; but such needs will prove rare in other categories.

4. In comparing the salaries of the I.T.U. with those of other international organizations, they should be judged by the standards of similar organizations, such as the U.P.U., for example.

5. On frequent occasions, some delegations in Committee C have requested that the entire future organization be established along the most economical lines possible. This widespread desire could not be fulfilled if the present scale of salaries were to be greatly changed.

6. International officials who are not Swiss citizens will benefit from the tax exemption provided by Article 11 of the International Bureaux Statutes, as decided by the Swiss Federal Council on January 31, 1947. This exemption is especially favorable to the members of the I.F.R.B.

Annex III

A. <u>Salary scale</u>	<u>Swiss francs</u>	<u>dollars</u>
Class A Director general of the Union	75.250	17.500
Vice-directors		
Class B Directors of I.C.C. Members of I.F.R.B.	64.500	15.000
Counsellor in charge		
Class C of the Administrative Division (1)	53.750	12.500
Class D Counsellors	43.000	10.000

The salaries of the other eight classes indicated in Annex II will be increased in an analogous proportion.

B. Arguments in favor of this salary

1) In order to achieve the truly international character envisaged for the future Union it will be necessary to pay salaries which will be attractive to persons whose qualifications and capabilities will be of benefit to the Union.

2) There will be a substantial increase in the volume of work and responsibility placed on the officials of the Union as a result of the rulings of Atlantic City, involving the transfer of the headquarters of the Union from Berne to Geneva, and the supervision of newly created agencies and of a greatly expanded staff, etc.

3) If the salary range for Class I and out of Class D personnel, for instance, is maintained, the expanding Union may encounter difficulty in recruiting from the international field a sufficient number of persons with the specialized qualifications required.

4) The cost of living in Switzerland has increased upwards of sixty percent today and this increase has been only partially offset by the additional allowances made by the Swiss Government.

5) The Union holds an important position in international affairs and, for reasons of prestige and parity, the officials of the Union should not be placed in a position inferior to that of officials of other international organizations with whom they have to deal on a personal daily basis. When the Union moves from Berne to the more cosmopolitan city of

Geneva, it will be in proximity to international agencies created by the United Nations and maintained by them on a level superior to the standards presently applied to the Union.

6) While no decision has been taken with regard to salaries of I.F.R.B. members, the delegates-at this Conference who have been dealing with the subject of the functions of the I.F.R.B., are of the opinion that the salaries for I.F.R.B. members should be at least fifty percent higher than the present salary for the Director of the Bureau.

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 387 TR-E
September 11, 1947

Committee E

R E P O R T

of the

Convention Committee

(Committee E)

18th Meeting, 10th September, 1947

1. The Chairman called the meeting to order at 3:40 p.m.
2. The Committee agreed to the minutes of the 17th Meeting (362 TR) subject to the following amendments:-

[In the English text]

- (i) Delete the first sentence of paragraph 8 and substitute the following: "The delegate of France suggested to add in § 2 of the same article after "telephonic" the words "or telegraphic."
- (ii) After a discussion to which participated the delegates of France, United States, United Kingdom, Netherlands, South Africa and Canada, the delegate of New Zealand proposed to substitute in paragraph 1 of Article No. 2 the words "telegraphic communications" by "telegram" and in paragraph 2 of the same article to accept the modification proposed by the delegate of France; the Commission approves this suggestion and agrees to send the following text to Commission b.-
- (iii) Add at the end of paragraph 20. "(257 TR §§ 20 and 21).
- (iv) Under "Chairman" at the end delete "A. Fortoushenko" and insert "H. Townshend."

3. The Committee then passed to consideration of Doc. 364 TR, texts proposed by Subcommittee E-2 (Drafting Group).

13 Sept 1947

4. Article 13 "Special Arrangements."

The Committee approved the following text and agreed to submit it to Committee G:-

"Article 13

Special Arrangements

The Members of the Union reserve for themselves for the private operating agencies recognized by them and for other agencies duly authorized to do so, the right to make /regional or other/ special arrangements on telecommunication matters which do not concern the Members in general. Such arrangements, however, shall not be in conflict with the terms of the Convention or of the Regulations annexed thereto, so far as concerns the harmful interference which their operation might be likely to cause to the radiocommunication services of other countries."

5. Article 33 bis "Rational Use of Frequencies and Spectrum Space."

The Committee

- (i) agreed to the suggestion of the Drafting Group that this important regulation should be included in a separate Article rather than in Article 34.
- (ii) agreed to submit the following text to Committee G with a recommendation that it be placed at the beginning of Chapter IV (General Provisions for Radiocommunications):

"

6. Article 34 "Intercommunication."

The Committee approved the following text and agreed to submit it to Committee G:-

Article 34

Intercommunication

§ 1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of

their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio system adopted by them.

§ 2. Nevertheless, in order not to impede scientific progress, the provisions of the preceding paragraph shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

7. Definition of "Government Telegrams and Government Telephone Calls."

The United States delegate proposed that "radiotelegrams" be deleted since the definition of "telegram" adopted by the Radiocommunication Conference included radiotelegrams.

8. The United Kingdom delegate agreed.

9. The delegate of Italy thought that as "radiotelegram" had always had a special meaning since the commencement of radio telegraphy the word should be included.

10. The delegate of France suggested replacing privileges" by "priority."

11. The United States delegate disagreed on the ground that "privilege" is a wider term.

12. The United Kingdom delegate pointed out that in addition to the right to priority, government telegrams enjoyed immunity from stoppage, the right to secret language in all relations and free collation. The substitution of the word "priority" would not meet the case. He added that if the Authorities specified in the definition received all these privileges as a matter of course they would not in fact be able to send telegrams by the private, deferred and letter telegram categories.

13. The United States delegate stated that if the suggestion of the French delegate were adopted a government telegram would lose all other privileges if priority were not claimed for it.

14. The Committee approved the following text and agreed to submit it to Committee G:-

Annex

Definition of the terms used in the
International Telecommunication Convention

.....
.....

Government Telegrams and Government Telephone
Calls.

Telegrams or telephone calls originating with any of the authorities specified below for which Government privileges are claimed:

- (a) the Head of a State;
- (b) a Minister who is a member of a Government;
- (c) the Head of a colony, protectorate, overseas territory under suzerainty, authority, trusteeship or mandate of the Contracting Governments or of the United Nations;
- (d) Commanders-in-Chief of military forces, land, sea or air;
- (e) diplomatic or consular agents of the Contracting Governments;
- (f) the Secretary General of the United Nations and the Heads of the subsidiary offices of the United Nations;
- (g) the International Court of Justice at The Hague.

Replies to Government telegrams as defined herein shall also be regarded as Government telegrams.

15. Definition of "Service Telegrams."

The United States delegate considered that if the permanent organs of the I.T.U. were permitted to send service telegrams a very heavy burden would be thrown on the carriers including the private operating agencies, and in particular the telecommunication services of the host-countries. He enquired whether this right would be extended to the international broadcasting organization which would have a very large volume of telegraphic traffic.

16. The delegate of Canada suggested "Secretary General" instead of "permanent organs."

17. The delegate of Czechoslovakia said that though, according to the strict terms of the Madrid Convention the Bureau had no right to send service telegrams, this right had, in practice been granted to them. If the right were given to the Bureau it could not be withheld from the permanent organs of the Union. The Committee had already agreed to this.

18. The delegates of Italy and New Zealand felt that the expenses of the Union would be greatly increased if all its permanent organs were denied the right to send service telegrams.

19. The Chairman pointed out that service telegrams are free only in certain specified cases.

20. The delegate of South Africa said that he agreed with the United States delegate. In South Africa the government agencies were rigidly restricted in the right to send service telegrams.

21. The delegate of France felt that the service telegrams originated by the permanent organs of the Union might well upset the balance of telecommunication traffic. He suggested that the matter be given further study and offered to prepare several alternative drafts, with special reference to the international broadcasting organization from which the Committee could choose.

22. The Committee agreed the following definition subject to any proposals which the delegate of France might submit by the next meeting:-

"Service Telegrams"

Those originating with telecommunication administrations of the Contracting Governments, with recognized private operating agencies or with the Secretary General of the Union and relating to international telecommunication or to objects of public interest mutually agreed upon by the Administrations and private operating agencies concerned."

23. Definition of "Private Telegrams"

The Committee approved the following definition and agreed to submit it to Committee G:-

Private Telegrams

Telegrams other than service or Government telegrams.

24. The Committee agreed that the task of substituting "Members of the Union" for "Contracting Governments" in the various Articles whenever this change was felt to be desirable should be left to Committee G.

25. The Committee agreed that the following definitions adopted by the Radiocommunications Conference should be incorporated in the Convention and should be submitted to Committee G.

- (1) Telecommunication: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems.
- (2) Radiocommunication: Any telecommunication by means of Hertzian waves.
- (3) Radio: A general term applied to the use of Hertzian waves.
- (4) Telegraphy: A system of telecommunication for the transmission of written matter by the use of a signal code.
- (5) Telephony: A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.
- (6) Telegram: Written matter intended to be transmitted by telegraphy; this term also includes radiotelegram unless otherwise specified.
- (7) Mobile Service: A service of radiocommunication between mobile and land stations or between mobile stations.
- (8) Harmful Interference: Any radiation or any induction which endangers the functioning of a radionavigation service or of a safety service or impairs or repeatedly interrupts a radio service operating in accordance with these Regulations.

26. Definition of "International Service."

The United States delegate thought that although the second sentence of the Madrid definition was clumsy, it was necessary to cover matters which the United States wished to include in the "international service." He would like to review the Convention to see where the term appeared.

27. The United Kingdom delegate said that the term appeared in Article 9 § 1 and 2 and in Articles 22, 25 and 38. Article 9 was at present being considered by Committee C. The definition of "private operating agency," which was still with the Drafting Group, also had a bearing on the question. He proposed that "International Service" be referred to Committee G with a request that they review it in the light of the definition of "private operating agency" and of the text of Art. 9 finally agreed by Committee C.

28. The delegate of Chile pointed out that in the Chilean proposal (Doc. 6 TR) the deletion of the second sentence was suggested and there was also a shorter version of the first sentence.

29. The New Zealand delegate thought that Article 35 in its revised form covered adequately the various types of apparatus which might cause harmful interference and that in consequence there was no need for the second sentence.

30. The delegate of Italy agreed.

31. The delegate of Canada considered that the second sentence complemented Art. 9 and that Art. 35 fell short of this. He suggested that the Committee should agree the first sentence and refer the second sentence to Committee C.

32. At the suggestion of the Chairman, the Committee agreed: (1) to refer the first sentence to the Drafting Group, which would take cognisance of the Chilean proposal for shortening the first sentence.

(ii) to request the Drafting Group to examine the Articles in the Convention which contain mention of "International Service" and to call the attention of the Committee to places where re-wording is required in consequence of the omission of the second sentence indicating where other Committees are interested.

Note by Chairman: The attention of the Drafting Group of Committee C has been called to the point arising affecting Article 9.

33. Article 22. "Telecommunication as a Public Service."
(330 TR).

The Chairman stated that it was necessary first to deal with the definition of public correspondence" proposed by France before dealing with this Article. He reminded the Committee that they had agreed to revise the title of the Article so as to eliminate "public service."

The delegate of France agreed to withdraw his proposed definition in favour of the Madrid text. He then offered a revised text of Article 22 in adding "for all private users in."

34. The United States delegate suggested that Art. 22, as shown in 330 TR should be adopted with the deletion of the words in the second sentence beginning with "without any priority....."

35. The Chairman suggested that instead of "classes of private correspondence" the words "members of the public in each category of private correspondence." He further suggested that the title should be "The right of public correspondence."

36. The United States delegate proposed "private users" in place of "private members." After a discussion at which participated the delegates of Italy, Canada, New Zealand and South Africa and on the proposal of the delegate of France.

37. The Committee approved the following text and agreed to submit it to Committee G:

"Article 22

The right of public correspondence

The contracting governments recognise 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 private users in each category of telegraphic correspondence without any priority or preference."

Rapporteurs:

A. G. David
H. Lerogron

Chairman:

H. Townshend

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY

Document No. 388 TR-E

12 Sep. 1947

1947

(This Document replaces Document 370 TR-E)

MOROCCO

Proposal 226 TR-

Draft for the division of expenses resulting from the use of the various languages accepted by the Union.

- § 1. Each member of the Union shall inform the Secretary General of the languages in which he wishes to have the various documents and periodicals of the Union submitted to him.
- § 2. Expenses incurred by the use of spoken and written languages at Plenipotentiary and Administrative Conferences and at meetings of International Consultative Committees shall be divided in the same way as are other extraordinary expenses connected with these Conferences or meetings.
- § 3. All documents, other than those distributed during Conferences or meetings, indicated in the preceding paragraph, shall be sold at the same price, regardless of the language chosen; the prices are to be set according to the average cost price of these documents.
- § 4. Each language group shall contribute at least 15% of the expenses outlined in paragraphs 2 and 3 above. Therefore, if the total number of units contributed by the various members belonging to a given language group be less than 15% of the total number of units contributed by the entire membership, among which a certain type of expenses is to be divided, the contributions of the members composing this language group shall be increased so as to raise the contribution of this particular language group to 15%.

Reason

The aims of this proposal are:

- 1) to avoid the necessity of having the General Secretariat fix:
 - a) the cost price of each document published by the Union, for each language used;
 - b) the portion of expenses incurred by each language at Plenipotentiary and Administrative Conferences and at meetings of permanent Union organizations.
- 2) to avoid variations in the cost price of the more widely used languages.
- 3) by virtue of the provisions of paragraph 4, to prevent unimportant language groups from trying to introduce the use of their languages; thus increasing the contributions of every member of the Union, without thereby benefiting the Union in any way.

13 Sept 1947

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 389 TR-E

September 12, 1947

Committee C

Report
of the Committee
on Organization of the Union.

(Committee C)

18th Meeting
September 5, 1947

1. The meeting was called to order at 3:30 p.m. under the chairmanship of Mr. A.D. Fortoushenko (Soviet Union).

The Chairman proposed the following Agenda:

- 1) Continuation of the discussion and a decision concerning the official languages of the Union.
- 2) Study of the recommendations of Committee 3 of the Radio Conference concerning the I.F.R.B. and the C.C.I.R. (Documents 809 R-E, 810 R-E, and 823 R-E).
- 3) Continuation of the discussions concerning languages, in accordance with the procedure adopted at the last meeting.

. Adopted.

2. The official languages of the Union.

The Chairman pointed out that it was now necessary to discuss the amendments to the resolution adopted at the last meeting.

3. The Delegate from the United States reminded the Committee of the proposal made by his country in regard to the question of languages (see Doc. No. 2 TR-E modified by Doc. No. 20 TR-E, Art. 12):

"1. The official languages of the Union and of its Conferences and documents shall be the official languages of the United Nations.

2. Each Conference shall determine for itself what languages will be used as working languages."

He pointed out that the provisions of §2 of Cairo correspond with what has been applied at the Atlantic City Conferences to the satisfaction of all the Delegations.

He was of the opinion that in the future the same procedure could be followed, and that for the Conferences of Paris in 1949 and Buenos Aires in 1952, in particular, it would be very easy to arrange for a simultaneous interpretation system in four languages.

As for the written documents, it would also be advisable to allow each Conference to determine for itself what languages it wished to use. Thus, it was quite reasonable that Spanish should be one of the written languages of the Buenos Aires Conference. Concerning service documents - and especially the lists used daily in many copies in all countries - they could be published inexpensively in four or five languages.

As for the "Telecommunications Journal," it would be of much greater interest to all countries if it were published in four languages, as is done at present in the case of the journal of the U.P.U.

4. The Chairman noted that this statement was very interesting, but he pointed out that the discussion should be limited for the time being to the question of official languages.

5. The Delegate from Ethiopia made the following statement:

"Mr. Chairman, Gentlemen:

As the Committee might well remember, the view expressed by Ethiopia was that the official language of the Union should be one only, because we believed it convenient and just for the Union as a whole. We believed and still believe in the principle that, in an international organisation such as that of our Union, the convenience of the Union should prevail over that of the individuals; the convenience and interest of the whole should prevail over the convenience and interest of the parts. However, it was the pleasure of this Committee to decide in favour to the contrary.

Now Mr. Chairman, the motive of our amendment to the resolution adopted at the last meeting of this Committee is the following: All the small countries, except the Spanish speaking countries, use either French or English. As a matter of fact, according to our estimate on the basis of the present Conference, there are about 29 countries that use the French language, and about 25 using the English language.

Therefore, one fifth of the total language expense, if divided between the 29 French speaking countries or 25 English speaking countries, the share of each country will be, in my opinion, $1/29$ of one-fifth in case of French speaking countries and $1/25$ in case of English speaking countries. Again, Mr. Chairman, if we speak in terms of units, the share of each of the small countries will come to very much less than one percent of one fifth of the total expense. Moreover, there are various other advantages for the smaller countries under this plan which I do not like to enumerate, for lack of time.

The other reason underlying our amendment, which I consider more important, is the reason of principle and justice."

6. The Delegate from France requested that the amendment proposed by his country in Doc. No. 342 TR-E be discussed first; on the one hand, this amendment had been submitted first; and on the other hand, it was complementary to the resolution adopted at the last meeting.

7. The Chairman pointed out that in accordance with the procedure adopted previously, this amendment concerning the reference language could be discussed only at the end.

8. The Delegate from Lebanon declared that the Arab countries - Saudi Arabia, Egypt, Irak, Lebanon, Syria - supported the amendment proposed by Ethiopia in Doc. No. 347 TR-E which is based on justice and equity. He added that these countries would never agree to "pay for a language they did not use" and that they were ready, if necessary, to formulate reservations in the final protocol.

9. The Chairman pointed out that the Ethiopian amendment dealt with the matter of expenses and that it could only be discussed subsequently when point 5 of the

procedure adopted at the last meeting was taken up.

He pointed out again that for the time being only the question of official languages was to be discussed, and that only one amendment had been submitted: the amendment of the United Kingdom (Doc. No. 352 TR-E, § 1 and § 2.).

10. At the request of the Delegate from India, the Delegate from the United Kingdom pointed out that this amendment referred to the languages of the U.N. because, as a result of the decision of the Plenary Assembly, the Union was going to become a specialized agency in relation with the U.N.; it was normal therefore that it should follow the procedure of that organization.

11. The Delegate from China supported the amendment of the United Kingdom concerning § 1, but as for § 2 he would prefer to apply the terms of the resolution adopted previously because the documents of the Plenipotentiary and Administrative Conferences might contain recommendations or opinions as important as the texts of the Convention and of the Regulations.

12. The Delegate from the United States was of the opinion that, in § 1 of the amendment of the United Kingdom, it was a mistake to refer to the languages of the U.N., as these are subject to change. On the other hand, he thought § 2 very useful because it specified the documents to be published in the official languages.

13. The Delegate from Guatemala agreed that the language list be drawn up alphabetically, but he thought that there should be no reference to the U.N. because "it was juridically wrong to refer to a text likely to be changed as a result of external contingencies"; for this point, the wording of Document No. 338 TR-E should therefore be retained.

14. Finally, on the basis of a vote by a show of hands, the Committee decided by a very strong majority,

- 1) that the provision determining the official languages of the Union shall not make any reference to the U.N.;
- 2) that the list of the official languages shall be drawn up alphabetically according to the language in which the documents are to be published.

15. The Committee still had to decide concerning § 2 of the amendment of the United Kingdom. The Chairman pointed out that the question was complicated because this paragraph also dealt with expenses, and, by implication, with the reference language.

At the end of a discussion in which the Delegates from Ethiopia, France, Lebanon, the United Kingdom, and Sweden, took part, the Delegate from Guatemala stated that it was not advisable at that time to discuss § 2 which did not represent any important amendment to the content of the resolution which had been adopted previously.

16. The Committee supported this view and decided to entrust the Working Group with drawing up the final text of the provision concerning the official languages, using as a basis the resolution adopted at the previous meeting (Doc. No. 338 TR-E, § 1 and § 2 (1)) as well as the amendment of the United Kingdom, taking into account the decisions (see point 14 above) and the observation (see point 15) which had just been made concerning this amendment.

*

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17. Recommendation of the Radio Conference concerning the statutes of the I.F.R.B. (Doc. No. 823 R-E)

The Chairman proposed the adoption of a resolution approving this recommendation which Committee 3 of the Radio Conference had unanimously adopted.

However, there followed a rather lengthy discussion based on observations by the Delegates from India, Italy, and Morocco.

18. The Delegate from France pointed out that the Committee would overstep its authority by modifying a document which has been drawn up by a fully autonomous Conference, and that it should merely correct, if necessary, the texts to be inserted in the Convention.

19. The Delegate from Chile considered it wise to adopt, without change, this recommendation which, during three months, had been carefully worked on by Committee 3 of the Radio Conference.

20. Finally, the Committee unanimously approved Document No. 823 TR-E, with the following reservations:

- 1) At the suggestion of the Delegate from Morocco, the statutes of the I.F.R.B. (page 12, Art. 3, § 5) should be arranged to conform with the decision to be made by the Plenipotentiary Conference concerning languages;
- 2) It was recommended to the Drafting Committees of the Plenipotentiary Conference and of the Radio Conference respectively to see to it that, in the Convention and in the Regulations, the texts concerning the I.F.R.B. be worded in a perfectly identical manner.

21. Recommendation of the Radio Conference concerning the procedure for the election of the members of the I.F.R.B. (Doc. No. 810 R-E)

The Delegate from the United States pointed out that the Working Group of Committee C which was examining this document at present intended to make several modifications.

22. The Chairman stated that the only important change to be made was to delete the expression "and not more than five" in Article 4, in order to avoid limiting the number of members which each group of countries might present.

He proposed that the Committee:

1. approve Document No. 810 R-E
2. adopt the amendment proposing deletion of the expression "and not more than five" in Article 4.

Adopted.

(N.B.: The Committee will reconsider its decision in the matter of the amendment...see item 43 hereinafter)

23. Recommendation of the Radio Conference on the subject of the C.C.I.R. (Document No. 809 R-E)

The Chairman explained that Document No. 809 R-E was to undergo certain changes in order to adapt its provisions to the new structure of the Union and to decisions made by the Committee regarding the various C.C.I's.

He proposed the following changes in succession:

24. 1. §2. 5th line, deletion of the parentheses in order definitively to retain the words "by the Administrative Council of the Union."

Adopted.

25. 2. §3. deletion of the 2nd footnote of sub-paragraph a). Since all members of the Union are to share in the ordinary expenses of the C.C.I.'s, they are by rights members of these Committees. On the other hand, they shall not share in the extraordinary expenses of assemblies and meetings unless they have requested to be represented therein.

Adopted.

26. 3. §4. deletion of the expression appearing in parentheses: "(Administrations and)." Administrations, being by right members of the C.C.I.R., need not make formal request to participate therein. On the other hand, they should announce whether they wish to participate in the meetings and assemblies, in this way clearly indicating their commitment to bear their share of the extraordinary expenses.

Adopted.

27. Furthermore, upon the proposal of the Delegate from the United Kingdom, the Committee decided to make the following recommendation to Committee F:

"Committee F should provide a special paragraph in the General Regulations outlining the procedure to be followed by the Administrations in applying for participation in the meetings and assemblies of the C.C.I's."

28. The Delegate from Morocco suggested that applications for participation made by private agencies should be submitted to the Secretary General, and not to the Chairman of the Administrative Council. Moreover, such applications should be conveyed through the Administrations which recognize the private agencies.

29 4. §18 (2), last line, substitute "in the meetings of the C.C.I.R." for "in the work of the C.C.I.R."

Adopted.

30. At the request of the Delegate from Morocco, the Chairman explained that the term "extraordinary expenses of the Director of the C.C.I.R. and the secretariat" indicated the travelling expenses incurred for the meetings.

31. The Delegate from Morocco pointed out that the Subcommittee on Finance and Personnel provided for the division of the expenses between "private agencies" and "international organizations," whereas Document No. 809 R-E contained references to "private agencies" and "manufacturing organizations." He insisted that these texts be made consistent.

32. The Delegate from the United States stated that it had been decided to insert provisions concerning the C.C.I.'s in the Convention and the General Regulations, and that now Committee 3 was recommending that provisions relating to the C.C.I.R. be included in the Radio Regulations.. He himself considered that general principles should appear in the Convention, and all other matters in the General Regulations; but that nothing should appear in the Radio Regulations.

33. The Delegate from the United Kingdom pointed out that many persons who use neither the Convention nor the General Regulations, constantly make use of the Radio Regulations, and that there was no objection to repeating, in these Regulations, the provisions relative to the C.C.I.R. which already appear in the Convention or in the General Regulations. He added, however, that it was absolutely essential that the texts of these three documents be consistent.

34. The Delegate from Italy reminded the meeting that Committee F had prepared the provisions relating jointly to the different C.C.I.'s, for insertion in the General Regulations. He believed that general provisions should now be made to appear in the Convention and that matters pertaining to the corresponding C.C.I. be included in each of the Regulations.

35. The Delegate from the United States then proposed that these texts be prepared by a group including members of Committee F, Committee C, and the Radio Conference.

36. After a brief discussion, it was decided that, in order not to delay the work of the Radio Conference, this group would meet that very evening at 8 o'clock.

37. The Committee, therefore, adopted Document No. 809 R-E, with the following reservations:

- a) the modifications indicated in points 24, 25, 26, and 29 above;
- b) the modifications in form which would be made by the group in charge of drawing up the texts which are to appear in the Convention, in the General Regulations, and in the Radio Regulations respectively.

* * *

38. Further discussion regarding Doc. No. 810 R-E
(procedure for the election of the members of
the I.F.R.B.)

The Delegate from France apologized for reverting to this question. He had no intention of becoming involved in the work of the Radio Conference; but it had been decided that the same procedure would be followed for the election of the members of the Administrative Council as for the members of the I.F.R.B.; however, he noticed that this procedure lacked precision. He asked the question: "How will the regions present their candidatures? Will the countries be listed in alphabetical order or in some other order?" In the first case, the Plenary Assembly would be free in its choice, as the regions will not express a preference for any of the countries. In the second case, either the Plenary Assembly would ratify the nominations of the regions and be devoid of all power, or it would not ratify the nominations of the regions and it would run the risk of coming into conflict with the latter.

This is an important question to be settled.

39. The Delegate from Pakistan also recognized that the procedure adopted was not very clear since the effect of the regional nomination has been destroyed by the deletion of the clause establishing as a maximum 5 candidates per region. Thus, by its own vote, a country can be a candidate, and it has the possibility of being elected by the Plenary Assembly against the will of the region. Therefore, this procedure compromises the integrity of the elections. The former text of Doc. No. 810 R-E, Art. 4, should be maintained, that is to say to keep the condition "and not more

than five." This clause had been included after long discussions at the Radio Conference, and it would be unfortunate to delete it after a brief discussion.

40. The Delegate from Mexico considered that the statement of the French Delegate deserved attention. In his opinion, the elections should be conducted regionally, and the Plenary Assembly should merely ratify them.

41. The Chairman considered that it would be difficult to revert to that question. However, he was ready to reopen the discussion if the Delegates insisted on revision of the procedure for the election of the members of the I.F.R.B.

42. The Delegate from Czechoslovakia pointed out that the Working Group of Committee 3 of the Radio Conference has worked very hard to find a solution to this problem, and he earnestly requested the Committee not to raise that question again.

He was supported by the Delegate from the United States.

43. The Delegate from Pakistan insisted on the going back to the amendment made to Article 4 of Doc. No. 810 R-E.

44. The Delegate from Denmark stated that he was very much impressed with the point of view of Pakistan which proved that the texts adopted by the Radio Conference should not be touched.

45. The Chairman then proposed that the question be put to a vote. The vote was taken by a show of hands.

The Committee decided by a large majority that the expression "and not more than five" in Document No. 810 R-E, Article 4, should be kept.

The procedure for the election of the members of the I.F.R.B. proposed by the Radio Conference was then approved without modification.

The meeting was adjourned at 7 p.m.

The Rapporteurs:

The Chairman:

J. PERSIN
B. YUROVSKI
W.E. LINAWEAVER

A. FORTOUSHENKO

INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 390 TR-E
September 12, 1947

Committee C

REPORT
of the Committee on Organization of the
Union
(Committee C)

19th Meeting
September 6, 1947

1. The meeting was called to order at 10:00 a. m. under the Chairmanship of Mr. A. D. Fortoushenko (Soviet Union).

Continuation of the debate on the subject of
languages of the Union.

The Chairman recalled that, in accordance with the adopted procedure, the Committee must now take up the question of working languages. A distinction must be made between spoken languages and written languages. The question of spoken languages would be taken up first.

He pointed out that the United States had made a proposal yesterday that seemed to satisfy all concerned. It consisted in not deciding precisely what the working languages would be but leaving it to each Conference to make a decision on this subject according to the circumstances. However, it would be possible to make a decision with regard to the obligatory use of the simultaneous translation system at all the Conferences, referring to the proposal of the United States in Document No. 351 TR-E and in § 3 (1) of the proposal of the Spanish-American countries (Doc. No. 338 TR-E).

2. The Delegate from the United Kingdom recalled that as far as spoken languages are concerned, a distinction should be made according to whether or not a simultaneous translation system were available. He supported the proposal of the United States (Document No. 351 TR-E) for the use of such a system in all Plenipotentiary and Administrative Conferences. However, the question should be widened to provide for the case where it would not be possible to carry on simultaneous translation.

3. The Delegate from Ireland was greatly impressed by the proposal of the Latin-American countries and wished, as far as possible, to support their point of view. But the necessity of carrying out the work efficiently should not be forgotten; it was impossible to use more than two working languages in some meetings, especially as far as written languages were concerned. In regard to spoken languages, Ireland supported the proposal of the United States (Doc. No. 351 TR-E) tending to generalize the employment of the simultaneous translation system which permits using more than two languages.

In examining the financial aspect of this problem, it was evident that the Latin-American countries had had great difficulty in finding a satisfactory solution. It would be fairer to divide the expenses proportionately rather than to apportion them by linguistic groups.

In conclusion, Ireland, while ready to promote the interests of Spanish-speaking countries, supported the views expressed by the United States and the United Kingdom.

4. The Delegate from China made the following statement:

"Mr. Chairman,

As you might have noticed, the Chinese Delegation proposed both in Moscow and in the present Conference that Chinese should be one of the working languages. I can enumerate many reasons to justify our proposal. But in the course of discussions in this Committee, we are convinced that too many working languages are detrimental not only to the economy of the Union but also to the efficiency of our Conferences. The experiences obtained from these Conferences in Atlantic City clearly indicate that even with two parallel main working languages, English and French, some delays were inevitably encountered in the issuance of working documents. And a simple arithmetical operation will make it clear that with the addition of each one working language, the cost of the documents in each of the working languages will be increased, even when the expenses incurred in that additional language are borne by those using it. Consequently, in the interest of the efficiency and economy of the Union, the delegation of China is ready to withdraw its proposal for using the Chinese as the working language of the Union.

However, we withdraw this proposal only on the condition that it is the sense of this Committee not to adopt too many working languages. If, for instance, all four of the five official languages are adopted as working languages, there is no reason to exclude Chinese as a working language.

With reference to the statement made by the Honorable Delegate of U.S., Mr. De Wolfe, at the beginning of our last session, when he deliberately omitted to mention Chinese along with the other four official languages for working, oral and written arrangements, I would like to point out that in this conference, it is solely in the spirit of cooperation and to avoid practical difficulties that we did not press to use Chinese in simultaneous interpretation and working documents. And I must, further point out that during this conference whenever working arrangements of languages are referred, we have deliberately stated and recorded in the minutes that the arrangements made here should not form any precedent to future conferences.

With respect to the working arrangements for simultaneous interpretation of speeches at Conferences, we welcome the proposal 222 TR of U.S.A. (Doc. 351 TR-E) and the provision contained in § 4 of U.K. proposal (Doc. No. 352 TR-E) is acceptable to the Delegation of China. The Delegation of China always wishes to be practical, reasonable and fair to all Members of the Union.

"Thank you, Mr. Chairman."

5. The Chairman thought that, in regard to spoken languages, it would first be necessary to make a decision on principle on the use of a simultaneous translation system. He therefore proposed taking a vote on the draft of the resolution proposed by the United States in Document No. 351 TR-E.

6. The Delegate from Guatemala stated that, in accordance with the procedure adopted previously, it was § 3 (1) of the proposal of the Latin-American countries which should serve as a basis for discussion and be put to the vote later.

7. The Chairman pointed out that this paragraph included two different provisions:

- a) the principle of reciprocal translation,
- b) the languages to be used.

Hence it was difficult to vote on the whole paragraph.

8. The Delegates from the United States, Ethiopia, France, Guatemala, Lebanon, Pakistan, the Netherlands, and the Vatican participated in a long discussion on the procedure to be adopted. To clarify the discussion, the Chairman suggested that, without referring to any proposal whatever, the Committee should successively come to a decision on the following principles:

- 1) Should the Union permanently adopt the simultaneous translation system?
- 2) Should this system be used only in conferences or by the permanent bodies of the Union as well?
- 3) How many languages should be used, and what should these languages be?

But the discussion continued, especially on the meaning to be given to the expression "an efficient parallel translation system", which appears in the proposal of the Latin-American countries. It was then observed that an error in translation made the English text somewhat obscure.

9. Finally, the Committee adopted a suggestion previously made by the Delegate from Pakistan, which consisted of coming to a decision on the following text constituting the first part of the sentence in § 3 (1) of the proposal made by the Latin-American countries:

"In the Conferences and permanent bodies of the Union, the debates shall be held on the basis of an efficient system of reciprocal translation."

A vote was taken by a show of hands.

The Committee adopted this motion by a large majority.

10. The Chairman stated that it was then necessary to decide on the languages to be adopted.

The Delegate from the United Kingdom felt that the motion voted was not very clear and said that he did not fully understand its meaning. The Chairman was of the same opinion.

11. The Delegate from Guatemala explained that reciprocal translation might be carried out in various ways (simultaneous translation in four languages, simultaneous "whispering", consecutive or any other new system which might be invented). And the text adopted would permit meeting all situations.

12. The Delegate from France was in full accord with this opinion.

13. The Delegate from Argentina gave his assurance that at the next Plenipotentiary Conference to be held in Buenos Aires, his country would arrange for the installation of an efficient simultaneous translation system.

14. The Chairman then asked the Committee to come to a decision on the second part of the sentence appearing in § 3 (1) of Document No. 338 TR-E, which stipulated the use of English, Spanish and French.

15. The Delegate from Egypt did not object to the use of three or four working languages, but asked the Committee not to lose sight of the question of expense.

16. The Delegate from Morocco made the following statement:

"I support the viewpoint of the Delegate from Egypt. In particular, I should like to call the attention of the Delegates to the financial side of the decisions now under consideration by the Committee and to impress upon them that each time a Delegate votes in favor of a new measure, which inevitably entails new and considerable expenses, he must vote with the thought not only of the usefulness and efficiency, but also of the financial repercussions of the provision for which he is voting, and that he must not forget that a favorable vote means a moral obligation on the part of his country to participate in the corresponding rise in expenses.

In the vote that is to be taken, each delegate will be obliged to vote without knowing the extent or the allotment of the financial consequences of the decision. I do not wish to revert to the procedure which postpones examining the expenses till a later date, but, as a representative of a small country with very limited financial possibilities, my opinion will be closely connected with the financial side of the question, and I feel that I cannot, at present, decide for or against. I therefore, intend to abstain from voting, as I abstained in the preceding voting.

In conclusion, I think that the decision under consideration should be made only provisionally in order to permit treating the question of sharing expenses efficiently. Then, if the question of expenses should require it, I believe that the principle again should be open to discussion."

17. The Delegate from Guatemala stated that Egypt, Morocco and all the small countries might feel assured that the greatest concern of the Latin-American countries, in making their proposal, was the financial problem relating to languages. If the formula proposed was not acceptable, they were ready to study another that would satisfy everyone. They agreed on making, at the moment, a decision on the principle involved only, for subsequent confirmation, subject to an agreement with regard to expenses.

18. The Delegate from Morocco stated that after the explanation of the Delegate from Guatemala, spokesman of the Latin-American countries, and the assurances he had given the small countries, the Delegation from Morocco was willing to vote in favor of the proposal of the Latin-American countries.

19. The Delegate from the United Kingdom asked that the proposal submitted by his country in § 4 of Document No. 352 TR-E should be also studied at the same time as the proposal of the Latin-American countries.

20. The Delegate from Guatemala pointed out that this § 4 also dealt with expenses and that, following the adopted procedure, this question was to be discussed last. He therefore insisted that a decision should only be made on the proposal made by the Latin-American countries.

21. A long discussion followed in which the Delegates from Canada, China, Egypt, U.S.S.R., Guatemala, India, Pakistan, the Netherlands, and the United Kingdom took part.

22. Finally, after the Delegate from Guatemala had explained the advantages of consecutive translation, even with three languages, the Chairman asked for a vote on the proposal of the Latin-American countries (2nd part of the sentence of § 3 (1)) which provides that the languages used should be English, Spanish and French.

A vote was taken by roll call.

The result of the vote was as follows:

- For, 40: Saudi Arabia, Argentina, Austria, Belgium, Belgian Congo, Brazil, Chile, Vatican City, Colombia, Cuba, Dominican Republic, Egypt, El Salvador, Ecuador, United States of America, Territories of the United States, France, French Colonies, Morocco and Tunisia, Greece, Guatemala, Haiti, Honduras, Iraq, Italy, Lebanon, Luxembourg, Mexico, Monaco, Nicaragua, Panama, Peru, Philippines, Portugal, Portuguese Colonies, Switzerland, Syria, Turkey, Uruguay, Venezuela
- Against, 23: Union of South Africa, Albania, Bulgaria, Canada, China, Denmark, Ethiopia, United Kingdom, Colonies, Protectorates and Territories of Great Britain, Southern Rhodesia, Hungary, India, Iran, Ireland, Norway, New Zealand, Netherlands, Netherlands Indies, Poland, Siam, Sweden, Czechoslovakia, Yugoslavia.
- Abstentions, 4: Afghanistan, Bielorussia, Ukraine, U.S.S.R.
- Absent, 11: Australia, Burma, Bolivia, Costa Rica, Finland, Iceland, Liberia, Pakistan, Paraguay, Roumania, Yemen.

The motion was therefore adopted. The Chairman congratulated the representatives of the Spanish-speaking countries.

The meeting was adjourned at 1:10 p. m.

Rapporteurs:

J. Persin
B. Yourovski
W. E. Linaweaver

Chairman:

A. Fortoushenko

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INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

DOCUMENT NO. 391 TR-E

September 13, 1947

Committee C

REPORT OF WORKING GROUP NO. 3
to Subcommittee C.1 (Finances and Personnel)
of Committee C.

ESTIMATE OF THE ORDINARY EXPENSES OF THE I. T. U. FOR
THE YEARS 1949 to 1952

The first task of Working Group No. 3 of Subcommittee C.1 consisted in preparing an estimate of the budget for the ordinary expenses of the I.T.U. for the new organization of the Union as approved by the Atlantic City Conference.

Considering the important modifications in the present organization, the increase of work of the Bureau of the Union which will result from these modifications, and the establishment of new permanent organizations, it becomes evident that the estimate of the ordinary expenses of the new organization can be based on experience acquired only in a very limited manner.

However, the Working Group has studied all the questions concerning the new organization, and has attempted to translate them into figures. In this manner, it has reached the draft budget, which is annexed hereto.

In accordance with the recommendation of the 6th Plenary Session, the Working Group has consulted the Bureau of the Union, whose assistance has been invaluable.

The annexed draft budget has been drawn up in a sufficiently detailed manner to make lengthy comments unnecessary. However, the following explanations might be helpful in understanding the draft.

I. Radio Division and Division of Telephone and Telegraph

In accordance with the working text of Article 5 of the new Convention drawn up by Subcommittee C.1, only one budget will be set up for the two present divisions: Radio and Telegraph and Telephone.

II. SALARY SCALE

The provisional report of the Working Group, Document No. 371 TR-E, sets forth the reasons which have led the Working Group to use a new salary scale on which to base the estimates of expenditures. These reasons need not be repeated. The only point to be emphasized is that the Working Group could not make any estimates of the expenditures for personnel without using some salary scale as a basis.

The Conference will decide whether to give its approval to this scale or another one, or whether to entrust this decision to the future administrative Council.

The new salary scale has been approved by Committee C in its meeting of September 12 only insofar as the salary of the members of the I.F.R.B. is concerned. If Committee C should decide to modify the other salaries included in the salary scale, the revision of the draft budget can be made within a very short time.

III. 20% MARGIN FOR EXPENSES FOR PERSONNEL

The cost of living in Switzerland has not yet been stabilized. Consequently, the Working Group has deemed it advisable -- admitting the hypothesis of the approval of a salary scale by the Conference -- to provide for a 20% margin in the draft budget on all the expenses concerning the salary of personnel.

Should new general salary increases occur in Switzerland between 1949 and 1952, the Administrative Council could increase the salaries of the officials of the Union within the limits of this 20% margin. We are of the opinion, however, that this special margin should not be used for other salary increases or for the creation of new categories of salaries.

Moreover, it would be advisable that the Conference recommend to the Administrative Council that the increases of salary resulting from the necessity of adjusting the salaries with the cost of living in Switzerland be first applied to the low salary categories.

IV. ALLOWANCE FOR EXPATRIATION

Inasmuch as the salaries of the highest categories in the salary scale considered by the Working Group are greater than the present salaries, no allowance has been made for the expatriation allowances provided for in Article 20 of the "REGULATIONS CONCERNING THE ORGANIZATION AND OPERATION OF THE INTERNATIONAL BUREAU".

V. BUREAU OF THE UNION

A. Number of personnel and classification by categories

The Working Group has estimated a total personnel for the Bureau of the Union of 80 employees, including those in the higher classes. The present personnel numbers 40, but according to information given by the Director of the Bureau, these persons are already overloaded.

An appreciable increase in work for the Bureau will result from the entry into force of the new Convention and its Regulations, the Working Group has envisaged an increase of 50% in the number of personnel. This would mean 60 employees but a further 20 have been added because of the use of additional languages.

The classification of the officials into Class 1 to Class 8 should not be considered as a recommendation but simply as a necessary basis to estimate expenses. However, in this classification of officials, the present situation has in a certain measure been taken into account. It is evident that the final classification of officials into various categories will have to be made by the Administrative Council.

In like manner, the staff of 80 persons, considered as the basis from which to compute expenses, should be the maximum number up until 1952. The Administrative Council shall decide upon the requisite staff each year.

B. Publications

It is especially difficult at this time to reckon expenses coming under this heading, because of the introduction of additional languages. The figure provided in the budget plan could not be based upon past experience, and this estimate has been provided by the Bureau of the Union.

C. Rentals, office supplies, and general office expenses.

In order to provide for the staff which will be double

that now in existence, expenses coming under this heading will be approximately double the present expenses.

VI. C.C.I.F.

To provide for the ordinary expenses of the C.C.I.F. the Working Group has based its estimates entirely upon the budget plans of this organization for 1947 and 1948, approved at its last Plenary Assembly.

Expenses for salaries of personnel have been increased, to agree with the salary scale the Working Group has used as a basis.

Furthermore, in order to meet the introduction of additional languages, provision has been made for three more employees for the translation services.

With respect to publications, expenses which in the C.C.I.F. vary greatly from year to year, the Working Group has set an average figure, while at the same time taking into account the introduction of additional languages.

Atlantic City,
September 12, 1947

CHAIRMAN:
C. Ribeiro.

Estimate of the ordinary expenses
of the I.T.U. for the years 1949 to 1952.

Draft of Annual Budget

<u>Summary:</u>	<u>Swiss francs</u>	<u>Dollars at 4.30</u>
I. Administrative Council (1 meeting per year)	178,600	41,500
II. Bureau of the Union	2,500,000	581,600
III. I.F.R.B.	920,000	213,860
IV. C.C.I.F.	340,000	79,070
V. C.C.I.T.	268,000	62,340
VI. C.C.I.R.	1,020,000	237,210
	<hr/>	<hr/>
Total	5,226,600	1,215,580
	<hr/>	<hr/>

I. ADMINISTRATIVE COUNCIL

Estimate of expenses per session.

	<u>Swiss francs</u>	<u>Dollars at 4.3</u>
18 members (unsalaried)		
Traveling expenses of members	165,600 1)	38,500
Overhead expenses per session	13,000 2)	3,000
	<hr/>	<hr/>
Total	178,600	41,500

1) Traveling expenses, average per member 3,500 francs (\$800)	63,000	14,650
Per diem allowance for 40 days at 120 francs (\$30) x 18 x 40	86,400	20,100
Insurance - accident and baggage	16,200	3,750
	<hr/>	<hr/>
	165,600	38,500

2) Assembly room, service, interpreters in future.
(Secretariat furnished by the Bureau of the Union)

II. BUREAU OF THE UNION. (new structure)

A. Draft of the annual budget (1949-1952)

ORDINARY EXPENSES

	<u>Swiss francs</u>	<u>Dollars at 4.30</u>
1. <u>PERSONNEL</u>		
A. Salaries (see pages 9 and 11)	1,250,000	290,700
B. Possible 20% margin	250,000	58,100
C. Social Security and Insurance: loans by the Union for personnel insurance, 15% of salaries (decision of the London Conference 1879)	225,000	52,300
2. <u>HOME LEAVE</u> (non-European personnel) (Article 12 of the present Regulations Approximate estimate due to lack of data)	50,000	11,600
3. <u>RENTS</u>	38,000	9,000
4. <u>OFFICE FURNISHINGS</u> (furniture, typewriters, technical equipment)	20,000	4,650
5. <u>OVERHEAD OFFICE EXPENSES</u> (office supplies, postage, taxes and telephone service, light, heat, cleaning, caretaking)	60,000	13,950
6. <u>PRINTED MATTER</u> (in several languages)	1,200,000	280,000
7. <u>MISCELLANEOUS</u>	27,000	6,300
	<hr/>	<hr/>
Total expenses	3,120,000	726,600
To be deducted:		
<u>RECEIPTS</u> from the sale of documents	620,000	145,000
	<hr/>	<hr/>
<u>NET EXPENSES</u>	2,500,000	581,600

B. Proposed Breakdown of Personnel of the Bureau of the Union

(Classes A, B, C)

Director General

(1 Adviser).

(1 Clerk)

(1 Stenographer)

Office of the Director General
included in office force below.

Adviser to the Office of Director General, In
charge of the Administrative Services

<u>Director</u> In Charge of Tele- graph & Telephone Division		<u>Director</u> In Charge of Radio Communications Div- ision		charge of the Administrative Services					
				1. Personnel Budget Accounting Cashier's Office Supplies	2. Library Archives	3. Translation of Documents	4. Public- ations Ship- ping	5. Office Manage- ment Stencil- ling Telephone	Totals
PERSONNEL									
Class D	1	2		1	-	-	-	-	4
1st Class	2	2		-	-	1	-	-	5
2nd Class	1	1		1	-	2	-	1	6
3rd Class	1	3		-	1	2	1	-	8
4th Class	1	2		1	-	-	-	-	4
5th Class	2	6		1	1	2	2	2	16
6th Class	1	1		1	-	2	1	2	8
7th Class	1	2		1	-	1	1	2	8
8th Class	3	5		1	-	-	1	7	17
	13	24		7	2	10	6	14	80

C. Pay-Scale which served as a basis for the estimate of the expenses

	<u>Swiss francs</u>	<u>Dollars</u>
Class A -	48,000, -	11,160
Class B -	40,000, -	9,300
Class C -	35,000, -	8,140
Class D -	30,000, -	6,977
1st class ÷	17,000, - to 24,000 -	3,953 to 5,581
2nd class ÷	12,600, - to 18,900 -	2,930 to 4,395
3rd class ÷	11,400, - to 16,200 -	2,651 to 3,767
4th class ÷	10,100, - to 14,900 -	2,349 to 3,465
5th class ÷	8,700, - to 13,500 -	2,023 to 3,140
6th class ÷	7,400, - to 12,200 -	1,721 to 2,837
7th class ÷	6,500, - to 10,800 -	1,512 to 2,512
8th class ÷	4,500, - to 8,500 -	1,047 to 1,977

Proposed D

Classification of Position and Estimate of Expenditures.
(Permanent and Auxiliary Personnel)

		<u>SALARIES</u>			<u>TOTAL EXPENSES</u>	
Classification		Number of Employees	Swiss Francs (Maxima)	Dollars at 4.30	Swiss Francs	Dollars at 4.30
Class A	Director General	1	48,000	11,168	48,000	11,168
Class B	Director	2	40,000	9,300	80,000	18,600
Class C	Counsellor 1)	1	35,000	8,140	35,000	8,140
Class D	Counsellors	4	30,000	7,000	120,000	28,000
Class 1		5	24,000	5,600	120,000	28,000
Class 2		6	18,900	4,400	113,400	26,400
Class 3		8	16,200	3,800	129,600	30,400
Class 4		4	14,900	3,500	59,600	14,000
Class 5		16	13,500	3,100	216,000	49,600
Class 6		8	12,200	2,800	97,600	22,400
Class 7		8	10,800	2,500	86,400	20,000
Class 8		17	8,500	2,000	144,500	34,000
<u>TOTALS</u>		<u>80</u>			<u>1,250,100</u>	<u>290,708</u>
				New Budget	700,000	163,000)
				(Old Budget		
				(40 persons		

1) Head of Administrative Division

III I.F.R.B.

DRAFT OF THE ANNUAL BUDGET (1949-1952)

ORDINARY EXPENSES

	<u>Swiss francs</u>	<u>Dollars</u> <u>@4.30</u>
Salaries of 11 members at 40,000 francs (Class B-see page 10)	(a) 440,000	102,300
Allocation for the Chairman	(b) 8,000	1,860
Limited Secretariat Personnel (Doc.808 R Art. 1, No.5)	(c) 155,000 ¹⁾	
Possible 20% increase of (a),(b) and (c)	120,000	28,000
Travel and per diem allowances (Per diem:100 francs a day or \$25)	52,000 ²⁾	12,000
Rent of premises (20 offices)	26,000	6,000
Office supplies, heat, light, telephone, correspondence, maintenance of premises	40,000	9,300
Printing expenses (the frequency list excepted)	43,000	10,000
Miscellaneous	36,000	8,400
Approximate total per annum	<u>920,000</u>	<u>213,860</u>

- 1) 1 secretary, 4 technical experts, 1 office manager, plus office, shipping and typing personnel (14 persons)
- 2) Travel in the line of duty, traveling expenses, per diem allowance for an average of 30 days, including travel.

IV C.C.I.R.

Draft of the Annual Budget (1949-1952)

ORDINARY EXPENSES

Swiss Francs Dollars
@ 4.30

A. SECRETARIAT.

1. Personnel

Director (Class B-see page 10) (a) 40,000 9,300

Personnel of the permanent
Secretariat (10 persons) (b) 120,000 28,000

Possible 20% margin on (a) and
(b) 32,000 7,400

2. Rent 3,000 700

3. Office furniture and appliances 600 140

4. Office supplies, correspondence, etc. 22,400 5,200

5. Printed matter and publications
(in several languages) 50,000 11,600

268,000 62,340

B. LABORATORY

1. Personnel (Estimate) 65,000 15,100

2. Maintenance of the Laboratory 7,000 1,630

3. Laboratory furnishings and
appliances - -

340,000 79,070

V C.C.I.F.

ORDINARY EXPENSES

The expenses of the permanent secretariat of the C.C.I.T
may be estimated as nearly equal to those of the C.C.I.F.,

exclusive of laboratory, namely: 268,000 Swiss francs

or \$ 62,340

VI

ORDINARY EXPENSES

Any estimate, at present, would be arbitrary. However,
it may be assumed that the expenses will be three times larger
than those of the C.C.I.F., laboratory included, namely:

1,020,000 Swiss francs

or \$ 237,210

VII. Apportionment of Expenses

The ordinary total expense to be apportioned each year among all members of the I.T.U. has been estimated at:

<u>Swiss Francs</u>	<u>Dollars @4.30</u>
5,226,600	1,215,580

Assuming that the total number of contributive units remains nearly unchanged, namely 950, each unit will correspond to 5,500 Swiss Francs or \$1,280.

Contribution by Class

<u>Class</u>	<u>Number of Units</u>	<u>Amount of the Contribution</u>	
		<u>Swiss Francs</u>	<u>Dollars</u>
I.	30	165,000	38,400
II.	25	137,500	32,000
III.	20	110,000	25,600
IV.	15	82,500	19,200
V.	10	55,000	12,800
VI.	5	27,500	6,400
VII.	3	16,500	3,840
VIII.	1	5,500	1,280

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 392 TR-E

September 13, 1947

Committee C

Report
of Subcommittee C 1 (Finance and Personnel)
of Committee C

14th Meeting

September 10, 1947

The Chairman, Mr. J. T. Hwang, called the meeting to order at 3:30 p.m.

He welcomed the Delegate from Argentina, who had asked to participate in the work of the Committee.

The Delegate from Argentina thanked the Chairman and the members of the Subcommittee.

The Chairman submitted the report of the 12th meeting (Document No. 363 TR-E) for the approval of the Subcommittee. He proposed deletion on p.5 of the English text of the sentence preceding the remarks of the Delegate from Portugal and worded as follows:

"It was incumbent on the Delegates, who deemed it necessary, themselves to present an improved text to Committee C or Committee G."

The report thus amended was approved.

The Delegates from the United Kingdom asked the President when he intended to ask the Subcommittee to study the amendments to paragraphs 4 and 7 of Article 5 (Document 354 TR-E) as had been contemplated at the end of the preceding meeting.

The Chairman drew the attention of the Subcommittee to the provisional report of Working Group No. 3 of the Subcommittee concerning the salary scales of officials of the Union. In view of its urgency, this report had been presented in Document 371 TR-E in order to be

14 Sept 1947

immediately available to Committee C. The Chairman asked the Subcommittee whether it wished to examine this report or turn over the task to Committee C.

The Delegates from Greece, France, and Canada pointed out that the responsibility of the Subcommittee could be involved only by examination of this report and that the contents of this report justified its study by the Subcommittee which should give its opinion with a view to facilitating the work of Committee C.

The Subcommittee decided to study this report.

The Delegate from Portugal specified that the terms of reference of the Working Group were to make estimates of the expenses, which requires using probable organization as a basis. The report did not present any proposals, but only information. The organization (number of divisions, number of officials) used as a basis for the estimates must absolutely not be considered as a proposal.

The Chairman opened the discussion on the number of classes of officials and on the salary levels in each of these classes.

The Delegate from Greece opposed the tendency of the Conference to increase everything: agencies, personnel, salaries. He thought the Union was heading toward financial chaos, and he considered it necessary purely and simply to retain the existing salary scales.

The Delegate from Morocco was of the opinion that the safest and most rational method for the Union as well as for the officials involved would be to continue to apply to these officials all of the Regulations regarding the organization and the operation of the four International Bureaus placed at present under the supervision of the Authorities of the Swiss Confederation. If the classes and the salaries were modified and these Regulations were abandoned, the subsequent readjustments would be more difficult. The Delegate saw no reason for making salary changes which had not been requested by the persons involved.

The French Delegate also wished to maintain the status quo. Annex 3 of Document 371 TR-E, containing the salary scale which served as a basis for estimating expenses could be presented to Committee C, but only as a maximum.

It is imperative also to make an estimate of expenses on the basis of the status quo.

The Delegate from Italy supported the point of view of the French Delegate.

The Delegate from Portugal stated that the points of view expressed by the Delegates from Greece, Morocco, and France, corresponded exactly with his own opinion at the beginning of the work of the Working Group. But in the course of this work he had had to take into account the opinions of his colleagues, and admitted that the new organization of the Union would be facilitated by increasing the number of classes from 10 to 12 and justified an increase in the higher salaries. Thus he had been led to accept the point of view corresponding to Annex 3 of Document 371 TR-E.

The Chairman pointed out that there were three tendencies within the Subcommittee: a) status quo, b) scale appearing in Annex 3, c) higher salaries than those provided for in Annex 3.

Annex I of Document 371 TR-E points out in two sections A and B the arguments in favor of tendencies b) and c). He asked the delegates to state any possible supplementary arguments in favor of tendencies b) and c) and to clarify the arguments in favor of tendency a).

The Delegate from the United States was in favor of tendency c). What was involved was making recommendations for salaries after 1949, and the Delegate was of the opinion that it would be necessary to consider much higher salaries than the present salaries. He felt that the scale appearing in Annex 3 was only a compromise.

The Delegate from India reminded the meeting that since the headquarters of the Union was in Switzerland, the best guide would be the Regulations concerning the organization and operation of the International Bureaus supervised by the Swiss Government. He pointed out that any different financial organization for our Union might cause embarrassing reactions in other International Bureaus governed by these Regulations. He considered that the argument regarding the increase in the cost of living in Switzerland should be taken into consideration, but that this argument would lead to an increase in the low salaries rather than the high salaries.

The Delegate from Portugal pointed out that Working Group No. 3 had not drawn up its basic scale of salaries in terms of the increase in the cost of living in Switzerland. On the other hand, it had contemplated placing in the budget a provision of 20% of the total personnel expenses in order to enable the Administrative Council eventually to readjust salaries.

The Delegate from Switzerland, at the request of the Chairman, specified that the Regulations mentioned above apply to the following four organizations:

- a) I.T.U.
- b) U.P.U.
- c) les Bureaux internationaux réunis pour la protection de la propriété industrielle, littéraire et artistique.
- d) l'office central des transports internationaux par chemins de fer.

The transfer of the Berne Bureau to Geneva could justify a different scale of salaries from the scale applied to bureaus having their headquarters in Berne. In Geneva there are offices of the U.N. and of UNESCO whose directors receive much higher salaries than the salaries paid to high officials of our Bureau.

The Delegate from France gave the following arguments in favor of tendency a):

1) Present salaries are satisfactory. The expenses of the Union are already too high. Savings must be made.

2) If the equality between the salaries of agencies of the same nature as the I.T.U., placed under the authority of the Swiss Government, were destroyed, a difficult situation would arise.

3) The creation of the position of Counsellor in charge of the Administrative Division had not yet been examined by the Conference. It seems that the two Vice-Directors could share the supervision of these administrative services. Provisions have already been made for two counsellors and two chiefs of service to head these services.

The Delegate from Morocco commented that the arguments developed in annex 1 of Document 371 TR-E are perfectly valid in favor of keeping the present scale.

The Delegate from Portugal pointed out that Working Group No. 3 had not yet studied the distribution of personnel in the various positions, as it appears in the document supplied by the Bureau and on which the Delegate from France had found a provision for the position of Counsellor in charge of the Administrative Division. This document has no other purpose than to make possible the establishment of an estimate of expenses.

The Delegate from Greece observed that the salary scale appearing in annex 3 of Document 371 TR-E is an extension of the present scale and can:

- 1) increase the efficiency of the organization,
- 2) indirectly bring about increases in salaries.

Concerning point 1, the Delegate considered that there was no necessity to extend the scale which is already large enough to include several hundred officials.

Concerning point 2, the Delegate considered that if necessary, the salaries of the present scale could be acted upon directly. He observed that neither the persons involved nor the Swiss Government had officially raised this question. He considered therefore, that there was no reason for examining it.

Finally, the Delegate considered that a proposal for unilateral solution for only one of the 4 bureaus under the supervision of the Swiss Government would not fail to cause unpleasant repercussions.

The Delegate from India considered that if the salaries of officials are low in the United States, a country well-known for its wealth, the Union, which is poor, cannot consider raising its salaries again.

He thought it would be more logical and fair to consider the increase in the cost of living and to take an interest in the lower categories.

The Delegate from the United States stated that he did not have available the figures regarding the national administrations, but he quoted the following examples referring to international organizations:

Chairman of I.C.A.O.....	27,000 dollars a year in Montreal,
Secretary General of I.C.A.O.....	19,000 dollars a year in Montreal,
Director General of U.N.E.S.C.O.....	17,000 dollars a year in Paris,
Secretary General of U.N.....	40,000 dollars a year in New York,
Assistant Secretary General of U.N.....	22,000 dollars a year in New York,
Director of the U.N. in Geneva.....	17,000 dollars a year

The Chairman suggested then that the Drafting Group meet the same evening in order to draw up a draft report to Committee C. This draft would be examined by the Subcommittee during its meeting scheduled for the next day.

This report would indicate:

- 1) That, at the request of Committee C, the Subcommittee had tried to propose salaries for the members of the I.F.R.B.
- 2) That the Subcommittee had been led to examine the salaries of the members of the Bureau.
- 3) That unanimous agreement could not be reached and that three tendencies were found favoring:
 - a) status quo
 - b) certain salary increases which were provided for in Annex III of Document 371 TR-E
 - c) of a far greater increase in salaries
- 4) The arguments in favor of each of these tendencies.
- 5) Actual and proposed salary scales in Annex III of Document 371 TR-E.

These proposals were adopted and the meeting was adjourned at 6:55 p. m.

Rapporteur:

H. Lacroze

Chairman:

J. T. Hwang

INTERNATIONAL
TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 393 TR-E

September 13, 1947

Committee C

Report
of Subcommittee C-1 (Finance and Personnel)
of Committee C

15th Meeting

September 11, 1947

The Chairman, Mr. J.T.Hwang called the meeting to order at 3:35 p.m.

He pointed out that the draft report of the Subcommittee to Committee C concerning the salaries of the members of the I.F.R.B. had been distributed to the members of the Subcommittee and asked if there were any remarks on this subject. The Subcommittee discussed this draft report at considerable length. A certain number of changes in form were made as the discussion progressed.

At the end of this discussion, it was decided that the rapporteur should be instructed to draft the report in its final form, so that it might be distributed to the delegates before the meeting of Committee C scheduled for the following morning at 10 o'clock.

The Delegate from the United Kingdom reminded the Subcommittee that it had decided to review the drafts of paragraphs 4 and 7 of Article 5 of the Convention as they appear in Document 354 TR-E. Since, at a previous meeting, the Delegate from the United States had stated that he considered it necessary to provide for sanctions in addition to the interest required of countries in arrears, the Delegate from the United Kingdom suggested that the following paragraph be added at the end of Article 7:

"No Member or Associate Member of the Union may be

represented at any Conference of the Union or at any meeting of any permanent agency of the Union whatsoever, if the contributions due under the terms of the provisions of Article 17 of the Madrid Convention or of the present Article have not been paid within a period of months."

The Delegate suggested that this period might be 12, 18, or 24 months. He pointed out that he had mentioned Article 17 of the Madrid Convention in order to take into account the very considerable delay in payment of certain countries.

The Delegate from Greece, supported by the Delegate from Morocco, reminded the meeting that this question had been discussed at length by the Subcommittee and that it is mentioned in the report of the 9th meeting (Document 302 TR-E). The Delegates from Switzerland, Italy and France were in favor of providing for sanctions, but, at the request of the Delegates from the United States, Greece, the United Kingdom and India, the Subcommittee had abandoned the idea and had merely recommended that the list of countries in arrears, with the amounts due, appear in the report on management of the Union. The Delegate said he thought there was no need to reconsider this question, particularly since the Subcommittee would not have time to conclude its terms of reference.

The Delegate from the United States pointed out that, in Document 328 TR-E, which was approved in principle by the Heads of Delegations on September 3, and by the Plenary Assembly on September 4, it is stated that sanctions should be applied against countries in arrears.

The Delegate from France objected that there is not the slightest reference to this matter in Document 328 TR-E nor in the minutes of the meeting of the Heads of Delegations (Document 360 TR-E) nor in the minutes of the 6th Plenary Session (Document 361 TR-E).

The Chairman called for a vote, and, by 5 votes against 4, the Subcommittee decided to reconsider this question at a later meeting. The Chairman called the attention of the Subcommittee to the necessity of examining the question of the apportionment of the expenses incurred by the use of various languages. Since Working Group No. 3 was already overburdened, Working Group No. 4

was set up for this purpose. It includes:
The Delegate from Argentina, Chairman;
The Delegates from Morocco, the United Kingdom,
France, Canada and India.

The Delegate from Argentina asked the Chairman to be good enough to state specifically the terms of reference of Working Group No. 4.

The Chairman stated that he had not very clearly understood the question as it was put to the vote in Committee C. He thought it necessary to take as a basis Document 338 TR-E, the proposal submitted by the Latin American countries, and the Ethiopian amendment, as it appears in Document 367 TR-E. The Chairman of Committee C had also stated that it was advisable to take into account the proposals submitted during the discussions and particularly the proposal submitted by Morocco in Document 370 TR-E.

The Delegate from Switzerland informed the Subcommittee that the Swiss Government agrees to advance the funds necessary for the functioning of the Union, with the understanding that a certain interest, the rate of which remains to be set, will be applied to the sums thus lent starting from the day on which the advance is made. Further, the Swiss Government agrees to continue auditing the accounts of the Union free of charge. The details of these questions are to be settled by an agreement between the I.T.U. and the Swiss Government.

The Chairman thanked the Swiss Delegate very cordially for this statement.

The meeting was adjourned at 7:45 p.m.

Rapporteur:
H. Lacroze

Chairman:
J.T. Hwang

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
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Document No. 394 TR-E
September 13, 1947

Commission C

230 TR

Iran

The Delegation from Iran proposes that the following text be added to Paragraph 6 of the proposal in Document 338 TR-E adopted by Committee C.

The Delegation from Iran would be very grateful to the Chairman of Committee C if he would refer this proposal for consideration to Subcommittee C.1 on Finance and Personnel.

"However, any country whose national language is not one of the written or spoken languages of the Union, shall not be obliged to register for a specific language, and shall be free to use any one of these languages as the case may be. Further, the said country shall have the option of requesting that documents be distributed to it in the different languages of the Union, with the total number of documents corresponding to the number of units representing its contribution to the expenses of the Union. In the above-mentioned case, the country in question shall contribute to the expenses of only one language."

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INTERNATIONAL
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E
Document No. 395 TR-E

September 13, 1947

Committee C

Corrections
to Document No. 391 TR-E

Page 12, first paragraph, read: IV C.C.I.F.

Page 13, first paragraph, read: V C.C.I.T.

Page 13, 2nd paragraph, read: VI C.C.I.R.

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Conférence internationale
des télécommunications
d'Atlantic City
1947

Document No 396 TR

13 septembre 1947

Commission C

T E X T E S

présentés par le groupe de travail 1 de la Commission C

à la Commission C

International Telecommunications
Conference
Atlantic City
1947

Document No 396 TR-E

September 13, 1947

Committee C

T E X T S

presented by Working Group 1 of Committee C to

Committee C

Préambule

Il est pleinement reconnu, à chacun des pays, Membres de l'Union internationale des télécommunications, le droit souverain de réglementer ses télécommunications. Néanmoins, les plénipotentiaires des gouvernements (contractants) intéressés ont, d'un commun accord, arrêté la Convention suivante, en vue d'assurer le bon fonctionnement des télécommunications.

Article 1.

Composition de l'Union

1. L'Union internationale des télécommunications comprend des Membres et des Membres associés.

2. Est Membre de l'Union :

a) Tout pays ou groupe de territoires énuméré dans l'Annexe I, après signature et ratification de la Convention, ou adhésion à cette dernière.

b) Tout pays non énuméré dans l'Annexe I qui devient membre des Nations Unies et adhère à la présente Convention, conformément à l'article

c) Tout pays souverain, non énuméré dans l'Annexe I et non membre des Nations Unies, dont la demande d'admission à l'Union en qualité de membre est acceptée par les deux-tiers des membres de l'Union et adhère à la Convention conformément à l'article

Preamble

The sovereign right of each country, Member of the International Telecommunication^{Union}, to regulate its telecommunication is fully recognized. Nevertheless, the plenipotentiaries of the interested (Contracting) Governments have agreed to conclude the following Convention, in order to ensure the effectiveness of telecommunication.

Article 1.

Composition of the Union

1. The International Telecommunication Union shall comprise Members and Associate Members.

2. A Member of the Union shall be:

a) any country or group of territories listed in Annex I upon signature and ratification of, or accession to, this Convention.

b) Any country not listed in Annex I which becomes a member of the United Nations and which accedes to this Convention in accordance with Article...

c) Any sovereign country not listed in Annex I and not a Member of the United Nations which applies for membership in the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article

Variante :

c) Tout pays souverain, non énuméré dans l'Annexe I et non membre des Nations Unies, peut demander à adhérer en tout temps à la Convention.

Le pays intéressé est considéré comme admis en qualité de membre si sa demande est approuvée par les deux tiers au moins des pays qui composent l'Union.

Les pays consultés qui n'auraient pas répondu dans le délai de quatre mois sont considérés comme s'étant abstenus.

(Note: Article 3 de la Convention postale).

3. a) Les membres ont le droit de vote dans toutes les conférences et autres organismes de l'Union et sont éligibles dans tous les organismes de l'Union.

b) Chaque Membre a droit à une voix.

4. Est Membre Associé de l'Union

a) Tout pays non Membre de l'Union aux termes du paragraphe 2 ci-dessus, dont la demande d'admission à l'Union en qualité de Membre Associé est acceptée par la majorité des Membres de l'Union et qui adhère à la Convention conformément à l'article.....

b) Tout territoire ou groupe de territoires, n'ayant pas l'entière responsabilité de ses relations internationales, pour le compte duquel la présente Convention a été signée et ratifiée par un Membre de l'Union, lorsque sa demande d'admission, en qualité de Membre Associé, présentée par le Membre de l'Union a été approuvée par la majorité des Membres de l'Union.

Variant :

c) Any sovereign country, not listed in Annexe I and not a member of the United Nations, may at any time submit a request to adhere to the Convention.

The country in question shall be considered as admitted as a member if its request is approved by at least two thirds of the countries belonging to the Union.

Countries consulted which do not reply within a period of four months shall be considered as abstaining.

(Note: Article 3 of the Postal Convention).

3. a) Members shall have the right to vote in any conference or other body of the Union, and shall be eligible for election to any organ of the Union.

b) Each Member is entitled to one vote.

4. An Associate Member shall be

a) Any country which has not become a Member of the Union in accordance with paragraph 2 of this article, by acceding to this Convention, in accordance with Article provided that its application for Associate Membership secures approval by a majority of the Members of the Union;

b) Any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which this Convention has been accepted by a Member of the Union in accordance with Article, provided that its application for Associate Membership is sponsored by such Member, and secures approval by the majority of the Members of the Union;

c) Tout territoire sous tutelle, au nom duquel les Nations Unies ont adhéré à la Convention conformément à l'article et dont la demande d'admission a été présentée par les Nations Unies.

c) Any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article and the application of which for Associate Membership has been sponsored by the United Nations.

5. Les Membres Associés ont les mêmes droits et obligations que les Membres de l'Union. Toutefois, ils n'ont pas le droit de vote dans les conférences ou autres organismes de l'Union et ne sont pas éligibles dans les organismes de l'Union, dont les membres sont désignés par les Conférences de plénipotentiaires ou les Conférences administratives.

5. Associate Members shall have the rights and obligations of Members of the Union, except that they shall not have the right to vote in any Conference or other body of the Union nor be eligible for election to any organ of the Union of which the Members are elected by a Plenipotentiary or Administrative Conference.

6. Aucun pays ou territoire ne peut devenir ou rester Membre ou Membre Associé de l'Union à l'encontre d'une résolution de l'Assemblée générale des Nations Unies applicable à tous les organismes spécialisés.

6. No country or territory or may become or remain a Member or Associate Member of the Union contrary to a resolution of the General Assembly of the United Nations applicable to all specialized agencies brought into relationship with the United Nations.

Note : Le paragraphe 6 sera soumis à l'assemblée plénière.

Note: Paragraph 6 will be submitted to the plenary assembly.

Article 2

Relations avec les Nations Unies

1. Les relations entre les Nations Unies et l'U.I.T. sont définies dans l'accord dont le texte est annexé à la présente Convention.

2. Conformément aux dispositions de l'article XIV de l'accord ci-dessus mentionné, les services d'exploitation des télécommunications des Nations Unies jouiront des droits et seront soumis aux obligations prévues par cette Convention et les Règlements y annexés. Ils auront, en conséquence, le droit d'assister à titre consultatif, à toutes les conférences de l'Union, y compris les Comités consultatifs internationaux (et le Bureau provisoire des fréquences). Ils ne pourront faire partie d'aucun organe de l'Union dont les membres sont désignés par une conférence de plénipotentiaires ou administrative.

Article 2

Relations with the United Nations

1. The relations between the United Nations and the International Telecommunication Union are defined in the Agreement between the United Nations and the International Telecommunication Union, the text of which is annexed to this Convention.

2. In accordance with the provisions of Article XIV of the above-mentioned Agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Regulations annexed thereto. They shall be entitled to participate in all conferences of the Union, including the International Consultative Committees (and the Provisional Frequency Board) but without the right to vote. They shall not participate in any organ of the Union, the members of which are elected by a plenary or administrative conference.

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INTERNATIONAL
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1947

Document No. 397 TR-E

September 13, 1947

Committee C

231 TR

CANADA and FRANCE

(Joint proposal)

I. Recommendation

The Plenipotentiary Conference recommends to the C.C.I.R. (and eventually to the other C.C.I.'s) to set up one or several Rapporteurs Committees specialized in technical problems of broadcasting which are connected with the problems dealt with by the C.C.I.R. This or these Rapporteurs Committees should include the greatest possible number of broadcasting technicians.

II. Recommendation

The Plenipotentiary Conference recommends to the High Frequency Broadcasting Conference to study (or to prepare for study for the next Conference) the means of ensuring coordination on a world scale of the technical problems concerning high frequencies.

III. Resolution

Committee "C" of the Plenipotentiary Conference of Atlantic City considers that a special Broadcasting Organization of the I.T.U. is not necessary to provide the required technical control of Broadcasting.

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INTERNATIONAL TELECOMMUNICATIONS
CONFERENCE
ATLANTIC CITY
1947

Document No. 398 TR-E
September 14, 1947

232 TR-E

MOROCCO

Proposal relative to salaries of
officials of the Bureau of the
Union.

The Delegation from Morocco suggested:

1. That the Swiss Government be asked to study the possibility of granting tax exemption to Swiss officials of the Bureau, as has been allowed in the case of non-Swiss officials.
2. That the existing salary scale, allowances and pensions be maintained; and, should the Conference approve, that a post of counsellor in charge of administrative services be added and inserted between Classes B and C in the present scale, with a salary of 28,000 Swiss francs.
3. That to the present family allotment, an increase equal to 5% of the salary of the person concerned be added for each child, up to the age of 18 years, and possibly up to the age of 21 years in the case of a child continuing his education.
4. That it be decided that salaries of officials of the Bureau of the Union shall be automatically readjusted at the same percentages and on the same dates as are salaries of officials of the Swiss Government.

REASONS

As all the expenses of the Bureau of the Union are borne by the various countries that are members of the Union, direct income tax collected by the Swiss Government on salaries paid to officials of the Bureau does not seem to be justified.

The present family allowance (300 francs a year for each child less than 18 years old and without gainful occupation) is entirely too small to permit an official of the Bureau having several children to take care of, to maintain his necessary rank. It furthermore appears to be justified to maintain the family allowance for children between the ages of 18 and 21 who are still continuing their studies.

In cases where salary adjustments appear necessary, it will be preferable, both for the Administrative Council and for the interested parties themselves, to be able to refer to an indisputable basis for comparison. The percentage of increase in salaries given to officials of the Swiss Government seems to constitute the best basis for comparison possible for the Bureau whose headquarters are situated in Switzerland.

Report
of the
Convention Committee
(Committee E)

19th Meeting Sept. 12, 1947

1. The Chairman called the meeting to order at 3:47 P.M.

2. The Committee approved the minutes of the 18th Meeting (387 TR) subject to the following amendments:-
English Text

(i) para. 2 (ii) line 5., delete "2" and insert "26"

(ii) para. 5 (ii) insert the missing text, as follows:

"Article 33 bis

Rational use of Frequencies and Spectrum Space

The contracting governments recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services."

(iii) para. 14. delete the words "for which government privileges are claimed" in the second and third lines of the definition.

(iv) para. 36. delete "private members" and insert "members of the public."

3. Definition of "Hertzian Waves"

The Chairman stated that the Committee had agreed at their last meeting to adopt definitions of "Radio-communication" and "Radio" which included mention of Hertzian Waves. They had at the same time agreed not to include a definition of "Hertzian Waves": he thought, however, that they might wish to reconsider this decision since the first two definitions were clearly incomplete without the third.

4. The Committee agreed that the following definitions adopted by the Radiocommunication Conference should be incorporated in the Convention and should be submitted to Committee G.:-

"Hertzian Waves: Electromagnetic waves of frequencies between 10 kc/s and 3 000 000 Mc/s."

5. Definition of "Harmful Interference"

The delegate of Czechoslovakia pointed out that since the adoption of this definition at the last meeting (387 TR para 25 (8)) the Plenary Session of the Radiocommunication Conference had amended it and he proposed that the Committee should adopt the new definition.

6. The Committee agreed that the following definition adopted by the Radiocommunication Conference should be incorporated in the Convention and should be submitted to Committee G:-

"Harmful Interference: Any radiation or any induction which endangers the functioning of a radionavigation service or of a safety service¹⁾ or repeatedly obstructs or interrupts a radio service operating in accordance with these Regulations."

7. Definition of "Broadcasting Service"

The Chairman suggested that a definition of "Broadcasting Service" adopted by the Radiocommunication Conference should be included in the Convention.

8. The Committee agreed that the following definition adopted by the Radiocommunication Conference together with the footnote, should be incorporated in the Convention and should be submitted to Committee G:-

"Broadcasting Service: A radiocommunication service of transmissions to be received directly by the general public.¹⁾"

1) This service may include transmissions of sounds or transmissions by television, facsimile or other means.

9. Article 22. "The right of public correspondence"

The Haitian delegate suggested that the title of Art. 22 as agreed at the 18th Meeting was misleading and should be altered to "The right of users to use telecommunication" or "Telecommunication in the service of the public".

10. After discussion the Committee agreed to the following title:-

"The right of the public to use the international telecommunication service".

11. Article 15 "Arbitration"
307 TR 380 TR

The United Kingdom delegate stated that the United Kingdom had some amendments (380 TR) mostly of a minor character, to the text as submitted by the Subcommittee (307 TR). They proposed only two changes of substance, namely - (i) to delete § 1. since the terms "plaintiff" and "defendent" were used in English common law in relation to criminal matters, and (ii) the alteration of § 7. (§ 6 in 380 TR) to make it clear that Article 15 was designed to cover the case where only two parties were disputing; it would be too complicated a matter to attempt to cover the case where more than two parties were in dispute.

12. M. Leproux, French Delegation, speaking as the Chairman of the Subcommittee said that he agreed with the United Kingdom proposals. He had given to the Rapporteurs a copy of the French text with certain textual alterations necessary for clarity.

13. Mr. Adams, United States delegate, speaking as a member of the Subcommittee agreed the United Kingdom proposed amendments.

14. The Delegate of the Netherlands suggested that countries might prefer to choose administrations rather than governments. The Madrid text provided for this and he suggested that "or administrations" be added to § 2. (380 TR) in the appropriate places.

15. The delegate of the United States pointed out that the amendment proposed by the delegate of the Netherlands would make necessary consequential amendments to § 4 (380 TR).

16. After discussion the Committee agreed
(i) to add "administrations" after "individuals" in both references in § 2 (380 TR) (ii) to adopt the text of Article 15. (as amended above) appearing in 380 TR, subject to M. Leproux's textual alterations to the French text.

(iii) to submit the text as adopted (see Annex 1.) to Committee G with a request to that Committee to make the consequential amendments to § 4 rendered necessary by the insertion of "administrations" in § 2.

17. The Chairman, on behalf of the Committee, thanked the members of the Sub-Committee for their excellent work.

18. Legal Capacity, Privileges and Immunities

The Committee considered the proposals of the United States (Doc. 2 TR Art 13), the United Kingdom (Doc. 9 TR Art 10) and of Chile (Doc. 6 TR Art 12 § 5)

19. The delegate of France considered that the Convention was not the appropriate place for such an article, which would interfere with the sovereign rights of governments. Moreover, the Union had become a specialised agency and if they adopted an article giving it privileges and immunities they might run the risk of creating difficulties with the United Nations; on the other hand there was no need for such an article if by virtue of becoming a specialised agency, the Union acquired privileges and immunities.

20. The delegates of Italy and Portugal concurred.

21. The delegates of the United States, Chile and the United Kingdom spoke in support of the proposals and adduced evidence to show that the Union acquired no privileges and immunities by virtue of becoming a Specialised Agency: stated that the United Nations had under preliminary consideration only, provisions regarding privileges and immunities for all Specialised Agencies: and that parallel provisions to those now proposed had been included in the Conventions of other similar international bodies.

22. After discussion the Committee agreed by a vote of 13 against 8 not to approve § 1. of the US/UK proposal: it was agreed without further discussion of that the United States, United Kingdom and Chilean proposals had failed.

23. Article 33 "Rendering of Accounts"
268 TR 355 TR

At the suggestion of the Chairman, the Committee based their discussion upon Doc. No. 355 TR, the proposal of France.

24. The Committee agreed (i) to amend the title to read "Rendering and Settlement of Accounts".

(ii) to adopt § 1 with the substitution of "operating agencies" instead of "enterprises".

(iii) to adopt § 2 adding after "accounts" the words "in respect to debits and credits".

25. After prolonged discussion of § 3, during which the delegate of Iran made the statement shown in annex 3, it became evident that in the main opinion was divided as follows:-

(i) our school of thought, the principal spokesman for which was the delegate of France, held that it should be possible for countries who so desire to apply the provisions of the Regulations for the rendering of accounts whatever the fiscal arrangements made by them may be; the settlement of accounts of those who have made special arrangements according to Art. 13 of the Convention might be considered as current transactions.

(ii) the other school of thought, the principal spokesman for which were the United States and United Kingdom delegates, held that settlement of accounts should be treated as a current transaction and that the general fiscal arrangements entered into by countries must apply even where these conflicted with the relevant provisions of the Regulations.

26. Eventually, the Committee agreed the following text as proposed by the delegate of Greece and amended by the delegates of France and the United States.

"The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current inter-

national obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, these settlements shall be effected in accordance with the Regulations in the absence of special arrangements under Article - (13) of this Convention"

27. The Committee agreed to submit Article 33 as approved (see annex 2) to Committee G.

28. Definition of "International Services"

The Chairman reminded the Committee that at the meeting of 10th September it had charged the Drafting Group with the consideration of a shortened definition. Since not all members of the Group were present at that meeting, it would have been necessary to await the issue of the minutes of the 10th September meeting before they could meet. In order to save time, he had prepared certain proposals in the light of valuable suggestions offered by the delegate of the U.S.

29. The Chairman remarked that the present definition covers three separate points:

- (i) the obvious interpretation;
- (ii) the logical extension to the mobile services which, while peculiar to telecommunication, does no violence to the sense of the term; and
- (iii) the extension to national services which may cause interference: this involves a verbal contradiction.

30. The delegate of the United States had proposed the following definition to cover points (i) and (ii)

"A telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries."

31. The delegate of the United States had reached the conclusion that, if the simplified definition were adopted, only Article 9 of the Madrid Convention would need modification.

32. The Chairman suggested that as regards Article 9. the following text proposed by the United States delegate would be satisfactory in principle:-

Article 9: Execution of the Convention and
of the Regulations.

"S1: The members of the Union undertake to apply the provisions of this Convention and of the Regulations in all the offices and telecommunications stations established or operated by them which engage in international services governed by the Regulations or which are capable of resulting in harmful interference to the radiocommunications services of other countries."

"S2: The members of the Union undertake to enforce the provisions of this Convention and of the Regulations upon the private operating agencies recognized by them and upon other operating agencies authorized by them which engage in international services governed by the Regulations or which operate stations capable of resulting in harmful interference to the radiocommunications services of other countries."

33. The Chairman thought, however, that S 1 would be clearer if it read "...governed by the Regulations or in other services which are capable of resulting....". Subject to this verbal amendment he suggested that if the Committee agreed, Committee C might be informed of the revised definition and of the suggested modification of Article 9. It would, of course, be understood that Committee C would coordinate this modification with its own revision of Article 9.

34. The delegate of Italy pointed out that interference was dealt with in Article 35. And suggested that reference to this Article might be made in Article 9.

35. The Chairman suggested that the question of cross-reference might be left to Committee G.

36. The Committee agreed

(1) to adopt the following definition of

"international service" and to submit it to Committee G:-

"A telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries.

(ii) to refer the above definition to Committee C with the text of Article 9 proposed by the United States delegate amended as proposed by the Chairman, drawing attention to the suggestion of the delegate of Italy about cross-reference to Article 35.

37. Definition of "Private Operating Agency"

The Chairman said that he had received the following suggested definition from the delegate of the United States:-

"Any individual or any company or corporation, other than a government establishment or agency, which operates telecommunication installations."

38. The delegate of the United States stated that as a result of post-discussions he felt that there was need also of a definition of "recognized private operating agency". He proposed the following:

"Any private operating agency, as defined above, which maintains its Head Office in a country, the government of which, as a member of the Union, undertakes the obligations contemplated in Article 9 of the Convention".

39. The delegate of the United Kingdom made the following suggestions.

A. "Private operating agency"

Any individual or company or corporation other than a governmental establishment or agency which operates a telecommunication installation (a) for the purposes of an international telecommunication service or (b) capable of causing harmful interference with such a service."

B. "Recognized private operating agency"

Any private operating agency, as defined above, which operates a service of public correspondence or of broadcasting and upon which the obligations provided for in Article 9 are imposed by a member of the Union, in whose territory the Head Office of the Agency is situated."

40. The delegate of the United Kingdom proceeded to review the relevant articles in the Convention and recommended that the terms "private operating agency" (A) and "recognized private operating agency" (B) should be used as follows:-

Art. 9 § 2	A.
Art. 13	B.
Art. 18 § 4	B.
Art. 25 § 5	B.
Art. 35	A.

41. The delegate of the United States thought the question arose whether B. might not, when applied to Article 13, exclude certain types of agencies, such as Aeronautical Radar International Cooperative (ANeric), which might wish to make special arrangements.

42. The Committee agreed (i) to adopt the following definitions and submit them to Committee G.:-

(a) "Private operating agency"

Any individual or company or corporation other than a governmental establishment or agency, which operates a telecommunication installation (a) for the purposes of an international telecommunication service or (b) capable of causing harmful interference with such a service."

(b) "Recognized private operating agency"

Any private operating agency, as defined above, which operates a service of public correspondence or of broadcasting and upon which the obligations provided for in Article 9. are imposed by a member of the Union, in whose territory the Head Office of the Agency is situated."

(ii) that the term "private operating agency" should be used in Articles 9 and 35.

(iii) that the term "recognized private operating agency" should be used in Articles 18 § 4 and 25 § 5.

(iv) that Committee C. should be informed regarding Articles 9 and 18 § 4. and that Committee F. should be informed regarding Article 18 § 4.

(v) that the impact of the above definitions on Article 13 and on any other Article of the Convention (not previously discussed) should be reviewed at a special meeting of the Committee during the following week.

43. The Chairman informed the Committee that Article 14 had been approved in principle by Committee C as it stood in the Madrid Convention but Committee C desired Committee E to review the wording of the proposed text. This would also be discussed at the special meeting.

44. The Chairman said that as this was the last formal meeting of the Committee, he would like to express his appreciation of the cooperation which delegates had shown him throughout their discussions. He felt that much valuable work had been achieved.

45. The delegate of the United States stated that he wishes to express the appreciation of his delegation to the Chairman and his colleagues on the rostrum. The work has been greatly expedited by reason of the fact that they had never had a meeting without either an agenda or notice in advance of the papers and subjects to be discussed. He felt sure that the other members of the Committee would support him in this statement.

The members of the Committee showed their assent by applause.

46. The Chairman adjourned the meeting at 6:55 p.m.

Rapporteurs:

A.G. David
H. Lerognon

Chairman:

H. Townshend

ANNEX I.

Article 15.

Settlement of Difference

The Members of the Union may settle their differences on questions relating to the application of the Convention or of the Regulations contemplated in Article --- through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon. If none of these modes of settlement is adopted, any member of the Union party to a dispute may submit such the dispute to arbitration in accordance with Annex ---

ANNEX ---

1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.

2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree whether the arbitration shall be entrusted to individuals, administrations or governments, it shall be entrusted to governments.

3. If arbitration is to be entrusted to individuals, the arbitrators must be neither nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.

4. If arbitration is to be entrusted to governments, these must be chosen from among the members of the Union which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.

5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.

6. If more than two parties are involved in the dispute,

an arbitrator shall be appointed in accordance with the procedure set forth in paragraphs 4 and 5 above by each of the two groups of parties having a common position in the dispute.

7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments, must fulfill the conditions indicated in paragraph 3 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The (Secretary-General) of the Union shall then draw lots in order to select the third arbitrator.

8. The parties to the dispute have the right to have their dispute settled by a single arbitrator appointed by agreement, or alternatively, each party may nominate an arbitrator. The (Secretary-General) of the Union shall in the latter case draw lots to decide which of the persons so nominated is to act as the single arbitrator.

9. The arbitrators shall be free to decide upon the procedure to be followed.

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

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

12. The Union shall furnish all information relating to the dispute which the arbitrators may need.

ANNEX II

Article 33

Rendering and settlement of Accounts

- § 1. The Administrations of the Members of the Union and the private operating agencies recognized by them which operate international telecommunications services shall come to an agreement with regard to the amount of their credits and debits.
- § 2. The statements of accounts in respect to debits and credits referred to in § 1 of this article shall be drawn up in accordance with the provisions of the Regulations annexed to the Convention, unless special arrangements have been concluded between the parties concerned.
- § 3. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, these settlements shall be effected in accordance with the Regulations in the absence of special arrangements under Article -- (13) of this Convention.

ANNEX III

The Delegation from Iran believes that the settlement of accounts with regard to telecommunications should be independent of any international financial agreement because the exchange of accounts is effected among all of the Administrations that deal with telecommunications, whereas financial agreements may be concluded among a certain number of Governments only; and a given country may conclude various agreements with various countries. Consequently, the Delegation from Iran is of the opinion that the Telegraphic Regulations should be adhered to, as the Administrations are still free to operate differently, according to mutual agreements concluded between them.

1947

Sep. 15, 1947

Committee E

Article 14.

(Madrid Convention)

"Relations with non-contracting States"

- .1. Committee C have agreed that Article 14 of the Madrid Convention shall not be modified in substance but have asked Committee E to suggest modified wording in accordance with the definitions which it is adopting.
- .2. Committee E are invited to approve reference of the following text to Committee G: -

§ 1. Each member and associate member reserves to itself and to the recognized private operating agencies the right to fix the conditions in which it admits telecommunications exchanged with a country which is not a party to this Convention.

§ 2. If a telecommunication originating in the territory of a non-contracting State is accepted by a member or associated member, it must be transmitted, and insofar as it follows the routes of a Member or Associate Member, the obligatory provisions of the Convention and Regulations and the usual charges are applied to it.