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TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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A. TITEL

*Akten van wijziging van het Statuut en het Verdrag van de Internationale Unie voor Telecommunicatie van 1992;
Minneapolis, 6 november 1998*

B. TEKST¹⁾

In rubriek J hieronder (op blz. 187) is afgedrukt de geconsolideerde versie van de Engelse tekst van het Statuut en Verdrag van de Internationale Unie voor Telecommunicatie van 1992, zoals gewijzigd in 1994 (Kyoto), zoals die zal luiden nadat de wijzigingen van 1998 (Minneapolis) in werking zijn getreden.

¹⁾ De Arabische, de Chinese, de Russische en de Spaanse tekst zijn niet afgedrukt.

Verklarende noot:

De symbolen in de marge geven wijzigingen aan met betrekking tot de teksten van het Statuut en het Verdrag van Genève (1992), met de volgende betekenis:

ADD = toevoeging van een nieuwe bepaling

MOD = gewijzigde bepaling

(MOD) = redactioneel gewijzigde bepaling

SUP =

Deze symbolen worden gevolgd door het nummer van de bestaande bepaling. Wat nieuwe bepalingen betreft (symbool ADD), wordt de plaats waar zij dienen te worden ingevoegd bepaald door het desbetreffende nummer, gevolgd door een letter.

Instrument d'amendement à la Constitution de l'Union internationale des télécommunications (Genève, 1992)

telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994)

(Amendements adoptés par la Conférence de plénipotentiaires (Minneapolis, 1998))*

PARTIE I

AVANT-PROPOS

En vertu et en application des dispositions pertinentes de la Constitution de l'Union internationale des télécommunications (Genève, 1992) telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994), et notamment des dispositions de son article 55, la Conférence de plénipotentiaires de l'Union internationale des télécommunications (Minneapolis, 1998) a adopté les amendements ci-après à la Constitution précitée:

CHAPITRE I

DISPOSITIONS DE BASE

Article 1 (CS)

Objet de l'Union

MOD 3 a) de maintenir et d'étendre la coopération internationale entre tous ses Etats Membres pour l'amélioration et l'emploi rationnel des télécommunications de toutes sortes;

ADD 3A abis) d'encourager et d'élargir la participation d'entités et d'organisations aux activités de l'Union et d'assurer une coopération et un partenariat fructueux entre elles et les Etats Membres en vue de répondre aux objectifs généraux énoncés dans l'objet de l'Union;

MOD 4 b) de promouvoir et d'offrir l'assistance technique aux pays en développement dans le domaine des télécommunications, et de promouvoir également la mobilisation des ressources matérielles, humaines et financières nécessaires à sa mise en œuvre, ainsi que l'accès à l'information;

* Conformément à la Résolution 70 (Minneapolis, 1998), relative à l'intégration du principe de l'égalité des sexes dans les travaux de l'UIT, les instruments fondamentaux de l'Union (Constitution et Convention) doivent être considérés comme rédigés dans un langage neutre.

**Instrument Amending the Constitution of the International
Telecommunication Union (Geneva, 1992)**

**as amended by the Plenipotentiary Conference
(Kyoto, 1994)**

(Amendments adopted by the Plenipotentiary Conference
(Minneapolis, 1998))*

PART I

FOREWORD

By virtue of and in implementation of the relevant provisions of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), in particular those in Article 55 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) has adopted the following amendments to the said Constitution:

CHAPTER I

BASIC PROVISIONS

Article 1 (CS)

Purposes of the Union

- MOD 3** a) to maintain and extend international cooperation among its Member States for the improvement and rational use of telecommunications of all kinds;
- ADD 3A** *abis*) to promote and enhance participation of entities and organizations in the activities of the Union and foster fruitful cooperation and partnership between them and Member States for the fulfilment of the overall objectives as embodied in the purposes of the Union;
- MOD 4** b) to promote and to offer technical assistance to developing countries in the field of telecommunications, and also to promote the mobilization of the material, human and financial resources needed for its implementation, as well as access to information;

* In accordance with Resolution 70 (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral.

- MOD 8** f) d'harmoniser les efforts des Etats Membres et de favoriser une coopération et un partenariat fructueux et constructifs entre les Etats Membres et les Membres des Secteurs vers ces fins;
- MOD 11** a) effectue l'attribution des bandes de fréquences du spectre radioélectrique, l'allotissement des fréquences radioélectriques et l'enregistrement des assignations de fréquence et, pour les services spatiaux, de toute position orbitale associée sur l'orbite des satellites géostationnaires ou de toute caractéristique associée de satellites sur d'autres orbites afin d'éviter les brouillages préjudiciables entre les stations de radiocommunication des différents pays;
- MOD 12** b) coordonne les efforts en vue d'éliminer les brouillages préjudiciables entre les stations de radiocommunication des différents pays et d'améliorer l'utilisation du spectre des fréquences radioélectriques pour les services de radiocommunication ainsi que de l'orbite des satellites géostationnaires et d'autres orbites;
- MOD 14** d) encourage la coopération et la solidarité internationales en vue d'assurer l'assistance technique aux pays en développement ainsi que la création, le développement et le perfectionnement des installations et des réseaux de télécommunication dans les pays en développement par tous les moyens à sa disposition, y compris sa participation aux programmes appropriés des Nations Unies et l'utilisation de ses propres ressources, selon les besoins;
- MOD 16** f) favorise la collaboration entre les Etats Membres et les Membres des Secteurs en vue d'établir des tarifs à des niveaux aussi bas que possible, compatibles avec un service de bonne qualité et une gestion financière des télécommunications saine et indépendante;
- ADD 19A** j) encourage la participation des entités concernées aux activités de l'Union et la coopération avec les organisations régionales ou autres en vue de répondre à l'objet de l'Union.

Article 2 (CS)

Composition de l'Union

- MOD 20** L'Union internationale des télécommunications est une organisation intergouvernementale dans laquelle les Etats Mem-

- MOD 8** f) to harmonize the actions of Member States and promote fruitful and constructive cooperation and partnership between Member States and Sector Members in the attainment of those ends;
- MOD 11** a) effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and the registration of radio-frequency assignments and, for space services, of any associated orbital position in the geostationary-satellite orbit or of any associated characteristics of satellites in other orbits, in order to avoid harmful interference between radio stations of different countries;
- MOD 12** b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum for radiocommunication services and of the geostationary-satellite and other satellite orbits;
- MOD 14** d) foster international cooperation and solidarity in the delivery of technical assistance to the developing countries and the creation, development and improvement of telecommunication equipment and networks in developing countries by every means at its disposal, including through its participation in the relevant programmes of the United Nations and the use of its own resources, as appropriate;
- MOD 16** f) foster collaboration among Member States and Sector Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunications on a sound basis;
- ADD 19A** j) promote participation of concerned entities in the activities of the Union and cooperation with regional and other organizations for the fulfilment of the purposes of the Union.

Article 2 (CS)

Composition of the Union

- MOD 20** The International Telecommunication Union is an inter-governmental organization in which Member States and Sec-

bres et les Membres des Secteurs, qui ont des droits et des obligations bien définis, coopèrent en vue de répondre à l'objet de l'Union. Eu égard au principe d'universalité et à l'intérêt d'une participation universelle à l'Union, celle-ci se compose de:

- MOD 21** a) tout Etat qui est Etat Membre de l'Union internationale des télécommunications en tant que partie à toute Convention internationale des télécommunications avant l'entrée en vigueur de la présente Constitution et de la Convention;
- MOD 23** c) tout autre Etat, non Membre de l'Organisation des Nations Unies, qui demande à devenir Etat Membre de l'Union et qui, après que sa demande a été agréée par les deux tiers des Etats Membres de l'Union, adhère à la présente Constitution et à la Convention conformément aux dispositions de l'article 53 de la présente Constitution. Si une telle demande d'admission en qualité d'Etat Membre est présentée pendant la période comprise entre deux Conférences de plénipotentiaires, le Secrétaire général consulte les Etats Membres de l'Union; un Etat Membre est considéré comme s'étant abstenu s'il n'a pas répondu dans un délai de quatre mois à compter du jour où il a été consulté.

Article 3 (CS)

MOD *Droits et obligations des Etats Membres et des Membres des Secteurs*

- MOD 24** 1. Les Etats Membres et les Membres des Secteurs ont les droits et sont soumis aux obligations prévus dans la présente Constitution et dans la Convention.
- MOD 25** 2. Les droits des Etats Membres, en ce qui concerne leur participation aux conférences, réunions et consultations de l'Union, sont les suivants:
- MOD 26** a) tout Etat Membre a le droit de participer aux conférences, est éligible au Conseil et a le droit de présenter des candidats à l'élection des fonctionnaires élus de l'Union ou des membres du Comité du Règlement des radiocommunications;
- MOD 27** b) tout Etat Membre a, sous réserve des dispositions des numéros 169 et 210 de la présente Constitution, également droit à une voix à toutes les Conférences de plénipotentiaires, à toutes les conférences mondiales et à toutes les assemblées des Secteurs ainsi qu'à toutes les réunions des commissions

tor Members, having well-defined rights and obligations, cooperate for the fulfilment of the purposes of the Union. It shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:

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

Article 3 (CS)

MOD *Rights and Obligations of Member States and Sector Members*

- MOD 24** 1. Member States and Sector Members shall have the rights and shall be subject to the obligations provided for in this Constitution and the Convention.
- MOD 25** 2. Rights of Member States in respect of their participation in the conferences, meetings and consultations of the Union are:
- MOD 26** a) all Member States shall be entitled to participate in conferences, shall be eligible for election to the Council and shall have the right to nominate candidates for election as officials of the Union or as members of the Radio Regulations Board;
- MOD 27** b) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall have one vote at all plenipotentiary conferences, all world conferences and all Sector assemblies and study group meetings and, if it is a Member State of the Council, all sessions of that Council At

d'études et, s'il fait partie du Conseil, à toutes les sessions de ce Conseil. Aux conférences régionales, seuls les Etats Membres de la région concernée ont le droit de vote;

MOD 28 c) tout Etat Membre a, sous réserve des dispositions des numéros 169 et 210 de la présente Constitution, également droit à une voix dans toute consultation effectuée par correspondance. Dans le cas de consultations concernant des conférences régionales, seuls les Etats Membres de la région concernée ont le droit de vote.

ADD 28A 3. En ce qui concerne leur participation aux activités de l'Union, les Membres des Secteurs sont autorisés à participer pleinement aux activités du Secteur dont ils sont membres, sous réserve des dispositions pertinentes de la présente Constitution et de la Convention:

ADD 28B a) ils peuvent fournir des présidents et des vice-présidents pour les assemblées et réunions des Secteurs, ainsi que pour les conférences mondiales de développement des télécommunications;

ADD 28C b) ils sont autorisés, sous réserve des dispositions pertinentes de la Convention et des décisions pertinentes adoptées à cet égard par la Conférence de plénipotentiaires, à participer à l'adoption des Questions et des Recommandations ainsi que des décisions relatives aux méthodes de travail et aux procédures du Secteur concerné.

Article 4 (CS)

Instruments de l'Union

MOD 31 3. Les dispositions de la présente Constitution et de la Convention sont de plus complétées par celles des Règlements administratifs énumérés ci-après, qui réglementent l'utilisation des télécommunications et lient tous les Etats Membres:

- le Règlement des télécommunications internationales,
- le Règlement des radiocommunications.

Article 6 (CS)

Exécution des instruments de l'Union

MOD 37 1. Les Etats Membres sont tenus de se conformer aux dispositions de la présente Constitution, de la Convention et des

regional conferences, only the Member States of the region concerned shall have the right to vote;

MOD 28 c) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall also have one vote in all consultations carried out by correspondence. In the case of consultations regarding regional conferences, only the Member States of the region concerned shall have the right to vote.

ADD 28A 3. In respect of their participation in activities of the Union, Sector Members shall be entitled to participate fully in the activities of the Sector of which they are members, subject to relevant provisions of this Constitution and the Convention:

ADD 28B a) they may provide chairmen and vice-chairmen of Sector assemblies and meetings and world telecommunication development conferences;

ADD 28C b) they shall be entitled, subject to the relevant provisions of the Convention and relevant decisions adopted in this regard by the Plenipotentiary Conference, to take part in the adoption of Questions and Recommendations and in decisions relating to the working methods and procedures of the Sector concerned.

Article 4 (CS)

Instruments of the Union

MOD 31 3. The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Member States:

- International Telecommunication Regulations,
- Radio Regulations.

Article 6 (CS)

Execution of the Instruments of the Union

MOD 37 1. The Member States are bound to abide by the provisions of this Constitution, the Convention and the Adminis-

Règlements administratifs dans tous les bureaux et dans toutes les stations de télécommunication établis ou exploités par eux et qui assurent des services internationaux ou qui peuvent causer des brouillages préjudiciables aux services de radio-communication d'autres pays, sauf en ce qui concerne les services qui échappent à ces obligations en vertu des dispositions de l'article 48 de la présente Constitution.

- MOD 38** 2. Les Etats Membres sont également tenus de prendre les mesures nécessaires pour imposer l'observation des dispositions de la présente Constitution, de la Convention et des Règlements administratifs aux exploitations autorisées par eux à établir et à exploiter des télécommunications et qui assurent des services internationaux ou exploitent des stations pouvant causer des brouillages préjudiciables aux services de radiocommunication d'autres pays.

Article 7 (CS)

Structure de l'Union

- MOD 44** e) le Secteur de la normalisation des télécommunications, y compris les assemblées mondiales de normalisation des télécommunications;

Article 8 (CS)

La Conférence de plénipotentiaires

- MOD 47** 1. La Conférence de plénipotentiaires est composée de délégations représentant les Etats Membres. Elle est convoquée tous les quatre ans.

- MOD 48** 2. Sur la base de propositions des Etats Membres et compte tenu des rapports du Conseil, la Conférence de plénipotentiaires:

- MOD 50** b) examine les rapports du Conseil sur l'activité de l'Union depuis la précédente Conférence de plénipotentiaires ainsi que sur la politique générale et la planification stratégique de l'Union;

- MOD 51** c) établit les bases du budget de l'Union et fixe, compte tenu des décisions prises sur la base des rapports mentionnés au numéro 50 ci-dessus, les limites financières correspondantes pour la période allant jusqu'à la Conférence de plénipotentiaires suivante, après avoir examiné tous les aspects pertinents de l'activité de l'Union durant cette période;

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

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

Article 7 (CS)

Structure of the Union

- MOD 44** e) the Telecommunication Standardization Sector, including world telecommunication standardization assemblies;

Article 8 (CS)

Plenipotentiary Conference

- MOD 47** 1. The Plenipotentiary Conference shall be composed of delegations representing Member States. It shall be convened every four years.
- MOD 48** 2. On the basis of proposals by Member States and taking account of reports by the Council, the Plenipotentiary Conference shall:
- MOD 50** b) consider the reports by the Council on the activities of the Union since the previous plenipotentiary conference and on the policy and strategic planning of the Union;
- MOD 5I** c) establish the basis for the budget of the Union and determine, in the light of its decisions taken on the reports referred to in No. 50 above, related financial limits until the next plenipotentiary conference, after considering all relevant aspects of the work of the Union in that period;

ADD 51A d) établit, en appliquant les procédures énoncées aux numéros 161D à 161G de la présente Constitution, le nombre total d'unités contributives pour la période allant jusqu'à la Conférence de plénipotentiaires suivante, sur la base des classes de contribution annoncées par les Etats Membres.

MOD 54 f) élit les Etats Membres appelés à composer le Conseil;

MOD 57 i) examine et adopte, s'il y a lieu, les propositions d'amendement à la présente Constitution et à la Convention, formulées par les Etats Membres, conformément, respectivement, aux dispositions de l'article 55 de la présente Constitution et aux dispositions pertinentes de la Convention;

ADD 58A *jbis*) adopte le Règlement intérieur des conférences et autres réunions de l'Union ainsi que les amendements audit Règlement;

MOD 59C b) sur demande formulée individuellement par les deux tiers des Etats Membres et adressée au Secrétaire général;

MOD 59D c) sur proposition du Conseil, avec l'accord d'au moins les deux tiers des Etats Membres.

Article 9 (CS)

Principes relatifs aux élections et questions connexes

MOD 62 b) le Secrétaire général, le Vice-Secrétaire général, les directeurs des Bureaux et les membres du Comité du Règlement des radiocommunications soient élus parmi les candidats proposés par les Etats Membres en tant que leurs ressortissants, qu'ils soient tous ressortissants d'Etats Membres différents et que, lors de leur élection, il soit dûment tenu compte d'une répartition géographique équitable entre les régions du monde; en ce qui concerne les fonctionnaires élus, il faudrait en outre tenir dûment compte des principes énoncés au numéro 154 de la présente Constitution;

MOD 63 c) les membres du Comité du Règlement des radiocommunications soient élus à titre individuel; chaque Etat Membre ne peut proposer qu'un seul candidat.

- ADD 51A** d) establish, using the procedures described in Nos. 161D to 161G of this Constitution, the total number of contributory units for the period up to the next plenipotentiary conference on the basis of the classes of contribution announced by Member States;
- MOD 54** f) elect the Member States which are to serve on the Council;
- MOD 57** i) consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention, put forward by Member States, in accordance with the provisions of Article 55 of this Constitution and the relevant provisions of the Convention, respectively;
- ADD 58A** *jbis*) adopt and amend the Rules of Procedure of conferences and other meetings of the Union;
- MOD 59C** b) should two-thirds of the Member States individually so request the Secretary-General;
- MOD 59C** c) at the proposal of the Council with the approval of at least two-thirds of the Member States.

Article 9 (CS)

Principles Concerning Elections and Related Matters

- MOD 62** b) the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux and the members of the Radio Regulations Board shall be elected among the candidates proposed by Member States as their nationals and shall all be nationals of different Member States, and at their election due consideration should be given to equitable geographical distribution amongst the regions of the world; as far as the elected officials are concerned, due consideration should also be given to the principles embodied in No. 154 of this Constitution;
- MOD 63** c) the members of the Radio Regulations Board shall be elected in their individual capacity; each Member State may propose only one candidate.

Article 10 (CS)

Le Consell

MOD 65 1. 1) Le Conseil est composé d'Etats Membres élus par la Conférence de plénipotentiaires conformément aux dispositions du numéro 61 de la présente Constitution.

MOD 69 4. 1) Le Conseil est chargé de prendre toutes mesures propres à faciliter la mise à exécution, par les Etats Membres, des dispositions de la présente Constitution, de la Convention, des Règlements administratifs, des décisions de la Conférence de plénipotentiaires et, le cas échéant, des décisions des autres conférences et réunions de l'Union, ainsi que d'accomplir toutes les autres tâches qui lui sont assignées par la Conférence de plénipotentiaires.

MOD 70 2) Il examine les grandes questions de politique des télécommunications conformément aux directives générales de la Conférence de plénipotentiaires afin que les orientations politiques et la stratégie de l'Union soient parfaitement adaptées à l'évolution constante de l'environnement des télécommunications et établit un rapport sur la politique et sur la planification stratégique recommandées pour l'Union ainsi que sur leurs répercussions financières. Il utilise à cet effet les données préparées par le Secrétaire général en application du numéro 74A ci-dessous.

Article 11 (CS)

Secrétariat général

ADD 73A 2) Les fonctions du Secrétaire général sont énoncées dans la Convention. De plus, le Secrétaire général:

MOD 74 a) coordonne les activités de l'Union avec l'assistance du Comité de coordination;

ADD 74A b) prépare, avec l'assistance du Comité de coordination, les données nécessaires à l'élaboration d'un rapport sur la politique et sur le plan stratégique de l'Union et coordonne la mise en œuvre de ce plan;

MOD 75 c) prend toutes les mesures requises pour faire en sorte que les ressources de l'Union soient utilisées avec économie et est responsable devant le Conseil pour la totalité des aspects administratifs et financiers des activités de l'Union;

Article 10 (CS)

The Council

- MOD 65** 1. 1) The Council shall be composed of Member States elected by the Plenipotentiary Conference in accordance with the provisions of No. 61 of this Constitution.
- MOD 69** 4. 1) The Council shall take all steps to facilitate the implementation by the Member States of the provisions of this Constitution, of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties assigned to it by the Plenipotentiary Conference.
- MOD 70** 2) It shall consider broad telecommunication policy issues in keeping with the guidelines given by the plenipotentiary Conference in order to ensure that the Union's policies and strategy fully respond to the constantly changing telecommunication environment, and shall prepare a report on the policy and strategic planning recommended for the Union, together with their financial implications. It shall use to this effect the material prepared by the Secretary-General under No. 74A below.

Article 11 (CS)

General Secretariat

- ADD 73A** 2) The functions of the Secretary-General are specified in the Convention. In addition, the Secretary-General shall:
- MOD 74** a) coordinate the Union's activities, with the assistance of the Coordination Committee;
- ADD 74A** b) prepare, with the assistance of the Coordination Committee, material required for the preparation of a report on the policies and strategic plan for the Union, and coordinate the implementation of the plan;
- MOD 75** c) take all the actions required to ensure economic use of the Union's resources and be responsible to the Council for all the administrative and financial aspects of the Union's activities;

MOD 76 d) agit en qualité de représentant légal de l'Union.

ADD 76A 3) Le Secrétaire général peut agir comme dépositaire d'arrangements particuliers établis conformément à l'article 42 de la présente Constitution.

CHAPITRE II

SECTEUR DES RADIOCOMMUNICATIONS

Article 12 (CS)

Fonctions et structure

MOD 78 1. 1) Les fonctions du Secteur des radiocommunications consistent, en gardant à l'esprit les préoccupations particulières des pays en développement, à répondre à l'objet de l'Union concernant les radiocommunications, tel qu'il est énoncé à l'article 1 de la présente Constitution,

- en assurant l'utilisation rationnelle, équitable, efficace et économique du spectre des fréquences radioélectriques par tous les services de radiocommunication, y compris ceux qui utilisent l'orbite des satellites géostationnaires ou d'autres orbites, sous réserve des dispositions de l'article 44 de la présente Constitution, et
- en procédant à des études sans limitation quant à la gamme de fréquences et en adoptant des recommandations relatives aux radiocommunications.

MOD 83 c) les assemblées des radiocommunications;

ADD 84A *dbis*) le Groupe consultatif des radiocommunications;

MOD 87 a) de droit, les administrations de tous les Etats Membres;

MOD 88 b) toute entité ou organisation qui devient Membre du Secteur conformément aux dispositions pertinentes de la Convention.

Article 13 (CS)

Conférences des radiocommunications et assemblées des radiocommunications

MOD 90 2. Les conférences mondiales des radiocommunications sont convoquées normalement tous les deux à trois ans; cependant, conformément aux dispositions pertinentes de la Convention, une telle conférence peut ne pas être convoquée ou une conférence additionnelle peut être convoquée.

MOD 76 d) act as the legal representative of the Union.

ADD 76A 3) The Secretary-General may act as depositary of special arrangements established in conformity with Article 42 of this Constitution.

CHAPTER II

RADIOCOMMUNICATION SECTOR

Article 12 (CS)

Functions and Structure

MOD 78 1. 1) The functions of the Radiocommunication Sector shall be, bearing in mind the particular concerns of developing countries, to fulfil the purposes of the Union, as stated in Article 1 of this Constitution, relating to radiocommunication:

– by ensuring the rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using the geostationary-satellite or other satellite orbits, subject to the provisions of Article 44 of this Constitution, and

– by carrying out studies without limit of frequency range and adopting recommendations on radiocommunication matters.

MOD 83 c) radiocommunication assemblies;

ADD 84A *dbis*) the radiocommunication advisory group;

MOD 87 a) of right, the administrations of all Member States;

MOD 88 b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 13 (CS)

Radiocommunication Conferences and Radiocommunication Assemblies

MOD 90 2. World radiocommunication conferences shall normally be convened every two to three years; however, following the application of the relevant provisions of the Convention, such a conference need not be convened or an additional one may be convened.

MOD 91 3. Les assemblées des radiocommunications sont de même normalement convoquées tous les deux à trois ans et peuvent être associées en lieu et dates aux conférences mondiales des radiocommunications de manière à améliorer l'efficacité et la productivité du Secteur des radiocommunications. Les assemblées des radiocommunications établissent les bases techniques nécessaires aux travaux des conférences mondiales des radiocommunications et donnent suite à toutes les demandes desdites conférences; leurs fonctions sont énoncées dans la Convention.

MOD 92 4. Les décisions des conférences mondiales des radiocommunications, des assemblées des radiocommunications et des conférences régionales des radiocommunications doivent être, dans tous les cas, conformes aux dispositions de la présente Constitution et de la Convention. Les décisions des assemblées des radiocommunications ou des conférences régionales des radiocommunications doivent être aussi, dans tous les cas, conformes aux dispositions du Règlement des radiocommunications. Lorsqu'elles adoptent des résolutions ou des décisions, les conférences doivent tenir compte des répercussions financières prévisibles et devraient éviter d'adopter des résolutions ou des décisions susceptibles d'entraîner le dépassement des limites financières fixées par la Conférence de plénipotentiaires.

Article 14 (CS)

Comité du Règlement des radiocommunications

ADD 93A 2. Le Comité du Règlement des radiocommunications se compose de 12 membres au plus ou d'un nombre de membres correspondant à 6% du nombre total d'Etats Membres, selon le nombre qui est le plus élevé.

MOD 95 a) à approuver des règles de procédure, qui comportent des critères techniques, conformes au Règlement des radiocommunications et aux décisions des conférences des radiocommunications compétentes. Ces règles de procédure sont utilisées par le directeur et le Bureau dans l'application du Règlement des radiocommunications pour enregistrer les assignations de fréquences faites par les Etats Membres. Ces règles peuvent faire l'objet de commentaires de la part des administrations et, en cas de désaccord persistant, la question est soumise à une prochaine conférence mondiale des radiocommunications;

- MOD 91** 3. Radiocommunication assemblies shall also normally be convened every two to three years, and may be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Radiocommunication assemblies shall provide the necessary technical bases for the work of the world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the Convention.
- MOD 92** 4. The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and the Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 14 (CS)

Radio Regulations Board

- ADD 93A** 2. The Radio Regulations Board is composed of not more than either 12 members, or of a number corresponding to 6% of the total number of Member States, whichever is the greater.
- MOD 95** a) the approval of Rules of Procedure, which include technical criteria, in accordance with the Radio Regulations and with any decision which may be taken by competent radiocommunication conferences. These Rules of Procedure shall be used by the Director and the Bureau in the application of the Radio Regulations to register frequency assignments made by Member States. These Rules shall be open to comment by administrations and, in case of continuing disagreement, the matter shall be submitted to a forthcoming world radiocommunication conference;

MOD 97 c) à exécuter toutes les tâches additionnelles relatives à l'assignation et à l'utilisation des fréquences, comme indiqué au numéro 78 de la présente Constitution, conformément aux procédures prévues par le Règlement des radiocommunications, prescrites par une conférence compétente ou par le Conseil avec le consentement de la majorité des Etats Membres en vue de la préparation d'une telle conférence ou en application de ses décisions.

MOD 99 2) Aucun membre du Comité ne doit, en ce qui concerne l'exercice de ses fonctions au service de l'Union, 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. Les membres du Comité doivent s'abstenir de prendre toute mesure ou de s'associer à toute décision pouvant être incompatible avec leur statut tel qu'il est défini au numéro 98 ci-dessus.

MOD 100 3) Les Etats Membres et les Membres des Secteurs doivent respecter le caractère exclusivement international des fonctions des membres du Comité et s'abstenir de chercher à les influencer dans l'exercice de leurs fonctions au sein du Comité.

Article 15 (CS)

MOD *Commissions d'études et Groupe consultatif des radiocommunications*

MOD 102 Les fonctions respectives des commissions d'études et du Groupe consultatif des radiocommunications sont énoncées dans la Convention.

CHAPITRE III

SECTEUR DE LA NORMALISATION DES TÉLÉCOMMUNICATIONS

Article 17 (CS)

Fonctions et structure

MOD 104 1. 1) Les fonctions du Secteur de la normalisation des

MOD 97 c) the performance of any additional duties, concerned with the assignment and utilization of frequencies, as indicated in No. 78 of this Constitution, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference or by the Council with the consent of a majority of the Member States, in preparation for, or in pursuance of the decisions of, such a conference.

MOD 99 2) No member of the Board shall request or receive instructions relating to the exercise of his duties for the Union from any government or a member thereof, or from any public or private organization or person. Members of the Board shall refrain from taking any action or from participating in any decision which may be incompatible with their status defined in No. 98 above.

MOD 100 3) Member States and Sector Members shall respect the exclusively international character of the duties of the members of the Board and refrain from attempting to influence them in the performance of their Board duties.

Article 15 (CS)

MOD *Radiocommunication Study Groups
and Advisory Group*

MOD 102 The respective duties of the radiocommunication study groups and advisory group are specified in the Convention.

CHAPTER III

TELECOMMUNICATION STANDARDIZATION SECTOR

Article 17 (CS)

Functions and Structure

MOD 104 1. 1) The functions of the Telecommunication Standardi-

télécommunications consistent, en gardant à l'esprit les préoccupations particulières des pays en développement, à répondre à l'objet de l'Union concernant la normalisation des télécommunications, tel qu'il est énoncé à l'article 1 de la présente Constitution, en effectuant des études sur des questions techniques, d'exploitation et de tarification et en adoptant des recommandations à leur sujet en vue de la normalisation des télécommunications à l'échelle mondiale.

MOD 107 a) des assemblées mondiales de normalisation des télécommunications;

ADD 108A *bbis*) le Groupe consultatif de la normalisation des télécommunications;

MOD 111 a) de droit, les administrations de tous les Etats Membres;

MOD 112 b) toute entité ou organisation qui devient Membre du Secteur conformément aux dispositions pertinentes de la Convention.

Article 18 (CS)

MOD *Assemblées mondiales de normalisation des télécommunications*

MOD 113 1. Le rôle des assemblées mondiales de normalisation des télécommunications est défini dans la Convention.

MOD 114 2. Les assemblées mondiales de normalisation des télécommunications sont convoquées tous les quatre ans; toutefois, une assemblée additionnelle peut être organisée conformément aux dispositions pertinentes de la Convention.

MOD 115 3. Les décisions des assemblées mondiales de normalisation des télécommunications doivent être, dans tous les cas, conformes aux dispositions de la présente Constitution, de la Convention et des Règlements administratifs. Lorsqu'elles adoptent des résolutions ou des décisions, les assemblées doivent tenir compte des répercussions financières prévisibles et devraient éviter d'adopter des résolutions ou des décisions susceptibles d'entraîner le dépassement des limites financières fixées par la Conférence de plénipotentiaires.

zation Sector shall be, bearing in mind the particular concerns of the developing countries, to fulfil the purposes of the Union relating to telecommunication standardization, as stated in Article 1 of this Constitution, by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.

MOD 107 a) world telecommunication standardization assemblies;

ADD 108A *bis*) the telecommunication standardization advisory group;

MOD 111 a) of right, the administrations of all Member States;

MOD 112 b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 18 (CS)

MOD *World Telecommunication Standardization Assemblies*

MOD 113 1. The duties of world telecommunication standardization assemblies are specified in the Convention.

MOD 114 2. World telecommunication standardization assemblies shall be convened every four years; however, an additional assembly may be held in accordance with the relevant provisions of the Convention.

MOD 115 3. Decisions of world telecommunication standardization assemblies must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the assemblies shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 19 (CS)

MOD *Commissions d'études et Groupe consultatif de la normalisation des télécommunications*

MOD 116 Les fonctions respectives des commissions d'études et du Groupe consultatif de la normalisation des télécommunications sont énoncées dans la Convention.

CHAPITRE IV

SECTEUR DU DÉVELOPPEMENT DES
TÉLÉCOMMUNICATIONS

Article 21 (CS)

Fonctions et structure

MOD 122 b) d'encourager, en particulier par le biais du partenariat, le développement, l'expansion et l'exploitation des réseaux et des services de télécommunication, notamment dans les pays en développement, compte tenu des activités des autres organes concernés, en renforçant les moyens de développement des ressources humaines, de planification, de gestion, de mobilisation des ressources et de recherche-développement;

ADD 132A *bis*) le Groupe consultatif pour le développement des télécommunications;

MOD 135 a) de droit, les administrations de tous les Etats Membres;

MOD 136 b) toute entité ou organisation qui devient Membre du Secteur conformément aux dispositions pertinentes de la Convention.

Article 22 (CS)

Conférences de développement des télécommunications

MOD 142 4. Les conférences de développement des télécommunications n'élaborent pas d'Actes finals. Leurs conclusions prennent la forme de résolutions, de décisions, de recommandations ou de rapports. Ces conclusions doivent être, dans tous les cas, conformes aux dispositions de la présente Constitution, de la Convention et des Règlements administratifs. Lorsqu'elles adoptent des résolutions ou des décisions, les conférences doivent tenir compte des répercussions financières

Article 19 (CS)

MOD *Telecommunication Standardization Study Groups and Advisory Group*

MOD 116 The respective duties of the telecommunication standardization study groups and advisory group are specified in the Convention.

CHAPTER IV

TELECOMMUNICATION DEVELOPMENT
SECTOR

Article 21 (CS)

Functions and Structure

MOD 122 b) promote, especially by means of partnership, the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, by reinforcing capabilities for human resources development, planning, management, resource mobilization, and research and development;

ADD 132A *bbis*) the telecommunication development advisory group;

MOD 135 a) of right, the administrations of all Member States;

MOD 136 b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 22 (CS)

Telecommunication Development Conferences

MOD 142 4. Telecommunication development conferences shall not produce Final Acts. Their conclusions shall take the form of resolutions, decisions, recommendations or reports. These conclusions must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and deci-

prévisibles et devraient éviter d'adopter des résolutions ou des décisions susceptibles d'entraîner le dépassement des limites financières fixées par la Conférence de plénipotentiaires.

Article 23 (CS)

MOD *Commissions d'études du développement des télécommunications et Groupe consultatif pour le développement des télécommunications*

MOD 144 Les fonctions respectives des commissions d'études du développement des télécommunications et du Groupe consultatif pour le développement des télécommunications sont énoncées dans la Convention.

CHAPITRE V

AUTRES DISPOSITIONS RELATIVES AU FONCTIONNEMENT DE L'UNION

Article 25 (CS)

Conférences mondiales des télécommunications internationales

MOD 147 2. Les décisions des conférences mondiales des télécommunications internationales doivent, dans tous les cas, être conformes aux dispositions de la présente Constitution et de la Convention. Lors de l'adoption de résolutions ou de décisions, les conférences doivent tenir compte des répercussions financières prévisibles et devraient éviter d'adopter des résolutions ou des décisions susceptibles d'entraîner le dépassement des limites financières fixées par la Conférence de plénipotentiaires.

Article 27 (CS)

Les fonctionnaires élus et le personnel de l'Union

MOD 151 2) Les Etats Membres et les Membres des Secteurs doivent respecter le caractère exclusivement international des fonctions de ces fonctionnaires élus et du personnel de l'Union, et s'abstenir de chercher à les influencer dans l'exécution de leur tâche.

MOD 153 4) Pour garantir un fonctionnement efficace de l'Union, tout Etat Membre dont un ressortissant a été élu Secrétaire

sions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 23 (CS)

MOD *Telecommunication Development
Study Groups and Advisory
Group*

MOD 144 The respective duties of telecommunication development study groups and advisory group are specified in the Convention.

CHAPTER V

OTHER PROVISIONS CONCERNING THE FUNCTIONING
OF THE UNION

Article 25 (CS)

World Conferences on International Telecommunications

MOD 147 2. Decisions of world conferences on international telecommunications shall in all circumstances be in conformity with this Constitution and the Convention. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 27 (CS)

Elected Officials and Staff of the Union

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

MOD 153 4) In order to ensure the efficient operation of the Union, any Member State a national of which has been

général, Vice-Secrétaire général ou directeur d'un Bureau doit, dans la mesure du possible, s'abstenir de rappeler ce ressortissant entre deux Conférences de plénipotentiaires.

Article 28 (CS)

Finances de l'Union

MOD 159 2. Les dépenses de l'Union sont couvertes par:

ADD 159A a) les contributions de ses Etats Membres et des Membres des Secteurs;

ADD 159B b) les autres recettes spécifiées dans la Convention ou dans le Règlement financier.

ADD 159C *2bis* Chaque Etat Membre et chaque Membre de Secteur versent une somme qui équivaut au nombre d'unités correspondant à la classe de contribution choisie par eux, conformément aux numéros 160 à 161I ci-après.

ADD 159D *2ter* Les dépenses des conférences régionales visées au numéro 43 de la présente Constitution sont à la charge de tous les Etats Membres de la région concernée, selon la classe de contribution de ces derniers et, le cas échéant, sur la même base, de ceux des Etats Membres d'autres régions qui ont participé à de telles conférences.

MOD 160 3 1) Les Etats Membres et les Membres des Secteurs choisissent librement la classe de contribution selon laquelle ils entendent participer aux dépenses de l'Union.

MOD 161 2) Les Etats Membres effectuent leur choix pendant une Conférence de plénipotentiaires conformément à l'échelle des classes de contribution et aux conditions indiquées dans la Convention ainsi qu'aux procédures exposées ci-dessous.

DD 161A *2bis*) Les Membres des Secteurs effectuent leur choix conformément à l'échelle des classes de contribution et aux conditions indiquées dans la Convention ainsi qu'aux procédures exposées ci-dessous.

ADD 161B *3bis* 1) Le Conseil, lors de sa session précédant la Conférence de plénipotentiaires, fixe le montant provisoire de l'unité

elected Secretary-General, Deputy Secretary-General or Director of a Bureau shall refrain, as far as possible, from recalling that national between two Plenipotentiary Conferences.

Article 28 (CS)

Finances of the Union

MOD 159 2. The expenses of the Union shall be met from:

ADD 159A a) the contributions of its Member States and Sector Members;

ADD 159B b) other revenues as identified in the Convention or in the Financial Regulations.

ADD 159C *2bis* Each Member State and Sector Member shall pay a sum equivalent to the number of units in the class of contribution it has chosen in accordance with Nos. 160 to 161I below.

ADD 159D *2ter* Expenses incurred by the regional conferences referred to in No. 43 of this Constitution shall be borne, in accordance with their class of contribution, by all the Member States of the region concerned and, where appropriate, on the same basis by any Member States of other regions which have participated in such conferences.

MOD 160 3. 1) Member States and Sector Members shall be free to choose their class of contribution for defraying Union expenses.

MOD 161 2) The choice by Member States shall be made at a plenipotentiary conference in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.

ADD 161A *2bis*) The choice by Sector Members shall be made in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.

ADD 161B *3bis* 1) At its session preceding the plenipotentiary conference, the Council shall fix the provisional amount of the

contributive sur la base du projet de plan financier pour la période correspondante et du nombre total d'unités contributives.

ADD 161C 2) Le Secrétaire général informe les Etats Membres et les Membres des Secteurs du montant provisoire de l'unité contributive, déterminé en vertu du numéro 161B ci-dessus, et invite les Etats Membres à lui notifier, au plus tard une semaine avant la date fixée pour le début de la Conférence de plénipotentiaires, la classe de contribution qu'ils choisissent provisoirement.

ADD 161D 3) La Conférence de plénipotentiaires détermine, au cours de sa première semaine, la limite supérieure provisoire de l'unité contributive résultant des mesures prises par le Secrétaire général en application des numéros 161B et 161C ci-dessus, en tenant compte des éventuels changements de classes de contribution notifiés par les Etats Membres au Secrétaire général ainsi que des classes de contribution qui restent inchangées.

ADD 161E 4) Compte tenu du projet de plan financier tel que révisé, la Conférence de plénipotentiaires détermine la limite supérieure définitive du montant de l'unité contributive. Le Secrétaire général invite alors les Etats Membres à annoncer avant la fin de l'avant-dernière semaine de la Conférence de plénipotentiaires la classe de contribution qu'ils choisissent définitivement.

ADD 161F 5) Les Etats Membres qui n'ont pas notifié au Secrétaire général leur décision à la date fixée par la Conférence de plénipotentiaires conservent la classe de contribution qu'ils avaient choisie précédemment.

ADD 161G 6) La Conférence de plénipotentiaires approuve ensuite le plan financier définitif sur la base du nombre total d'unités contributives correspondant aux classes de contribution définitives choisies par les Etats Membres et aux classes de contribution des Membres des Secteurs à la date de l'approbation du plan financier.

ADD 161H 3^{ter} 1) Le Secrétaire général informe les Membres des Secteurs de la limite supérieure définitive du montant de l'unité contributive et les invite à lui notifier, dans les trois mois qui suivent la date de clôture de la Conférence de plénipotentiaires, la classe de contribution qu'ils ont choisie.

contributory unit, on the basis of the draft financial plan for the corresponding period and total number of contributory units.

ADD 161C 2) The Secretary-General shall inform the Member States and Sector Members of the provisional amount of the contributory unit as determined under No. 161B above and invite the Member States to notify, no later than one week prior to the date set for the opening of the plenipotentiary conference, the class of contribution they have provisionally chosen.

ADD 161D 3) The plenipotentiary conference shall, during its first week, determine the provisional upper limit of the amount of the contributory unit resulting from the steps taken by the Secretary-General in pursuance of Nos. 161B and 161C above, and taking account of any changes in class of contribution notified by Member States to the Secretary-General as well as classes of contribution remaining unchanged.

ADD 161E 4) Bearing in mind the draft financial plan as revised, the plenipotentiary conference shall determine the definitive upper limit of the amount of the contributory unit. The Secretary-General shall then invite the Member States to announce, before the end of the penultimate week of the plenipotentiary conference, their definitive choice of class of contribution.

ADD 161F 5) Member States which have failed to notify the Secretary-General of their decision by the date set by the plenipotentiary conference shall retain the class of contribution previously chosen.

ADD 161G 6) The plenipotentiary conference shall then approve the definitive financial plan on the basis of the total number of contributory units corresponding to the definitive classes of contribution chosen by the Member States and classes of contribution of the Sector Members at the date on which the financial plan is approved.

ADD 161H *3ter* 1) The Secretary-General shall inform the Sector Members of the definitive upper limit of the amount of the contributory unit and invite them to notify, within three months from the closing date of the plenipotentiary conference, the class of contribution they have chosen.

ADD 161I 2) Les Membres des Secteurs qui n'ont pas notifié au Secrétaire général leur décision dans ce délai de trois mois conservent la classe de contribution qu'ils avaient choisie précédemment.

MOD 162 3) Les amendements à l'échelle des classes de contribution, adoptés par une Conférence de plénipotentiaires, s'appliquent au choix de la classe de contribution pendant la Conférence de plénipotentiaires suivante.

MOD 163 4) La classe de contribution choisie par un Etat Membre ou un Membre de Secteur est applicable à partir du premier budget biennal suivant une Conférence de plénipotentiaires.

SUP 164

MOD 165 5. Lorsqu'il choisit sa classe de contribution, un Etat Membre ne doit pas la réduire de plus de deux classes de contribution et le Conseil doit lui indiquer les modalités de mise en œuvre progressive de cette réduction dans l'intervalle entre les Conférences de plénipotentiaires. Toutefois, dans des circonstances exceptionnelles, telles que des catastrophes naturelles nécessitant le lancement de programmes d'aide internationale, la Conférence de plénipotentiaires peut autoriser une réduction plus importante du nombre d'unités contributives lorsqu'un Etat Membre en fait la demande et fournit la preuve qu'il ne peut plus maintenir sa contribution dans la classe initialement choisie.

ADD 165bis 5bis Dans des circonstances exceptionnelles, telles que des catastrophes naturelles nécessitant le lancement de programmes d'aide internationale, le Conseil peut autoriser une réduction du nombre d'unités contributives lorsqu'un Etat Membre en fait la demande et fournit la preuve qu'il ne peut plus maintenir sa contribution dans la classe initialement choisie.

ADD165A 5ter Les Etats Membres et les Membres des Secteurs peuvent à tout moment choisir une classe de contribution supérieure à celle qu'ils avaient adoptée auparavant.

SUP 166 et 167

MOD 168 8. Les Etats Membres et les Membres des Secteurs paient à l'avance leur part contributive annuelle, calculée d'après le

ADD 161I 2) Sector Members which have failed to notify the Secretary-General of their decision within this three-month period shall retain the class of contribution previously chosen.

MOD 162 3) Amendments to the scale of classes of contribution adopted by a plenipotentiary conference shall apply for the selection of the class of contribution during the following plenipotentiary conference.

MOD 163 4) The class of contribution chosen by a Member State or a Sector Member is applicable as of the first biennial budget after a plenipotentiary conference.

SUP 164

MOD 165 5. When choosing its class of contribution, a Member State shall not reduce it by more than two classes of contribution and the Council shall indicate to it the manner in which the reduction shall be gradually implemented over the period between plenipotentiary conferences. However, under exceptional circumstances such as natural disasters necessitating international aid programmes, the Plenipotentiary Conference may authorize a greater reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

ADD 165bis *5bis* Under exceptional circumstances such as natural disasters necessitating international aid programmes, the Council may authorize a reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

ADD 165A *5ter* Member States and Sector Members may at any time choose a class of contribution higher than the one already adopted by them.

SUP 166 and 167

MOD 168 8. Member States and Sector Members shall pay in advance their annual contributory shares, calculated on the basis

budget biennal approuvé par le Conseil et compte tenu des éventuels ajustements adoptés par celui-ci.

MOD 169 9. Un Etat Membre en retard dans ses paiements à l'Union perd son droit de vote défini aux numéros 27 et 28 de la présente Constitution tant que le montant de ses arriérés est égal ou supérieur au montant des contributions dues pour les deux années précédentes.

MOD 170 10. Les dispositions spécifiques qui régissent les contributions financières des Membres des Secteurs et d'autres organisations internationales figurent dans la Convention.

Article 31 (CS)

Capacité juridique de l'Union

MOD 176 L'Union jouit, sur le territoire de chacun de ses Etats Membres, de la capacité juridique qui lui est nécessaire pour exercer ses fonctions et atteindre ses objectifs.

Article 32 (CS)

Règlement intérieur des conférences et autres réunions

MOD 177 1. Pour l'organisation de leurs travaux et la conduite de leurs débats, les conférences et autres réunions de l'Union appliquent le Règlement intérieur des conférences et autres réunions de l'Union adopté par la Conférence de plénipotentiaires.

MOD 178 2. Les conférences, les assemblées et le Conseil peuvent adopter les règles qu'ils jugent indispensables en complément de celles du Règlement intérieur. Toutefois, ces règles complémentaires doivent être compatibles avec les dispositions de la présente Constitution, de la Convention et du Règlement intérieur mentionné au numéro 177 ci-dessus; s'il s'agit de règles complémentaires adoptées par des conférences ou des assemblées, elles sont publiées comme documents de ces dernières.

of the biennial budget approved by the Council as well as of any adjustment adopted by the Council.

MOD 169 9. A Member State which is in arrears in its payments to the Union shall lose its right to vote as defined in Nos. 27 and 28 of this Constitution for so long as the amount of its arrears equals or exceeds the amount of the contribution due for the two preceding years.

MOD 170 10. Specific provisions governing the financial contributions by Sector Members and by other international organizations are contained in the Convention.

Article 31 (CS)

Legal Capacity of the Union

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

Article 32 (CS)

Rules of Procedure of Conferences and Other Meetings

MOD 177 1. For the organization of their work and the conduct of their discussions, conferences and other meetings of the Union shall apply the Rules of Procedure of conferences and other meetings of the Union adopted by the Plenipotentiary Conference.

MOD 178 2. Conferences, assemblies and the Council may adopt such rules as they consider to be essential in addition to those in the Rules of procedure. Such additional rules must, however, be compatible with this Constitution, the Convention and the Rules of Procedure referred to in No. 177 above; those adopted by conferences or assemblies shall be published as documents of the conference or assembly concerned.

CHAPITRE VI

DISPOSITIONS GÉNÉRALES RELATIVES AUX
TÉLÉCOMMUNICATIONS

Article 33 (CS)

(MOD) *Droit pour le public d'utiliser le service international de télécommunication*

MOD 179 Les Etats Membres reconnaissent au public le droit de correspondre au moyen du service international de correspondance publique. Les services, les taxes et les garanties sont les mêmes pour tous les usagers, dans chaque catégorie de correspondance, sans priorité ni préférence quelconque.

Article 34 (CS)

Arrêt des télécommunications

MOD 180 1. Les Etats Membres se réservent le droit d'arrêter, conformément à leur législation nationale, la transmission de tout télégramme privé qui paraîtrait dangereux pour la sûreté de l'Etat ou contraire à ses lois, à l'ordre public ou aux bonnes mœurs, à charge d'aviser immédiatement le bureau d'origine de l'arrêt total du télégramme ou d'une partie quelconque de celui-ci, sauf dans le cas où cette notification peut paraître dangereuse pour la sûreté de l'Etat.

MOD 181 2. Les Etats Membres se réservent aussi le droit d'interrompre, conformément à leur législation nationale, toute autre télécommunication privée qui peut paraître dangereuse pour la sûreté de l'Etat ou contraire à ses lois, à l'ordre public ou aux bonnes mœurs.

Article 35 (CS)

Suspension du service

MOD 182 Chaque Etat Membre se réserve le droit de suspendre le service international de télécommunication, soit d'une manière générale, soit seulement pour certaines relations ou pour certaines natures de correspondances de départ, d'arrivée ou de transit, à charge pour lui d'en aviser immédiatement chacun des autres Etats Membres par l'intermédiaire du Secrétaire général.

CHAPTER VI

GENERAL PROVISIONS RELATING TO
TELECOMMUNICATIONS

Article 33 (CS)

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

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

Article 34 (CS)

Stoppage of Telecommunications

MOD 180 1. Member States reserve the right to stop, in accordance with their national law, the transmission of any private telegram which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.

MOD 181 2. Member States also reserve the right to cut off, in accordance with their national law, any other private telecommunications which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency.

Article 35 (CS)

Suspension of Services

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

Article 36 (CS)

Responsabilité

MOD 183 Les Etats Membres n'acceptent aucune responsabilité à l'égard des usagers des services internationaux de télécommunication, notamment en ce qui concerne les réclamations tendant à obtenir des dommages et intérêts.

Article 37 (CS)

Secret des télécommunications

MOD 184 1. Les Etats Membres s'engagent à prendre toutes les mesures possibles, compatibles avec le système de télécommunication employé, en vue d'assurer le secret des correspondances internationales.

Article 38 (CS)

Etablissement, exploitation et sauvegarde des voies et des installations de télécommunications

MOD 186 1. Les Etats Membres prennent les mesures utiles en vue d'établir, dans les meilleures conditions techniques, les voies et installations nécessaires pour assurer l'échange rapide et ininterrompu des télécommunications internationales.

MOD 188 3. Les Etats Membres assurent la sauvegarde de ces voies et installations dans les limites de leur juridiction.

MOD 189 4. A moins d'arrangements particuliers fixant d'autres conditions, tous les Etats Membres prennent les mesures utiles pour assurer la maintenance de celles des sections de circuits internationaux de télécommunication qui sont comprises dans les limites de leur contrôle.

ADD189A Les Etats Membres reconnaissent la nécessité de prendre des mesures pratiques pour empêcher que le fonctionnement des appareils et installations électriques de toutes sortes ne perturbe le fonctionnement des installations de télécommunications se trouvant dans les limites de la juridiction d'autres Etats Membres.

Article 36 (CS)

Responsibility

MOD 183 Member States accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

Article 37 (CS)

Secrecy of Telecommunications

MOD 184 1. Member States agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

Article 38 (CS)

Establishment, Operation and Protection of Telecommunication Channels and Installations

MOD 186 1. Member States shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.

MOD 188 3. Member States shall safeguard these channels and installations within their jurisdiction.

MOD 189 4. Unless other conditions are laid down by special arrangements, each Member State shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

ADD 189A Member States recognize the necessity of taking practical measures to prevent the operation of electrical apparatus and installations of all kinds from disrupting the operation of telecommunication installations within the jurisdiction of other Member States.

Article 39 (CS)

Notification des contraventions

MOD 190 Afin de faciliter l'application des dispositions de l'article 6 de la présente Constitution, les Etats Membres s'engagent à se renseigner mutuellement et, le cas échéant, à s'entraider au sujet des contraventions aux dispositions de la présente Constitution, de la Convention et des Règlements administratifs.

Article 42 (CS)

Arrangements particuliers

MOD 193 Les Etats Membres se réservent, pour eux-mêmes, pour les exploitations reconnues par eux et pour d'autres exploitations dûment autorisées à cet effet, la faculté de conclure des arrangements particuliers sur des questions de télécommunication qui n'intéressent pas l'ensemble des Etats Membres. Toutefois, ces arrangements ne doivent pas aller à l'encontre des dispositions de la présente Constitution, de la Convention ou des Règlements administratifs, en ce qui concerne les brouillages préjudiciables que leur mise en application serait susceptible de causer aux services de radiocommunication d'autres Etats Membres, et en général en ce qui concerne les préjudices techniques que cette application pourrait causer à l'exploitation d'autres services de télécommunication d'autres Etats Membres.

Article 43 (CS)

Conférences régionales, arrangements régionaux, organisations régionales

MOD 194 Les Etats Membres se réservent le droit de tenir des conférences régionales, de conclure des arrangements régionaux et de créer des organisations régionales, en vue de régler des questions de télécommunication susceptibles d'être traitées sur un plan régional. Les arrangements régionaux ne doivent pas être en contradiction avec la présente Constitution ou avec la Convention.

Article 39 (CS)

Notification of Infringements

MOD 190 In order to facilitate the application of the provisions of Article 6 of this Constitution, Member States undertake to inform and, as appropriate, assist one another with regard to infringements of the provisions of this Constitution, of the Convention and of the Administrative Regulations.

Article 42 (CS)

Special Arrangements

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

Article 43 (CS)

*Regional Conferences, Arrangements
and Organizations*

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

CHAPITRE VII

DISPOSITIONS SPÉCIALES RELATIVES AUX
RADIOCOMMUNICATIONS

Article 44 (CS)

MOD *Utilisation du spectre des fréquences radioélectriques
ainsi que de l'orbite des satellites géostationnaires
et d'autres orbites*

MOD 196 2. Lors de l'utilisation de bandes de fréquences pour les services de radiocommunication, les Etats Membres doivent tenir compte du fait que les fréquences radioélectriques et les orbites associées, y compris l'orbite des satellites géostationnaires, sont des ressources naturelles limitées qui doivent être utilisées de manière rationnelle, efficace et économique, conformément aux dispositions du Règlement des radiocommunications, afin de permettre un accès équitable des différents pays, ou groupes de pays à ces orbites et à ces fréquences, compte tenu des besoins spéciaux des pays en développement et de la situation géographique de certains pays.

Article 45 (CS)

Brouillages préjudiciables

MOD 197 1. Toutes les stations, quel que soit leur objet, doivent être établies et exploitées de manière à ne pas causer de brouillages préjudiciables aux communications ou services radioélectriques des autres Etats Membres, des exploitations reconnues et des autres exploitations dûment autorisées à assurer un service de radiocommunication, et qui fonctionnent conformément aux dispositions du Règlement des radiocommunications.

MOD 198 2. Chaque Etat Membre s'engage à exiger des exploitations reconnues par lui et des autres exploitations dûment autorisées à cet effet l'observation des prescriptions du numéro 197 ci-dessus.

MOD 199 3. De plus, les Etats Membres reconnaissent la nécessité de prendre les mesures pratiquement possibles pour empêcher que le fonctionnement des appareils et installations électriques de toutes sortes ne cause des brouillages préjudiciables aux communications ou services radioélectriques visés au numéro 197 ci-dessus.

CHAPTER VII
SPECIAL PROVISIONS FOR
RADIO

Article 44 (CS)

MOD *Use of the Radio-Frequency Spectrum
and of the Geostationary-Satellite and Other
Satellite Orbits*

MOD 196 2. In using frequency bands for radio services, Member States shall bear in mind that radio frequencies and any associated orbits, including the geostationary-satellite orbit, are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to those orbits and frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries.

Article 45 (CS)

Harmful Interference

MOD 197 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Member States or of recognized operating agencies, or of other duly authorized operating agencies which carry on a radio service, and which operate in accordance with the provisions of the Radio Regulations.

MOD 198 2. Each Member State undertakes to require the operating agencies which it recognizes and the other operating agencies duly authorized for this purpose to observe the provisions of No. 197 above.

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

Article 47 (CS)

*Signaux de détresse, d'urgence, de sécurité ou d'identification
faux ou trompeurs*

MOD 201 Les Etats Membres s'engagent à prendre les mesures utiles pour réprimer la transmission ou la circulation de signaux de détresse, d'urgence, de sécurité ou d'identification faux ou trompeurs, et à collaborer en vue de localiser et d'identifier les stations sous leur juridiction qui émettent de tels signaux.

Article 48 (CS)

Installations des services de défense nationale

MOD 202 1. Les Etats Membres conservent leur entière liberté en ce qui concerne les installations radioélectriques militaires.

CHAPITRE VIII

RELATIONS AVEC L'ORGANISATION DES NATIONS UNIES,
LES AUTRES ORGANISATIONS INTERNATIONALES ET LES
ETATS NON-MEMBRES

Article 51 (CS)

Relations avec les Etats non-Membres

MOD 207 Tous les Etats Membres se réservent, pour eux-mêmes et pour les exploitations reconnues, la faculté de fixer les conditions dans lesquelles ils admettent les télécommunications échangées avec un Etat qui n'est pas Etat Membre de l'Union. Si une télécommunication originaire d'un tel Etat est acceptée par un Etat Membre, elle doit être transmise et, pour autant qu'elle emprunte les voies de télécommunication d'un Etat Membre, les dispositions obligatoires de la présente Constitution, de la Convention et des Règlements administratifs ainsi que les taxes normales lui sont appliquées.

CHAPITRE IX

DISPOSITIONS FINALES

Article 52 (CS)

Ratification, acceptation ou approbation

MOD 208 1. La présente Constitution et la Convention sont ratifiées, acceptées ou approuvées simultanément par tout Etat Mem-

Article 47 (CS)

False or Deceptive Distress, Urgency, Safety or Identification Signals

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

Article 48 (CS)

Installations for National Defence Services

MOD 202 1. Member States retain their entire freedom with regard to military radio installations.

CHAPTER VIII

RELATIONS WITH THE UNITED NATIONS, OTHER
INTERNATIONAL ORGANIZATIONS AND
NON-MEMBER STATES

Article 51 (CS)

Relations with Non-Member States

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

CHAPTER IX

FINAL PROVISIONS

Article 52 (CS)

Ratification, Acceptance or Approval

MOD 208 1. This Constitution and the Convention shall be simultaneously ratified, accepted or approved by any signatory Mem-

bre signataire, selon ses règles constitutionnelles, sous la forme d'un instrument unique. Cet instrument est déposé, dans le plus bref délai possible, auprès du Secrétaire général. Le Secrétaire général informe les États Membres du dépôt de chaque instrument.

MOD 209 2. 1) Pendant une période de deux ans à compter de la date d'entrée en vigueur de la présente Constitution et de la Convention, tout État Membre signataire jouit des droits conférés aux États Membres de l'Union aux numéros 25 à 28 de la présente Constitution, même s'il n'a pas déposé d'instrument de ratification, d'acceptation ou d'approbation aux termes du numéro 208 ci-dessus.

MOD 210 2) A l'expiration d'une période de deux ans à compter de la date d'entrée en vigueur de la présente Constitution et de la Convention, un État Membre signataire qui n'a pas déposé d'instrument de ratification, d'acceptation ou d'approbation aux termes du numéro 208 ci-dessus n'a plus qualité pour voter à aucune conférence de l'Union, à aucune session du Conseil, à aucune réunion des Secteurs de l'Union, ni lors d'aucune consultation par correspondance effectuée conformément aux dispositions de la présente Constitution et de la Convention, et cela tant que ledit instrument n'a pas été déposé. Les droits de cet État Membre, autres que les droits de vote, ne sont pas affectés.

Article 53 (CS)

Adhésion

MOD 212 1. Un État Membre qui n'a pas signé la présente Constitution et la Convention ou, sous réserve des dispositions de l'article 2 de la présente Constitution, tout autre État mentionné dans ledit article, peut adhérer en tout temps à la présente Constitution et à la Convention. Cette adhésion s'effectue simultanément sous la forme d'un instrument unique couvrant à la fois la Constitution et la Convention.

MOD 213 2. L'instrument d'adhésion est déposé auprès du Secrétaire général qui en notifie aux États Membres le dépôt dès qu'il le reçoit et en transmet une copie authentifiée à chacun d'eux.

ber State, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Member States of each deposit of any such instrument.

MOD 209 2. 1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member State, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall enjoy the rights conferred on Member States in Nos. 25 to 28 of this Constitution.

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

Article 53 (CS)

Accession

MOD 212 1. A Member State which is not a signatory to this Constitution and the Convention, or, subject to the provisions of Article 2 of this Constitution, any other State referred to in that Article, may accede to this Constitution and the Convention at any time. Such accession shall be made simultaneously in the form of one single instrument covering both this Constitution and the Convention.

MOD 213 2. The instrument of accession shall be deposited with the Secretary-General, who shall notify the Member States of each deposit of any such instrument when it is received and shall forward to each of them a certified copy thereof.

Article 54 (CS)

Règlements administratifs

ADD 216A Les Règlements administratifs visés au numéro 216 ci-dessus demeurent en vigueur, sous réserve des révisions qui peuvent être adoptées en application des numéros 89 et 146 de la présente Constitution et mises en vigueur. Toute révision des Règlements administratifs, partielle ou totale, entre en vigueur à compter de la date ou des dates qui y sont mentionnées uniquement pour les Etats Membres qui ont notifié au Secrétaire général, avant cette date ou ces dates, leur consentement à être liés par une telle révision.

SUP 217

ADD 217A Le consentement d'un Etat Membre à être lié par une révision partielle ou totale des Règlements administratifs s'exprime par le dépôt, auprès du Secrétaire général, d'un instrument de ratification, d'acceptation ou d'approbation de ladite révision ou d'adhésion à celle-ci ou par la notification au Secrétaire général du consentement de l'Etat Membre à être lié par la révision.

ADD 217B Tout Etat Membre peut également notifier au Secrétaire général que la ratification, l'acceptation, l'approbation d'amendements ou l'adhésion à des amendements à la présente Constitution ou à la Convention conformément à l'article 55 de la Constitution ou 42 de la Convention, vaut pour lui consentement à être lié par toute révision, partielle ou totale, des Règlements administratifs adoptée par une conférence compétente avant la signature des amendements en question à la présente Constitution ou à la Convention.

ADD217C La notification visée au numéro 217B ci-dessus s'effectue au moment du dépôt par l'Etat Membre de son instrument de ratification, d'acceptation, d'approbation des amendements ou d'adhésion aux amendements à la présente Constitution ou à la Convention.

ADD 217D Toute révision des Règlements administratifs s'applique provisoirement à compter de la date d'entrée en vigueur de cette révision à l'égard de tout Etat Membre qui a signé cette révision et n'a pas notifié au Secrétaire général son consentement à être lié en application des numéros 217A et 217B

Article 54 (CS)

Administrative Regulations

ADD 216A The Administrative Regulations referred to in No. 216 above shall remain in force, subject to such revisions as may be adopted in application of Nos. 89 and 146 of this Constitution and brought into force. Any revision of the Administrative Regulations, either partial or complete, shall enter into force on the date or dates specified therein only for the Member States which, prior to such date or dates, have notified the Secretary-General of their consent to be bound by that revision.

SUP 217

ADD 217A A Member State shall notify its consent to be bound by a partial or complete revision of the Administrative Regulations by depositing with the Secretary-General an instrument of ratification, acceptance or approval of that revision or of accession thereto or by notifying the Secretary-General of its consent to be bound by that revision.

ADD 217B Any Member State may also notify the Secretary-General that its ratification, acceptance or approval of, or accession to, amendments to this Constitution or the Convention in accordance with Article 55 of the Constitution or Article 42 of the Convention shall constitute consent to be bound by any revision of the Administrative Regulations, either partial or complete, adopted by a competent conference prior to the signature of the said amendments to this Constitution or to the Convention.

ADD 217C The notification referred to in No. 217B above shall be given at the time of the deposit by the Member State of its instrument of ratification, acceptance or approval of, or accession to, the amendments to this Constitution or to the Convention.

ADD 217D Any revision of the Administrative Regulations shall apply provisionally, as from the date of entry into force of the revision, in respect of any Member State that has signed the revision and has not notified the Secretary-General of its consent to be bound in accordance with Nos. 217A and 217B above.

ci-dessus. Une telle application provisoire n'est effective que si l'Etat Membre en question ne s'y est pas opposé lors de la signature de la révision.

MOD 218 4. Cette application provisoire se poursuit pour un Etat Membre jusqu'à ce que cet Etat Membre notifie au Secrétaire général sa décision concernant son consentement à être lié par une telle révision.

SUP 219 à 221

ADD 221A Si un Etat Membre ne notifie pas au Secrétaire général sa décision concernant son consentement à être lié conformément au numéro 218 ci-dessus dans un délai de trente-six mois à compter de la date ou des dates d'entrée en vigueur de la révision, cet Etat Membre est considéré comme ayant consenti à être lié par cette révision.

ADD 221B Toute application provisoire au sens du numéro 217D ou tout consentement à être lié au sens du numéro 221A s'entend compte tenu de toute réserve que l'Etat Membre concerné pourrait avoir faite lors de la signature de la révision. Tout consentement à être lié au sens des numéros 216A, 217A, 217B et 218 ci-dessus s'entend compte tenu de toute réserve que l'Etat Membre concerné pourrait avoir faite lors de la signature des Règlements administratifs ou de toute révision qui y est apportée, à condition que cet Etat Membre maintienne la réserve lorsqu'il notifie au Secrétaire général son consentement à être lié.

SUP 222

MOD 223 7. Le Secrétaire général informe promptement les Etats Membres de toute notification reçue en vertu du présent article.

Article 55 (CS)

Dispositions pour amender la présente Constitution

MOD 224 1. Tout Etat Membre peut proposer tout amendement à la présente Constitution. Une telle proposition doit, pour pouvoir être transmise à tous les Etats Membres et être examinée par eux en temps utile, parvenir au Secrétaire général au plus tard huit mois avant la date d'ouverture fixée pour la Conférence de plénipotentiaires. Le Secrétaire général transmet une

Such provisional application only takes effect if the Member State in question did not oppose it at the time of signature of the revision.

MOD 218 4. Such provisional application shall continue for a Member State until it notifies the Secretary-General of its decision concerning its consent to be bound by any such revision.

SUP 219 to 221

ADD 221A If a Member State fails to notify the Secretary-General of its decision concerning its consent to be bound under No. 218 above within thirty-six months following the date or dates of entry into force of the revision, that Member State shall be deemed to have consented to be bound by that revision.

ADD 221B Any provisional application within the meaning of No. 217D or any consent to be bound within the meaning of No. 221A shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the revision. Any consent to be bound within the meaning of Nos. 216A, 217A, 217B and 218 above shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the Administrative Regulations or revision thereto, provided that it maintains the reservation when notifying the Secretary-General of its consent to be bound.

SUP 222

MOD 223 7. The Secretary-General shall inform Member States promptly of any notification received pursuant to this Article.

Article 55 (CS)

Provisions for Amending this Constitution

MOD 224 1. Any Member State may propose any amendment to this Constitution. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but

telle proposition à tous les Etats Membres aussitôt que possible et au plus tard six mois avant cette dernière date.

MOD 225 2. Toute proposition de modification d'un amendement proposé conformément au numéro 224 ci-dessus peut, cependant, être soumise à tout moment par un Etat Membre ou par sa délégation à la Conférence de plénipotentiaires.

MOD 228 5. Les dispositions générales concernant les conférences et le Règlement intérieur des conférences et autres réunions s'appliquent, à moins que les paragraphes précédents du présent article, qui prévalent, n'en disposent autrement.

MOD 229 6. Tous les amendements à la présente Constitution adoptés par une Conférence de plénipotentiaires entrent en vigueur à une date fixée par la Conférence, dans leur totalité et sous la forme d'un instrument d'amendement unique, entre les Etats Membres qui auront déposé avant cette date leur instrument de ratification, d'acceptation, d'approbation ou d'adhésion à la présente Constitution et à l'instrument d'amendement. La ratification, l'acceptation, l'approbation ou l'adhésion à une partie seulement de cet instrument d'amendement est exclue.

MOD 230 7. Le Secrétaire général notifie à tous les Etats Membres le dépôt de chaque instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

Article 56 (CS)

Règlement des différends

MOD 233 1. Les Etats Membres peuvent régler leurs différends sur les questions relatives à l'interprétation ou à l'application de la présente Constitution, de la Convention ou des Règlements administratifs, par la négociation, par la voie diplomatique, ou suivant les procédures établies par les traités bilatéraux ou multilatéraux conclus entre eux pour le règlement des différends internationaux, ou par toute autre méthode dont ils pourraient décider d'un commun accord.

MOD 234 2. Au cas où aucun de ces moyens de règlement ne serait adopté, tout Etat Membre partie à un différend peut avoir recours à l'arbitrage, conformément à la procédure définie dans la Convention.

not later than six months prior to the latter date, forward any such proposal to all the Member States.

MOD 225 2. Any proposed modification to any amendment submitted in accordance with No. 224 above may, however, be submitted at any time by a Member State or by its delegation at the plenipotentiary conference.

MOD 228 5. Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the general provisions regarding conferences and the Rules of Procedure of conferences and other meetings shall apply.

MOD 229 6. Any amendments to this Constitution adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Constitution and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

MOD 230 7. The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

Article 56 (CS)

Settlement of Disputes

MOD 233 1. Member States may settle their disputes on questions relating to the interpretation or application of this Constitution, of the Convention or of the Administrative Regulations by negotiation, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

MOD 234 2. If none of these methods of settlement is adopted, any Member State party to a dispute may have recourse to arbitration in accordance with the procedure defined in the Convention.

MOD 235 3. Le protocole facultatif concernant le règlement obligatoire des différends relatifs à la présente Constitution, à la Convention et aux Règlements administratifs est applicable entre les Etats Membres parties à ce Protocole.

Article 57 (CS)

Dénonciation de la présente Constitution et de la Convention

MOD 236 1. Tout Etat Membre qui a ratifié, accepté ou approuvé la présente Constitution et la Convention ou y a adhéré a le droit de les dénoncer. En pareil cas, la présente Constitution et la Convention sont dénoncées simultanément sous la forme d'un instrument unique, par une notification adressée au Secrétaire général. Dès réception de cette notification, le Secrétaire général en avise les autres Etats Membres.

Article 58 (CS)

Entrée en vigueur et questions connexes

MOD 241 4. L'original de la présente Constitution et de la Convention établi dans les langues anglaise, arabe, chinoise, espagnole, française et russe restera déposé dans les archives de l'Union. Le Secrétaire général enverra, dans les langues demandées, une copie certifiée conforme à chacun des Etats Membres signataires.

PARTIE II

DATE D'ENTRÉE EN VIGUEUR

Les amendements contenus dans le présent instrument entreront en vigueur, dans leur totalité ou sous la forme d'un instrument unique, le 1er janvier 2000 entre les Etats Membres qui auront alors parties à la Constitution et à la Convention de l'Union internationale des télécommunications (Genève, 1992) et qui auront déposé avant cette date leur instrument de ratification, d'acceptation ou d'approbation du présent instrument ou d'adhésion à celui-ci.

EN FOI DE QUOI, les plénipotentiaires soussignés ont signé l'original du présent instrument d'amendement à la Constitution de l'Union internationale des télécommunications (Genève, 1992) telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994).

FAIT à Minneapolis, le 6 novembre 1998

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

Article 57 (CS)

Denunciation of this Constitution and the Convention

MOD 236 1. Each Member State which has ratified, accepted, approved or acceded to this Constitution and the Convention shall have the right to denounce them. In such a case, this Constitution and the Convention shall be denounced simultaneously in one single instrument, by a notification addressed to the Secretary-General. Upon receipt of such notification, the Secretary-General shall advise the other Member States thereof.

Article 58 (CS)

Entry into Force and Related Matters

MOD 241 4. The original of this Constitution and the Convention drawn up in the Arabic, Chinese, English, French, Russian and Spanish languages shall remain deposited in the archives of the Union. The Secretary-General shall forward, in the languages requested, a certified true copy to each of the signatory Member States.

PART II

DATE OF ENTRY INTO FORCE

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 2000 between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed the original of the present instrument amending the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

DONE at Minneapolis, 6 November 1998.

Annexe (CS)

Définition de certains termes employés dans la présente Constitution, dans la Convention et dans les Règlements administratifs de l'Union internationale des télécommunications

ADD 1001A *Etat Membre*: Etat qui est considéré comme étant un Membre de l'Union internationale des télécommunications en application des dispositions de l'article 2 de la présente Constitution.

ADD 1001B *Membre de Secteur*: Entité ou organisation admise, conformément aux dispositions de l'article 19 de la Convention, à participer aux activités d'un Secteur.

MOD 1005 *Délégation*: Ensemble des délégués et, éventuellement, des représentants, conseillers, attachés ou interprètes envoyés par un même Etat Membre.

Chaque Etat Membre est libre de composer sa délégation à sa convenance. En particulier, il peut y inclure, entre autres, en qualité de délégués, de conseillers ou d'attachés, des personnes appartenant à toute entité ou organisation agréée conformément aux dispositions pertinentes de la Convention.

MOD 1006 *Délégué*: Personne envoyée par le gouvernement d'un Etat Membre à une Conférence de plénipotentiaires, ou personne représentant le gouvernement ou l'administration d'un Etat Membre à une autre conférence ou à une réunion de l'Union.

MOD 1008 *Exploitation reconnue*: Toute exploitation répondant à la définition ci-dessus, qui exploite un service de correspondance publique ou de radiodiffusion et à laquelle les obligations prévues à l'article 6 de la présente Constitution sont imposées par l'Etat Membre sur le territoire duquel est installé le siège social de cette exploitation ou par l'Etat Membre qui a autorisé cette exploitation à établir et à exploiter un service de télécommunication sur son territoire.

Annex (CS)

**Definition of Certain Terms Used in this Constitution, the
Convention and the Administrative Regulations of the Interna-
tional Telecommunication Union**

ADD 1001A *Member State*: A State which is considered to be a Member of the International Telecommunication Union in application of Article 2 of this Constitution.

ADD 1001B *Sector Member*: An entity or organization authorized in accordance with Article 19 of the Convention to participate in the activities of a sector.

MOD 1005 *Delegation*: The totality of the delegates and, should the case arise, any representatives, advisers, attachés, or interpreters sent by the same Member State.

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

MOD 1006 *Delegate*: A person sent by the government of a Member State to a plenipotentiary conference, or a person representing a government or an administration of a Member State at another conference or at a meeting of the Union.

MOD 1008 *Recognized Operating Agency*: Any operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member State in whose territory the head office of the agency is situated, or by the Member State which has authorized this operating agency to establish and operate a telecommunication service on its territory.

Instrument d'amendement à la Convention de l'Union internationale des télécommunications (Genève, 1992)

telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994)

(Amendements adoptés par la Conférence de plénipotentiaires (Minneapolis, 1998))*

PARTIE I

AVANT-PROPOS

En vertu et en application des dispositions pertinentes de la Convention de l'Union internationale des télécommunications (Genève, 1992) telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994) et notamment des dispositions de son article 55, la Conférence de plénipotentiaires de l'Union internationale des télécommunications (Minneapolis, 1998) a adopté les amendements ci-après à la Convention précitée:

CHAPITRE I

FONCTIONNEMENT DE L'UNION

SECTION 1

Article 1 (CV)

La Conférence de plénipotentiaires

MOD 2 2) Si cela est pratiquement possible, le lieu précis et les dates exactes d'une Conférence de plénipotentiaires sont fixés par la Conférence de plénipotentiaires précédente; dans le cas contraire, ce lieu et ces dates sont déterminés par le Conseil avec l'accord de la majorité des Etats Membres.

MOD 4 a) à la demande d'au moins un quart des Etats Membres, adressée individuellement au Secrétaire général.

MOD 6 2) Ces changements exigent l'accord de la majorité des Etats Membres.

* Conformément à la Résolution 70 (Minneapolis, 1998) relative à l'intégration du principe de l'égalité des sexes dans les travaux de l'UIT, les instruments fondamentaux de l'Union (Constitution et Convention) doivent être considérés comme rédigés dans un langage neutre.

**Instrument Amending the Convention of the International
Telecommunication Union (Geneva, 1992)**

**as amended by the Plenipotentiary Conference
(Kyoto, 1994)**

(Amendments adopted by the Plenipotentiary Conference
(Minneapolis, 1998))*

PART I

FOREWORD

By virtue of and in implementation of the relevant provisions of the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) has adopted the following amendments to the said Convention:

CHAPTER I

FUNCTIONING OF THE UNION

SECTION 1

Article 1 (CV)

Plenipotentiary Conference

- MOD 2** 2) If practicable, the precise place and the exact dates of a plenipotentiary conference shall be set by the preceding plenipotentiary conference; failing this, they shall be fixed by the Council with the concurrence of the majority of the Member States.
- MOD 4** a) when at least one-quarter of the Member States have individually proposed a change to the Secretary-General; or
- MOD 6** 2) Any such change shall require the concurrence of a majority of the Member States.

* In accordance with Resolution 70 (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the texts of the basic instruments of the Union (Constitution and Convention) is to be considered gender neutral.

Article 2 (CV)

Elections et questions connexes

Le Conseil

- MOD 7** 1. Sauf en cas de vacance se produisant dans les conditions spécifiées aux numéros 10 à 12 ci-dessous, les Etats Membres élus au Conseil remplissent leur mandat jusqu'à la date à laquelle un nouveau Conseil est élu. Ils sont rééligibles.
- MOD 8** 2. 1) Si, entre deux Conférences de plénipotentiaires, une vacance se produit au sein du Conseil, le siège revient de droit à l'Etat Membre qui a obtenu, lors du dernier scrutin, le plus grand nombre de suffrages parmi les Etats Membres qui font partie de la même région et dont la candidature n'a été retenue.
- MOD 9** 2) Quand, pour une raison quelconque, un siège vacant ne peut être pourvu en respectant la procédure indiquée au numéro 8 ci-dessus, le président du Conseil invite les autres Etats Membres de la région à poser leur candidature dans le délai d'un mois à compter de la date d'appel à candidature. A la fin de cette période, le président du Conseil invite les Etats Membres à élire le nouvel Etat Membre du Conseil. L'élection a lieu à bulletin secret par correspondance. La même majorité que celle indiquée ci-dessus est requise. Le nouvel Etat Membre du Conseil conserve son poste jusqu'à l'élection du nouveau Conseil par la Conférence de plénipotentiaires compétente suivante.
- MOD 12** b) lorsqu'un Etat Membre se démet de ses fonctions d'Etat Membre du Conseil.

Article 3 (CV)

MOD *Autres conférences et assemblées*

- MOD 23** 1. Conformément aux dispositions pertinentes de la Constitution, les conférences et assemblées mondiales de l'Union ci-après sont normalement convoquées dans l'intervalle qui sépare deux Conférences de plénipotentiaires:
- MOD 24** a) une ou deux conférences mondiales des radiocommunications;

Article 2 (CV)

Elections and Related Matters

The Council

- MOD 7** 1. Except in the case of vacancies arising in the circumstances described in Nos. 10 to 12 below, the Member States elected to the Council shall hold office until the date on which a new Council is elected. They shall be eligible for reelection.
- MOD 8** 2. 1) If, between two plenipotentiary conferences, a seat becomes vacant on the Council, it shall pass by right to the Member State from the same region as the Member State whose seat is vacated which had obtained at the previous election the largest number of votes among those not elected.
- MOD 9** 2) When for any reason a vacant seat cannot be filled according to the procedure of No. 8 above, the Chairman of the Council shall invite the other Member States of the region to seek election within one month of such an invitation being issued. At the end of this period, the Chairman of the Council shall invite Member States to elect a new Member State of the Council. The election shall be carried out by secret ballot by correspondence. The same majority as indicated above will be required. The new Member State of the Council shall hold office until the election of the new Council by the next competent plenipotentiary conference.
- MOD 10** b) when a Member State resigns its membership of the Council.

Article 3 (CV)

MOD *Other Conferences and Assemblies*

- MOD 23** 1. In conformity with the relevant provisions of the Constitution, the following world conferences and assemblies of the Union shall normally be convened within the period between two plenipotentiary conferences:
- MOD 24** a) one or two world radiocommunication conferences;

MOD 25 b) une assemblée mondiale de normalisation des télécommunications;

MOD 27 d) une ou deux assemblées des radiocommunications.

SUP 29

MOD 30 – une assemblée mondiale de normalisation des télécommunications additionnelle peut être convoquée.

MOD 33 b) sur recommandation de la conférence ou assemblée mondiale précédente du Secteur concerné, sous réserve d'approbation par le Conseil; dans le cas de l'assemblée des radiocommunications, la recommandation de l'assemblée est transmise à la conférence mondiale des radiocommunications suivante pour commentaires à l'intention du Conseil.

MOD 34 c) à la demande d'au moins un quart des Etats Membres, adressée individuellement au Secrétaire général;

MOD 39 c) à la demande d'au moins un quart des Etats Membres appartenant à la région intéressée, adressée individuellement au Secrétaire général;

MOD 41 5. 1) Le lieu précis et les dates exactes d'une conférence mondiale ou régionale ou d'une assemblée d'un Secteur peuvent être fixés par une Conférence de plénipotentiaires.

MOD 42 2) En l'absence de décision sur ce sujet, le lieu précis et les dates exactes sont déterminés par le Conseil avec l'accord de la majorité des Etats Membres s'il s'agit d'une conférence mondiale ou d'une assemblée d'un Secteur, et de la majorité des Etats Membres appartenant à la région intéressée s'il s'agit d'une conférence régionale; dans les deux cas, les dispositions du numéro 47 ci-dessous s'appliquent.

MOD 44 a) à la demande d'au moins un quart des Etats Membres s'il s'agit d'une conférence mondiale ou d'une assemblée d'un Secteur, ou d'un quart des Etats Membres appartenant à la région intéressée s'il s'agit d'une conférence régionale. Les demandes sont adressées individuellement au Secrétaire général qui en saisit le Conseil aux fins d'approbation;

MOD 46 2) Dans les cas visés aux numéros 44 et 45 ci-dessus, les modifications proposées ne sont définitivement adoptées

- MOD 25** b) one world telecommunication standardization assembly;
- MOD 27** d) one or two radiocommunication assemblies.
- SUP 29**
- MOD 30** – an additional world telecommunication standardization assembly may be convened.
- MOD 33** b) on the recommendation of the previous world conference or assembly of the Sector concerned, if approved by the Council; in the case of a radiocommunication assembly, the recommendation of the assembly shall be transmitted to the following world radiocommunication conference for comments for the attention of the Council;
- MOD 34** c) at the request of at least one-quarter of the Member States, which shall individually address their requests to the Secretary-General; or
- MOD 39** c) at the request of at least one-quarter of the Member States belonging to the region concerned, which shall individually address their requests to the Secretary-General; or
- MOD 41** 5. 1) The precise place and the exact dates of a world or regional conference or an assembly of a sector may be fixed by a plenipotentiary conference.
- MOD 42** 2) In the absence of such a decision, the Council shall determine the precise place and the exact dates of a world conference or an assembly of a Sector with the concurrence of a majority of the Member States, and of a regional conference with the concurrence of a majority of the Member States belonging to the region concerned; in both cases the provisions of No. 47 below shall apply.
- MOD 44** a) at the request of at least one-quarter of the Member States in the case of a world conference or an assembly of a Sector, or of at least one-quarter of the Member States belonging to the region concerned in the case of a regional conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or
- MOD 46** 2) In the cases specified in Nos. 44 and 45 above, the changes proposed shall not be finally adopted until accepted

qu'avec l'accord de la majorité des Etats Membres s'il s'agit d'une conférence mondiale ou d'une assemblée d'un Secteur, ou de la majorité des Etats Membres appartenant à la région considérée s'il s'agit d'une conférence régionale, sous réserve des dispositions du numéro 47 ci-dessous.

MOD 47 7. Dans les consultations visées aux numéros 42, 46, 118, 123, 138, 302, 304, 305, 307 et 312 de la présente Convention, les Etats Membres qui n'ont pas répondu dans le délai fixé par le Conseil sont considérés comme n'ayant pas participé à ces consultations et en conséquence ne sont pas pris en considération dans le calcul de la majorité. Si le nombre des réponses reçues ne dépasse pas la moitié du nombre des Etats Membres consultés, on procède à une nouvelle consultation dont le résultat est déterminant quel que soit le nombre de suffrages exprimés.

SECTION 2

Article 4 (CV)

Le Conseil

MOD 50 1. Le nombre des Etats Membres du Conseil est fixé par la Conférence de plénipotentiaires qui se tient tous les quatre ans.

MOD 50A 2. Ce nombre ne doit pas dépasser 25% du nombre total des Etats Membres.

MOD 53 3) Dans l'intervalle des sessions ordinaires, il peut être convoqué, en principe au siège de l'Union, par son président, à la demande de la majorité de ses Etats Membres, ou à l'initiative de son président dans les conditions prévues au numéro 18 de la présente Convention.

MOD 55 4. Au début de chaque session ordinaire, le Conseil élit, parmi les représentants de ses Etats Membres et en tenant compte du principe du roulement entre les régions, ses propres président et vice-président. Ceux-ci restent en fonctions jusqu'à l'ouverture de la session ordinaire suivante et ne sont pas rééligibles. Le vice-président remplace le président en l'absence de ce dernier.

MOD 56 5. Dans la mesure du possible, la personne désignée par un Etat Membre du Conseil pour siéger au Conseil est un fonctionnaire de son administration des télécommunications ou

by a majority of the Member States, in the case of a world conference or an assembly of a Sector, or by a majority of the Member States belonging to the region concerned, in the case of a regional conference, subject to the provisions of No. 47 below.

MOD 47 7. In the consultations referred to in Nos. 42, 46, 118, 123, 138, 302, 304, 305, 307 and 312 of this Convention, Member States which have not replied within the time-limits specified by the Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Member States consulted, a further consultation shall take place, the results of which shall be decisive regardless of the number of votes cast.

SECTION 2

Article 4 (CV)

The Council

MOD 50 1. The number of Member States of the Council shall be determined by the Plenipotentiary Conference which is held every four years.

MOD 50A 2. This number shall not exceed 25% of the total number of Member States.

MOD 53 3. Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by the Chairman at the request of a majority of its Member States, or on the initiative of the Chairman under the conditions provided for in No. 18 of this Convention.

MOD 55 4. At the beginning of each ordinary session, the Council shall elect its own Chairman and Vice-Chairman from among the representatives of its Member States, taking into account the principle of rotation between the regions. They shall serve until the opening of the next ordinary session and shall not be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.

MOD 56 5. The person appointed to serve on the Council by a Member State of the Council shall, so far as possible, be an official serving in, or directly responsible to, or for, their tele-

est directement responsable devant cette administration ou en son nom; cette personne doit être qualifiée en raison de son expérience des services de télécommunication.

MOD 57 6. Seuls les frais de voyage, de subsistance et d'assurance engagés par le représentant de chacun des Etats Membres du Conseil pour exercer ses fonctions aux sessions du Conseil sont à la charge de l'Union.

MOD 58 7. Le représentant de chacun des Etats Membres du Conseil a le droit d'assister en qualité d'observateur à toutes les réunions des Secteurs de l'Union.

MOD 60 9. Le Secrétaire général, le Vice-Secrétaire général et les directeurs des Bureaux participent de plein droit aux délibérations du Conseil, mais sans prendre part aux votes. Toutefois, le Conseil peut tenir des séances réservées aux seuls représentants de ses Etats Membres.

ADD 60A Un Etat Membre qui n'est pas Etat Membre du Conseil peut, s'il en avise préalablement le Secrétaire général, envoyer à ses frais un observateur à des séances du Conseil, de ses commissions et de ses groupes de travail. Un observateur n'a ni le droit de vote ni le droit à la parole.

MOD 61 10. Le Conseil examine chaque année le rapport établi par le Secrétaire général sur la mise en oeuvre du plan stratégique adopté par la Conférence de plénipotentiaires et lui donne la suite qu'il juge appropriée.

MOD 69 3) prend les décisions nécessaires pour assurer la répartition géographique équitable du personnel de l'Union ainsi que la représentation des femmes dans les catégories professionnelle et supérieure et contrôle l'exécution de ces décisions;

MOD 73 7) examine et arrête le budget biennal de l'Union et examine le budget prévisionnel pour le cycle de deux ans suivant le budget considéré, compte tenu des décisions de la Conférence de plénipotentiaires concernant le numéro 50 de la Constitution et des limites financières fixées par ladite Conférence conformément aux dispositions du numéro 51 de la Constitution; il réalise toutes les économies possibles, mais garde à l'esprit l'obligation faite à l'Union d'obtenir des résultats satisfaisants aussi rapidement que possible. Ce faisant, le Conseil tient compte des vues du Comité de coordination exposées dans le rapport du Secrétaire général dont il

communication administration and qualified in the field of telecommunication services.

- MOD 57** 6. Only the travelling, subsistence and insurance expenses incurred by the representative of each Member State of the Council in that capacity at Council sessions shall be borne by the Union.
- MOD 58** 7. The representative of each Member State of the Council shall have the right to attend, as an observer, all meetings of the Sectors of the Union.
- MOD 60** 9. The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaus may participate as of right in the deliberations of the Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to the representatives of its Member States.
- ADD 60A** A Member State which is not a Member State of the Council may, with prior notice to the Secretary-General, send one observer at its own expense to meetings of the Council, its committees and its working groups. An observer shall not have the right to vote or address the meeting.
- MOD 61** 10. The Council shall consider each year the report prepared by the Secretary-General on implementation of the strategic plan adopted by the Plenipotentiary Conference and shall take appropriate action.
- MOD 69** 3) take decisions to ensure equitable geographical distribution and representation of women in the Professional and higher categories in the staff of the Union and monitor the implementation of such decisions;
- MOD 73** 7) review and approve the biennial budget of the Union, and consider the budget forecast for the two-year period following that budget, taking account of the decisions of the Plenipotentiary Conference in relation to No. 50 of the Constitution and of the financial limits set by the Plenipotentiary Conference in accordance with No. 51 of the Constitution; it shall ensure the strictest possible economy but be mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible. In so doing, the Council shall take into account the views of the Coordination Committee as contained in the report by the Secretary-General mentioned

est question au numéro 86 de la présente Convention, et du rapport de gestion financière mentionné au numéro 101 de la présente Convention;

MOD 75 9) prend les dispositions nécessaires pour la convocation des conférences ou assemblées de l'Union et fournit au Secrétariat général et aux Secteurs de l'Union, avec l'accord de la majorité des Etats Membres s'il s'agit d'une conférence ou assemblée mondiale, ou de la majorité des Etats Membres appartenant à la région intéressée s'il s'agit d'une conférence régionale, des directives appropriées en ce qui concerne leur assistance technique et autre à la préparation et à l'organisation des conférences ou assemblées;

MOD 79 13) prend toutes les dispositions nécessaires, après accord de la majorité des Etats Membres, pour résoudre à titre provisoire les cas non prévus dans la Constitution, dans la présente Convention, dans les Règlements administratifs et leurs annexes, pour la solution desquels il n'est plus possible d'attendre la conférence compétente suivante;

MOD 81 15) envoie aux Etats Membres, le plus tôt possible après chacune de ses sessions, des comptes rendus succincts de ses travaux, ainsi que tous documents qu'il juge utiles;

SECTION 3

Article 5 (CV)

Secrétariat général

MOD 86 c) prépare, avec l'assistance du Comité de coordination, et soumet au Conseil un rapport faisant état de l'évolution de l'environnement des télécommunications depuis la dernière Conférence de plénipotentiaires et contenant des recommandations relatives à la politique et à la stratégie futures de l'Union, ainsi qu'une évaluation de leurs répercussions financières;

ADD 86A *c bis*) coordonne la mise en oeuvre du plan stratégique adopté par la Conférence de plénipotentiaires et prépare un rapport annuel sur cette mise en oeuvre pour examen par le Conseil.

ADD 87A *dbis*) établit chaque année, pour examen par le Conseil, un plan opérationnel et un plan financier des activités que doit entreprendre le personnel du Secrétariat général pour faciliter la mise en oeuvre du plan stratégique.

in No. 86 and the financial operating report mentioned in No. 101 of this Convention;

MOD 75 9) arrange for the convening of the conferences and assemblies of the Union and provide, with the consent of a majority of the Member States in the case of a world conference or assembly, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, appropriate directives to the General Secretariat and the Sectors of the Union with regard to their technical and other assistance in the preparation for and organization of conferences and assemblies;

MOD 79 13) take any necessary steps, with the agreement of a majority of the Member States, provisionally to resolve questions not covered by the Constitution, this Convention, the Administrative Regulations and their annexes and which cannot await the next competent conference for settlement;

MOD 81 15) send to Member States, as soon as possible after each of its sessions, summary records on the activities of the Council and other documents deemed useful;

SECTION 3

Article 5 (CV)

General Secretariat

MOD 86 c) prepare, with the assistance of the Coordination Committee, and submit to the Council a report indicating changes in the telecommunication environment since the last Plenipotentiary Conference and containing recommended action relating to the Union's future policies and strategy, together with their financial implications;

ADD 86A *cbis*) coordinate implementation of the strategic plan adopted by the Plenipotentiary Conference and prepare an annual report on this implementation for review by the Council;

ADD 87A *dbis*) prepare an annual operational plan and financial plan of activities to be undertaken by the staff of the General Secretariat in support of the strategic plan, to be reviewed by Council.

MOD 100 q) après consultation du Comité de coordination et après avoir réalisé toutes les économies possibles, prépare et soumet au Conseil un projet de budget biennal couvrant les dépenses de l'Union en tenant compte des limites financières fixées par la Conférence de plénipotentiaires. Ce projet de budget se compose d'un budget global regroupant les budgets fondés sur les coûts de chacun des trois Secteurs, établis conformément aux directives budgétaires émanant du Secrétaire général et comprenant deux versions. Une version correspond à une croissance zéro de l'unité contributive, l'autre à une croissance inférieure ou égale à toute limite fixée par la Conférence de plénipotentiaires, après prélèvement éventuel sur le compte de provision. La résolution relative au budget, après approbation par le Conseil, est transmise à titre d'information à tous les Etats Membres;

MOD 102 s) avec l'aide du Comité de coordination, établit un rapport annuel sur l'activité de l'Union transmis après approbation du Conseil à tous les Etats Membres;

ADD 102A *sbis*) gère les arrangements spéciaux mentionnés au numéro 76A de la Constitution, le coût de cette gestion devant être supporté par les signataires, de ces arrangements d'une manière établie par accord entre eux et le Secrétaire général.

SECTION 4

Article 6 (CV)

Comité de coordination

MOD 109 2. Le Comité doit s'efforcer de formuler ses conclusions par accord unanime. S'il n'est pas appuyé par la majorité du Comité, le président peut, dans des circonstances exceptionnelles, prendre des décisions sous sa propre responsabilité, s'il estime que le règlement des questions en cause est urgent et ne peut attendre la session suivante du Conseil. Dans ces circonstances, il fait rapport promptement et par écrit aux Etats Membres du Conseil sur ces questions, en indiquant les raisons qui l'ont amené à prendre ces décisions, et en leur communiquant les vues, exposées par écrit, des autres membres du Comité. Si les questions étudiées dans de telles circonstances ne sont pas urgentes mais néanmoins importantes, elles doivent être soumises à l'examen du Conseil à sa session suivante.

- MOD 100** q) after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Council a biennial draft budget covering the expenditures of the Union, taking account of the financial limits laid down by the Plenipotentiary Conference. This draft shall consist of a consolidated budget, including cost-based budgets for the three Sectors, prepared in accordance with the budget guidelines issued by the Secretary-General, and comprising two versions. One version shall be for zero growth of the contributory unit, the other for a growth less than or equal to any limit fixed by the Plenipotentiary Conference, after any drawing on the Reserve Account. The budget resolution, after approval by the Council, shall be sent for information to all Member States;
- MOD 102** s) with the assistance of the Coordination Committee, prepare an annual report on the activities of the Union which, after approval by the Council, shall be sent to all Member States;
- ADD 102A** *sbis*) manage the special arrangements referred to in No. 76A of the Constitution, the cost of this management being borne by the signatories of the arrangement in a manner agreed between them and the Secretary-General.

SECTION 4

Article 6 (CV)

Coordination Committee

- MOD 109** 2. The Committee shall endeavour to reach conclusions unanimously. In the absence of the support of the majority in the Committee, its Chairman may in exceptional circumstances take decisions, on the Chairman's own responsibility, when judging that the decision of the matters in question is urgent and cannot await the next session of the Council. In such circumstances the Chairman shall report promptly in writing on such matters to the Member States of the Council, setting forth the reasons for such action together with any other written views submitted by other members of the Committee. If in such circumstances the matters are not urgent, but nevertheless important, they shall be submitted for consideration by the next session of the Council.

SECTION 5

SECTEUR DES RADIOCOMMUNICATIONS

Article 7 (CV)

Conférences mondiales des radiocommunications

MOD 117 d) la détermination des thèmes que l'assemblée des radiocommunications et les commissions d'études des radiocommunications doivent étudier, ainsi que les questions que cette assemblée devra examiner concernant les futures conférences des radiocommunications.

MOD 118 2) Le cadre général de cet ordre du jour devrait être fixé quatre à six ans à l'avance et l'ordre du jour définitif est fixé par le Conseil de préférence deux ans avant la conférence, avec l'accord de la majorité des Etats Membres, sous réserve des dispositions du numéro 47 de la présente Convention. Ces deux versions de l'ordre du jour sont fondées sur les recommandations de la conférence mondiale des radiocommunications, en application des dispositions du numéro 126 de la présente Convention.

MOD 121 a) à la demande d'au moins un quart des Etats Membres, adressée individuellement au Secrétaire général qui en saisit le Conseil aux fins d'approbation; ou

MOD 123 2) Les projets de modification de l'ordre du jour d'une conférence mondiale des radiocommunications ne sont définitivement adoptés qu'avec l'accord de la majorité des Etats Membres, sous réserve des dispositions du numéro 47 de la présente Convention.

Article 8 (CV)

Assemblées des radiocommunications

MOD 131 1) examine les rapports des commissions d'études établis conformément aux dispositions du numéro 157 de la présente Convention et approuve, modifie ou rejette les projets de recommandation que contiennent ces rapports, et examine les rapports du Groupe consultatif des radiocommunications établis conformément aux dispositions du numéro 160H de la présente Convention;

SECTION 5

RADIOCOMMUNICATION SECTOR

Article 7 (CV)

World Radiocommunication Conference

- MOD 117** d) the identification of topics to be studied by the radiocommunication assembly and the radiocommunication study groups, as well as matters that the assembly shall consider in relation to future radiocommunication conferences.
- MOD 118** 2) The general scope of this agenda should be established four to six years in advance, and the final agenda shall be established by the Council preferably two years before the conference, with the concurrence of a majority of the Member States, subject to the provisions of No. 47 of this Convention. These two versions of the agenda shall be established on the basis of the recommendations of the world radiocommunication conference, in accordance with No. 126 of this Convention.
- MOD 121** a) at the request of at least one-quarter of the Member States. Such requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or
- MOD 123** 2) The proposed changes to the agenda of a world radiocommunication conference shall not be finally adopted until accepted by a majority of the Member States, subject to the provisions of No. 47 of this Convention.

Article 8 (CV)

Radiocommunication Assembly

- MOD 131** 1) consider the reports of study groups prepared in accordance with No. 157 of this Convention and approve, modify or reject the draft recommendations contained in those reports, and consider the reports of the radiocommunication advisory group prepared in accordance with No. 160H of this Convention;

MOD 136 6) fait rapport à la conférence mondiale des radiocommunications suivante sur l'avancement des travaux concernant des points qui peuvent être inscrits à l'ordre du jour de futures conférences des radiocommunications.

ADD 137A Une assemblée des radiocommunications peut adresser au Groupe consultatif des radiocommunications, pour avis, des questions spécifiques relevant de son domaine de compétence.

Article 9 (CV)

Conférences régionales des radiocommunications

MOD 138 L'ordre du jour d'une conférence régionale des radiocommunications ne peut porter que sur des questions de radiocommunication particulières de caractère régional, y compris des directives destinées au Comité du Règlement des radiocommunications et au Bureau des radiocommunications en ce qui concerne leurs activités intéressant la région dont il s'agit, à condition que ces directives ne soient pas contraires aux intérêts d'autres régions. Seules les questions inscrites à son ordre du jour peuvent y être débattues. Les dispositions des numéros 118 à 123 de la présente Convention s'appliquent aux conférences régionales des radiocommunications, mais uniquement en ce qui concerne les Etats Membres de la région concernée.

SUP 139

Article 11 (CV)

Commissions d'études des radiocommunications

MOD 149 2. 1) Les commissions d'études des radiocommunications étudient des Questions adoptées conformément à une procédure établie par l'assemblée des radiocommunications et rédigent des projets de recommandation qui doivent être adoptés conformément à la procédure énoncée aux numéros 246A à 247 de la présente Convention.

ADD 149B 2) Les commissions d'études des radiocommunications étudient également des thèmes déterminés dans les résolutions et recommandations des conférences mondiales des radiocommunications. Les résultats de ces études figurent dans des recommandations ou dans les rapports élaborés conformément au numéro 156 ci-après.

MOD 136 6) report to the following world radiocommunication conference on the progress in matters that may be included in the agenda of future radiocommunication conferences.

ADD 137A A radiocommunication assembly may refer specific matters within its competence to the radiocommunication advisory group for advice.

Article 9 (CV)

Regional Radiocommunication Conferences

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

SUP 139

Article 11 (CV)

Radiocommunication Study Groups

MOD 149 2. 1) The radiocommunication study groups shall study questions adopted in accordance with a procedure established by the radiocommunication assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.

ADD 149B 2) The radiocommunication study groups shall also study topics identified in resolutions and recommendations of world radiocommunication conferences. The results of such studies shall be included in recommendations or in the reports prepared in accordance with No. 156 below.

MOD 150 3) Sous réserve des dispositions du numéro 158 ci-dessous, l'étude des questions et des thèmes susmentionnés porte essentiellement sur:

MOD 151 a) l'utilisation du spectre des fréquences radioélectriques dans les radiocommunications de Terre et les radiocommunications spatiales et celle de l'orbite des satellites géostationnaires et d'autres orbites;

MOD 155 3) En règle générale, ces études ne portent pas sur des questions d'ordre économique, mais dans les cas où elles supposent des comparaisons entre plusieurs solutions techniques ou opérationnelles, les facteurs économiques peuvent être pris en considération.

ADD Article 11A (CV)

Groupe consultatif des radiocommunications

ADD 160A 1. Le Groupe consultatif des radiocommunications est ouvert à la participation des représentants des administrations des Etats Membres et des représentants des Membres du Secteur ainsi que des présidents des commissions d'études; il agit par l'intermédiaire du directeur.

ADD 160B 2. Le Groupe consultatif des radiocommunications:

ADD 160C 1) examine les priorités, les programmes, les opérations, les questions financières et les stratégies concernant les assemblées des radiocommunications, les commissions d'études et la préparation des conférences des radiocommunications ainsi que toute question particulière que lui confie une conférence de l'Union, une assemblée des radiocommunications ou le Conseil;

ADD 160D 2) examine les progrès accomplis dans l'exécution du programme de travail établi conformément aux dispositions du numéro 132 de la présente Convention;

ADD 160E 3) fournit des lignes directrices relatives aux travaux des commissions d'études;

ADD 160F 4) recommande des mesures visant notamment à encourager la coopération et la coordination avec d'autres organes de normalisation, avec le Secteur de la normalisation des télécommunications, avec le Secteur du développement des télécommunications et avec le Secrétariat général;

MOD 150 3) The study of the above questions and topics shall, subject to No. 158 below, focus on the following:

MOD 151 a) use of the radio-frequency spectrum in terrestrial and space radiocommunication and of the geostationary-satellite and other satellite orbits;

MOD 155 3) These studies shall not generally address economic questions, but when they involve comparing technical or operational alternatives, economic factors may be taken into consideration.

ADD Article 11A (CV)

Radiocommunication Advisory Group

ADD 160A 1. The radiocommunication advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups, and will act through the Director.

ADD 160B 2. The radiocommunication advisory group shall:

ADD 160C 1) review priorities, programmes, operations, financial matters and strategies related to radiocommunication assemblies, study groups and the preparation of radiocommunication conferences, and any specific matters as directed by a conference of the Union, a radiocommunication assembly or the Council;

ADD 160D 2) review progress in the implementation of the programme of work established under No. 132 of this Convention;

ADD 160E 3) provide guidelines for the work of study groups;

ADD 160F 4) recommend measures, *inter alia*, to foster cooperation and coordination with other standards bodies, with the Telecommunication Standardization Sector, the Telecommunication Development Sector and the General Secretariat;

ADD I60G 5) adopte ses propres méthodes de travail compatibles avec celles adoptées par l'assemblée des radiocommunications;

ADD I60H 6) élabore un rapport à l'intention du directeur du Bureau des radiocommunications, en indiquant les mesures prises concernant les points ci-dessus.

Article 12 (CV)

Bureau des radiocommunications

MOD 164 a) coordonne les travaux préparatoires des commissions d'études et du Bureau, communique aux Etats Membres et aux Membres du Secteur les résultats de ces travaux, recueille leurs commentaires et soumet un rapport de synthèse à la conférence, qui peut inclure des propositions d'ordre réglementaire;

MOD 169 b) communique à tous les Etats Membres les règles de procédure du Comité et recueille les observations présentées par les administrations à ce sujet;

ADD 175A 3bis) fournit l'appui nécessaire au Groupe consultatif des radiocommunications et rend compte chaque année aux Etats Membres et aux Membres du Secteur des radiocommunications ainsi qu'au Conseil des résultats des travaux du groupe consultatif;

ADD 175B 3ter) prend des mesures concrètes pour faciliter la participation des pays en développement aux travaux des commissions d'études des radiocommunications.

MOD 177 a) effectue des études afin de fournir des avis 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 préjudiciables peuvent se produire, ainsi qu'en vue de l'utilisation équitable, efficace et économique de l'orbite des satellites géostationnaires et d'autres orbites, compte tenu des besoins des Etats Membres qui requièrent une assistance, des besoins particuliers des pays en développement, ainsi que de la situation géographique particulière de certains pays;

MOD 178 b) échange avec les Etats Membres et les Membres du Secteur des données sous une forme accessible en lecture automatique et sous d'autres formes, établit et tient à jour les

ADD 160G 5) adopt its own working procedures compatible with those adopted by the radiocommunication assembly;

ADD 160H 6) prepare a report for the Director of the Radiocommunication Bureau indicating action in respect of the above items;

Article 12 (CV)

Radiocommunication Bureau

MOD 164 a) coordinate the preparatory work of the study groups and the Bureau, communicate to the Member States and Sector Members the results of this preparatory work, collect their comments and submit a consolidated report to the conference which may include proposals of a regulatory nature;

MOD 169 b) distribute to all Member States the Rules of Procedure of the Board and collect comments thereon received from administrations;

ADD 175A 3*bis*) provide the necessary support for the radiocommunication advisory group, and report each year to Member States and Sector Members and to the Council on the results of the work of the advisory group.

ADD 175B 3*ter*) take practical measures to facilitate the participation of developing countries in the radiocommunication study groups.

MOD 177 a) carry out studies to furnish advice with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur, and with a view to the equitable, effective and economical use of the geostationary-satellite and other satellite orbits, taking into account the needs of Member States requiring assistance, the specific needs of developing countries, as well as the special geographical situation of particular countries;

MOD 178 b) exchange with Member States and Sector Members data in machine-readable and other forms, prepare and keep up to date any documents and databases of the Radiocommu-

documents et les bases de données du Secteur des radiocommunications et prend toutes mesures utiles avec le Secrétaire général, selon qu'il est nécessaire, pour qu'ils soient publiés dans les langues de travail de l'Union conformément au numéro 172 de la Constitution;

MOD 180 d) rend compte, dans un rapport présenté à la conférence mondiale des radiocommunications, de l'activité du Secteur depuis la dernière conférence; si aucune conférence mondiale des radiocommunications n'est prévue, un rapport sur l'activité du Secteur pendant la période de deux ans suivant la dernière conférence est soumis au Conseil et, pour information, aux Etats Membres et aux Membres du Secteur;

ADD 181A *ebis*) établit chaque année, pour examen par le Groupe consultatif des radiocommunications conformément à l'article 11A de la présente Convention et pour communication au Conseil, un plan opérationnel et un plan financier des activités que doit entreprendre le Bureau pour aider le Secteur dans son ensemble.

SECTION 6

SECTEUR DE LA NORMALISATION DES TÉLÉCOMMUNICATIONS

Article 13 (CV)

MOD *Assemblée mondiale de normalisation
des télécommunications*

MOD 184 1. Conformément au numéro 104 de la Constitution, une assemblée mondiale de normalisation des télécommunications est convoquée pour examiner des questions spécifiques relatives à la normalisation des télécommunications.

MOD 185 2. Les questions que doit étudier une assemblée mondiale de normalisation des télécommunications, sur lesquelles des recommandations sont formulées, sont celles que cette assemblée a adoptées conformément à ses propres procédures ou qui lui sont posées par la Conférence de plénipotentiaires, par une autre conférence ou par le Conseil.

MOD 186 3. Conformément aux dispositions du numéro 104 de la Constitution, l'assemblée:

MOD 187 a) examine les rapports établis par les commissions d'études conformément aux dispositions du numéro 194 de la pré-

nication Sector, and arrange, with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;

MOD 180 d) submit to the world radiocommunication conference a report on the activities of the Radiocommunication Sector since the last conference; if a world radiocommunication conference is not planned, a report on the activities of the Sector covering the two-year period since the last conference shall be submitted to the Council and, for information, to Member States and Sector Members;

ADD 181A *ebis*) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the sector as a whole, to be reviewed by the radiocommunication advisory group in accordance with Article 11A of this Convention and provided to the Council.

SECTION 6

TELECOMMUNICATION STANDARDIZATION SECTOR

Article 13 (CV)

MOD *World Telecommunication Standardization
Assembly*

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

MOD 185 2. The questions to be studied by a world telecommunication standardization assembly, on which recommendations shall be issued, shall be those adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, or the Council.

MOD 186 3. In accordance with No. 104 of the Constitution, the assembly shall:

MOD 187 a) consider the reports of study groups prepared in accordance with No. 194 of this Convention and approve, modify or

sente Convention et approuve, modifie ou rejette les projets de recommandation que contiennent ces rapports, et examine les rapports établis par le Groupe consultatif de la normalisation des télécommunications conformément aux dispositions des numéros 197J et 197K de la présente Convention;

MOD 190 d) regroupe, autant que possible, les questions qui intéressent les pays en développement, afin de faciliter la participation de ces derniers à leur étude;

ADD 191A 4. Une assemblée mondiale de normalisation des télécommunications peut confier des questions spécifiques relevant de son domaine de compétence au Groupe consultatif de la normalisation des télécommunications en indiquant les mesures à prendre concernant ces questions.

ADD 191B 5. L'assemblée mondiale de normalisation des télécommunications est présidée par une personne désignée par le gouvernement du pays où la réunion a lieu ou, lorsque cette réunion se tient au siège de l'Union, par une personne élue par l'assemblée elle-même; le président est assisté de vice-présidents élus par l'assemblée.

Article 14 (CV)

Commissions d'études de la normalisation des télécommunications

MOD 192 1. 1) Les commissions d'études de la normalisation des télécommunications étudient des Questions adoptées conformément à une procédure établie par l'assemblée mondiale de normalisation des télécommunications et rédigent des projets de recommandation qui doivent être adoptés conformément à la procédure énoncée aux numéros 246A à 247 de la présente Convention.

MOD 194 3) Chaque commission d'études élabore, à l'intention de l'assemblée mondiale de normalisation des télécommunications, un rapport indiquant l'état d'avancement de ses travaux, les recommandations adoptées conformément à la procédure de consultation prévue au numéro 192 ci-dessus et les projets de recommandation nouvelle ou révisée que doit examiner l'assemblée.

MOD 197 4. Afin de faciliter l'examen des activités du Secteur de la normalisation des télécommunications, il convient de prendre des mesures propres à encourager la coopération et la coordination avec d'autres organisations s'occupant de normalisa-

reject draft recommendations contained in those reports, and consider the reports of the telecommunication standardization advisory group in accordance with Nos. 197J and 197K of this Convention;

(MOD) 190 d) group, as far as practicable, questions of interest to the developing countries to facilitate their participation in these studies;

ADD 191A 4. A world telecommunication standardization assembly may assign specific matters within its competence to the telecommunication standardization advisory group indicating the action required on those matters.

ADD 191B 5. A world telecommunication standardization assembly shall be presided over by a person designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the assembly.

Article 14 (CV)

Telecommunication Standardization Study Groups

MOD 192 1. 1) Telecommunication standardization study groups shall study questions adopted in accordance with a procedure established by the world telecommunication standardization assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.

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

MOD 197 4. For the purpose of facilitating the review of activities in the Telecommunication Standardization Sector, measures should be taken to foster cooperation and coordination with other organizations concerned with telecommunication stand-

tion, avec le Secteur des radiocommunications et avec le Secteur du développement des télécommunications. Une assemblée mondiale de normalisation des télécommunications arrête les obligations spécifiques, les conditions de participation et les règles d'application de ces mesures.

ADD Article 14A (CV)

Groupe consultatif de la normalisation des télécommunications

ADD 197C 1. Le Groupe consultatif de la normalisation des télécommunications est ouvert à la participation des représentants des administrations des Etats Membres et des représentants des Membres du Secteur ainsi que des présidents des commissions d'études.

ADD 197D 2. Le Groupe consultatif de la normalisation des télécommunications:

ADD 197E 1) étudie les priorités, les programmes, les opérations, les questions financières et les stratégies applicables aux activités du Secteur de la normalisation des télécommunications;

ADD 197F 2) examine les progrès accomplis dans l'exécution du programme de travail établi conformément aux dispositions du numéro 188 de la présente Convention;

ADD 197G 3) fournit des lignes directrices relatives aux travaux des commissions d'études;

ADD 197H 4) recommande des mesures visant notamment à encourager la coopération et la coordination avec d'autres organismes compétents ainsi qu'avec le Secteur des radiocommunications, le Secteur du développement des télécommunications et le Secrétariat général;

ADD 197I 5) adopte des méthodes de travail compatibles avec celles adoptées par l'assemblée mondiale de normalisation des télécommunications;

ADD 197J 6) élabore un rapport à l'intention du directeur du Bureau de la normalisation des télécommunications en indiquant les mesures prises concernant les points ci-dessus;

ADD 197K 7) élabore un rapport à l'intention de l'assemblée mondiale de normalisation des télécommunications sur les ques-

ardization and with the Radiocommunication Sector and the Telecommunication Development Sector. A world telecommunication standardization assembly shall determine the specific duties, conditions of participation and rules of procedure for these measures.

ADD Article 14A (CV)

Telecommunication Standardization Advisory Group

ADD 197C 1. The telecommunication standardization advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups.

ADD 197D 2. The telecommunication standardization advisory group shall:

ADD 197E 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Standardization Sector;

ADD 197F 2) review progress in the implementation of the programme of work established under No. 188 of this Convention;

ADD 197G 3) provide guidelines for the work of study groups;

ADD 197H 4) recommend measures, *inter alia*, to foster cooperation and coordination with other relevant bodies, with the Radiocommunication Sector, the Telecommunication Development Sector and the General Secretariat;

ADD 197I 5) adopt its own working procedures compatible with those adopted by the world telecommunication standardization assembly;

ADD 197J 6) prepare a report for the Director of the Telecommunication Standardization Bureau indicating action in respect of the above items.

ADD 197K 7) prepare a report for the world telecommunication standardization assembly on the matters assigned to it in

tions qui lui ont été confiées conformément au numéro 191A et le transmet au directeur pour soumission à l'assemblée.

Article 15 (CV)

Bureau de la normalisation des télécommunications

- MOD 200** a) met à jour chaque année, en concertation avec les présidents des commissions d'études de la normalisation des télécommunications, le programme de travail approuvé par l'assemblée mondiale de normalisation des télécommunications;
- MOD 201** b) participe de droit mais à titre consultatif aux délibérations des assemblées mondiales de normalisation des télécommunications et des commissions d'études de la normalisation des télécommunications. Le directeur prend toutes les mesures qui s'imposent pour la préparation des assemblées et des réunions du Secteur de la normalisation des télécommunications en consultant le Secrétariat général conformément aux dispositions du numéro 94 de la présente Convention et, si nécessaire, les autres Secteurs de l'Union, et en tenant dûment compte des directives du Conseil relatives à l'exécution de cette préparation;
- MOD 202** c) traite les informations communiquées par les administrations en application des dispositions pertinentes du Règlement des télécommunications internationales ou des décisions de l'assemblée mondiale de normalisation des télécommunications et les prépare, le cas échéant, aux fins de publication sous une forme appropriée;
- MOD 203** d) échange avec les Etats Membres et les Membres du Secteur des données sous une forme accessible en lecture automatique et sous d'autres formes, établit et au besoin tient à jour les documents et les bases de données du Secteur de la normalisation des télécommunications et prend les mesures voulues avec le Secrétaire général, selon qu'il est nécessaire, pour qu'ils soient publiés dans les langues de travail de l'Union conformément au numéro 172 de la Constitution;
- MOD 204** e) rend compte, dans un rapport présenté à l'assemblée mondiale de normalisation des télécommunications, de l'activité du Secteur depuis la dernière assemblée et soumet au Conseil ainsi qu'aux Etats Membres et aux Membres du Secteur un rapport sur l'activité de ce Secteur pendant la période de deux ans suivant la dernière assemblée, sauf si une deuxième assemblée est convoquée;

accordance with No. 191A and transmit it to the Director for submission to the assembly.

Article 15 (CV)

Telecommunication Standardization Bureau

- MOD 200** a) update annually the work programme approved by the world telecommunication standardization assembly, in consultation with the chairmen of the telecommunication standardization study groups;
- MOD 201** b) participate, as of right, but in an advisory capacity, in the deliberations of the world telecommunication standardization assemblies and of the telecommunication standardization study groups. The Director shall make all necessary preparations for assemblies and meetings of the Telecommunication Standardization Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council concerning these preparations;
- MOD 202** c) process information received from administrations in application of the relevant provisions of the International Telecommunication Regulations or decisions of the world telecommunication standardization assembly and prepare it, where appropriate, in a suitable form for publication;
- MOD 203** d) exchange with Member States and Sector Members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Standardization Sector, and arrange with the Secretary-General, where appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;
- MOD 204** e) submit to the world telecommunication standardization assembly a report on the activities of the Sector since the last assembly; the Director shall also submit to the Council and to the Member States and Sector Members such a report covering the two-year period since the last assembly, unless a second assembly is convened;

ADD 205A *fbis*) établit chaque année, pour examen par le Groupe consultatif de la normalisation des télécommunications et pour communication au Conseil, un plan opérationnel et un plan financier des activités que doit entreprendre le Bureau pour aider le Secteur dans son ensemble.

ADD 205B g) fournit l'appui nécessaire au Groupe consultatif de la normalisation des télécommunications et rend compte chaque année aux Etats Membres et aux Membres du Secteur de la normalisation des télécommunications ainsi qu'au Conseil des résultats de ses travaux.

ADD 205C h) apporte son assistance aux pays en développement dans les travaux préparatoires des assemblées mondiales de normalisation, notamment pour l'étude de questions revêtant un caractère prioritaire pour ces pays.

SECTION 7

SECTEUR DU DÉVELOPPEMENT DES TÉLÉCOMMUNICATIONS

Article 16 (CV)

Conférences de développement des télécommunications

MOD 213 2. Le projet d'ordre du jour des conférences de développement des télécommunications est établi par le directeur du Bureau de développement des télécommunications; il est soumis par le Secrétaire général à l'approbation du Conseil avec l'assentiment d'une majorité des Etats Membres dans le cas d'une conférence mondiale ou d'une majorité des Etats Membres appartenant à la région intéressée dans le cas d'une conférence régionale, sous réserve des dispositions du numéro 47 de la présente Convention.

ADD 213A 3. Une conférence mondiale de développement des télécommunications peut adresser au Groupe consultatif, pour avis, pour le développement des télécommunications des questions spécifiques relevant de son domaine de compétence.

Article 17 (CV)

Commissions d'études du développement des télécommunications

ADD 215A 3. Chaque commission d'études du développement des télécommunications prépare pour la conférence mondiale de

ADD 205A *fbis*) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication standardization advisory group and provided to the Council;

ADD 205B g) provide the necessary support for the telecommunication standardization advisory group, and report each year to Member States and Sector Members and to the Council on the results of its work;

ADD 205C h) provide assistance to developing countries in the preparatory work for world standardization assemblies, particularly with regard to matters of a priority nature for those countries.

SECTION 7

TELECOMMUNICATION DEVELOPMENT SECTOR

Article 16 (CV)

Telecommunication Development Conferences

MOD 213 2. The draft agenda of telecommunication development conferences shall be prepared by the Director of the Telecommunication Development Bureau and be submitted by the Secretary-General to the Council for approval with the concurrence of a majority of the Member States in the case of a world conference, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, subject to the provisions of No. 47 of this Convention.

ADD 213A 3. A world telecommunication development conference may refer specific matters within its competence to the telecommunication development advisory group for advice.

Article 17 (CV)

Telecommunication Development Study Groups

ADD 215A 3. Each telecommunication development study group shall prepare for the world telecommunication development con-

développement des télécommunications un rapport indiquant l'état d'avancement des travaux ainsi que d'éventuels projets de recommandation nouvelle ou révisée, en vue de leur examen par la conférence.

ADD 215B 4. Les commissions d'études du développement des télécommunications étudient des Questions et élaborent des projets de recommandation qui doivent être adoptés conformément aux procédures énoncées aux numéros 246A à 247 de la présente Convention.

ADD Article 17A (CV)

Groupe consultatif pour le développement des télécommunications

ADD 215C 7. Le Groupe consultatif pour le développement des télécommunications est ouvert à la participation des représentants des administrations des Etats Membres et des représentants des Membres du Secteur ainsi que des présidents et vice-présidents des commissions d'études.

ADD 215D 8. Le Groupe consultatif pour le développement des télécommunications:

ADD 215E 1) étudie les priorités, les programmes, les opérations, les questions financières et les stratégies applicables aux activités du Secteur du développement des télécommunications;

ADD 215F 2) examine les progrès accomplis dans l'exécution du programme de travail établi conformément aux dispositions du numéro 209 de la présente Convention;

ADD 215G 3) fournit des lignes directrices relatives aux travaux des commissions d'études;

ADD 215H 4) recommande des mesures visant notamment à encourager la coopération et la coordination avec le Secteur des radiocommunications, le Secteur de la normalisation des télécommunications et le Secrétariat général ainsi qu'avec d'autres institutions de développement et de financement compétentes;

ADD 215I 5) adopte ses propres méthodes de travail compatibles avec celles adoptées par la conférence mondiale de développement des télécommunications;

ADD 215J 6) élabore un rapport à l'intention du directeur du Bu-

ference a report indicating the progress of work and any draft new or revised recommendations for consideration by the conference.

ADD 215B 4. Telecommunication development study groups shall study questions and prepare draft recommendations to be adopted in accordance with the procedures set out in Nos. 246A to 247 of this Convention.

ADD Article 17A (CV)

Telecommunication Development Advisory Group

ADD 215C 7. The telecommunication development advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen and vice-chairmen of study groups.

ADD 215D 8. The telecommunication development advisory group shall;

ADD 215E 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Development Sector;

ADD 215F 2) review progress in the implementation of the programme of work established under No. 209 of this Convention;

ADD 215G 3) provide guidelines for the work of study groups;

ADD 215H 4) recommend measures, *inter alia*, to foster cooperation and coordination with the Radiocommunication Sector, the Telecommunication Standardization Sector and the General Secretariat, as well as with other relevant development and financial institutions.

ADD 215I 5) adopt its own working procedures compatible with those adopted by the world telecommunication development conference.

ADD 215J 6) prepare a report for the Director of the Telecommu-

reau de développement des télécommunications, en indiquant les mesures prises concernant les points ci-dessus;

ADD 215K 9 Des représentants d'organismes bilatéraux de coopération et d'aide au développement ainsi que d'institutions multilatérales de développement peuvent être invités par le directeur à participer aux réunions du groupe consultatif.

Article 18 (CV)

Bureau de développement des télécommunications

MOD 222 e) rend compte, dans un rapport présenté à la conférence mondiale de développement des télécommunications, de l'activité du Secteur depuis la conférence précédente et soumet au Conseil ainsi qu'aux Etats Membres et aux Membres du Secteur un rapport sur l'activité de ce Secteur pendant la période de deux ans suivant la précédente conférence;

(MOD) 223 f) établit un budget estimatif fondé sur les coûts correspondant aux besoins du Secteur du développement des télécommunications et le transmet au Secrétaire général, afin qu'il soit examiné par le Comité de coordination et incorporé dans le budget de l'Union;

ADD 223A *fbis*) établit chaque année, pour examen par le Groupe consultatif pour le développement des télécommunications et pour communication au Conseil, un plan opérationnel et un plan financier des activités que doit entreprendre le Bureau pour aider le Secteur dans son ensemble;

ADD 223B g) fournit l'appui nécessaire au groupe consultatif pour le développement des télécommunications et rend compte chaque année aux Etats Membres et aux Membres du Secteur du développement des télécommunications ainsi qu'au Conseil des résultats de ses travaux.

MOD 224 3. Le directeur travaille en collaboration avec les autres fonctionnaires élus et s'emploie à renforcer le rôle de catalyseur de l'Union en vue de stimuler le développement des télécommunications; il prend les dispositions nécessaires, en collaboration avec le directeur du Bureau concerné, pour entreprendre des actions appropriées, par exemple en convoquant des réunions d'information relatives aux activités du Secteur correspondant.

nication Development Bureau indicating action in respect of the above items.

ADD 215K 9. Representatives of bilateral cooperation and development aid agencies and multilateral development institutions may be invited by the Director to participate in the meetings of the advisory group.

Article 18 (CV)

Telecommunication Development Bureau

MOD 222 e) submit to the world telecommunication development conference a report on the activities of the Sector since the last conference; the Director shall also submit to the Council and to the Member States and Sector Members such a report covering the two-year period since the last conference;

(MOD) 223 f) prepare a cost-based budget estimate for the requirements of the Telecommunication Development Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget;

ADD 223A *fbis*) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication development advisory group and provided to the Council;

ADD 223B g) provide the necessary support for the telecommunication development advisory group, and report each year to the Member States and Sector Members and to the Council on the results of its work.

MOD 224 3. The Director shall work collegially with the other elected officials in order to ensure that the Union's catalytic role in stimulating telecommunication development is strengthened and shall make the necessary arrangements with the Director of the Bureau concerned for initiating suitable action, including the convening of information meetings on the activities of the Sector concerned.

MOD 225 4. A la demande des Etats Membres intéressés, le directeur, avec le concours des directeurs des autres Bureaux et, le cas échéant, du Secrétaire général, fait des études et donne des conseils sur des questions relatives aux télécommunications nationales de ces Etats. Dans les cas où cette étude implique la comparaison de plusieurs solutions techniques possibles, des facteurs économiques peuvent être pris en considération.

SUP 227

SECTION 8

DISPOSITIONS COMMUNES AUX TROIS SECTEURS

Article 19 (CV)

Participation d'entités et organisations autres que les administrations aux activités de l'Union

MOD 229 a) exploitations reconnues, organismes scientifiques ou industriels et organismes de financement ou de développement approuvés par l'Etat Membre intéressé;

MOD 230 b) autres entités s'occupant de questions de télécommunication approuvées par l'Etat Membre intéressé;

MOD 233 3. Toute demande de participation aux travaux d'un Secteur formulée par une entité mentionnée au numéro 229 ci-dessus conformément aux dispositions pertinentes de la Constitution et de la présente Convention et approuvée par l'Etat Membre intéressé est adressée par celui-ci au Secrétaire général.

MOD 234 4. Toute demande d'une entité mentionnée au numéro 230 ci-dessus présentée par l'Etat Membre intéressé est traitée suivant une procédure établie par le Conseil. La conformité d'une demande de ce type avec cette procédure fait l'objet d'un examen de la part du Conseil.

ADD 234A *4bis* Une demande d'admission comme Membre d'un Secteur émanant d'une des entités visées au numéro 229 ou 230 ci-dessus peut également être envoyée directement au Secrétaire général. Les Etats Membres qui autorisent ces entités à envoyer directement une demande au Secrétaire général doivent en informer ce dernier. Les entités dont l'Etat Membre

MOD 225 4. At the request of the Member States concerned, the Director, with the assistance of the Directors of the other Bureaus and, where appropriate, the Secretary-General, shall study and offer advice concerning their national telecommunication problems; where a comparison of technical alternatives is involved, economic factors may be taken into consideration.

SUP 227

SECTION 8

PROVISIONS COMMON TO THE THREE SECTORS

Article 19 (CV)

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

MOD 229 a) recognized operating agencies, scientific or industrial organizations and financial or development institutions which are approved by the Member State concerned;

MOD 230 b) other entities dealing with telecommunication matters which are approved by the Member State concerned;

MOD 233 3. Any request from an entity listed in No. 229 above to participate in the work of a Sector, in accordance with the relevant provisions of the Constitution and this Convention, approved by the Member State concerned shall be forwarded by the latter to the Secretary-General.

MOD 234 4. Any request from an entity referred to in No. 230 above submitted by the Member State concerned shall be handled in conformity with a procedure established by the Council. Such a request shall be reviewed by the Council with respect to its conformity with the above procedure.

ADD 234A *4bis* Alternatively, a request from an entity listed in No. 229 or 230 above to become a Sector Member may be sent direct to the Secretary-General. Those Member States authorizing such entities to send a request directly to the Secretary-General shall inform the latter accordingly. Entities whose Member State has not provided such notice to the Secretary-

n'a pas informé le Secrétaire général n'ont pas la possibilité de s'adresser directement à celui-ci. Le Secrétaire général doit périodiquement mettre à jour et publier la liste des Etats Membres qui ont autorisé des entités relevant de leur compétence ou de leur souveraineté à s'adresser directement à lui.

ADD 234B *4ter* Lorsqu'il reçoit directement d'une entité une demande conforme au numéro 234A ci-dessus, le Secrétaire général veille, compte tenu des critères définis par le Conseil, à ce que la fonction et les objectifs du candidat soient conformes à l'objet de l'Union. Le Secrétaire général informe ensuite sans délai l'Etat Membre de cette demande en l'invitant à l'approuver. Si le Secrétaire général ne reçoit pas d'objection de l'Etat Membre dans un délai de 4 mois, il lui adresse un télégramme de rappel. Si, dans un délai de 4 mois après la date d'envoi du télégramme de rappel, le Secrétaire général ne reçoit pas d'objection, la demande est considérée comme approuvée. S'il reçoit une objection de l'Etat Membre, le Secrétaire général invite le requérant à se mettre en rapport avec l'Etat Membre concerné.

ADD 234C *4quarter* Lorsqu'il autorise que l'on adresse directement une demande au Secrétaire général, un Etat Membre peut informer ce dernier qu'il lui donne pouvoir d'approuver toute demande émanant d'une entité relevant de sa compétence ou de sa souveraineté.

MOD 237 7. Le Secrétaire général établit et tient à jour, pour chaque Secteur, des listes de toutes les entités et organisations visées aux numéros 229 à 231 ainsi qu'aux numéros 260 à 262 de la présente Convention qui sont admises à participer aux travaux des Secteurs. Il publie chacune de ces listes à des intervalles appropriés, et les porte à la connaissance de tous les Etats Membres et Membres des Secteurs concernés et du directeur du Bureau intéressé. Ce directeur fait connaître aux entités et organisations concernées la suite qui a été donnée à leur demande et en informe les Etats Membres intéressés.

MOD 238 8. Les conditions de participation aux travaux des Secteurs des entités et organisations figurant sur les listes visées au numéro 237 ci-dessus sont énoncées dans le présent article, dans l'article 33 et dans d'autres dispositions pertinentes de la présente Convention. Les dispositions des numéros 25 à 28 de la Constitution ne leur sont pas applicables.

MOD 239 9. Un Membre de Secteur peut agir au nom de l'Etat

General shall not have the option of direct application. The Secretary-General shall regularly update and publish a list of those Member States that have authorized entities under their jurisdiction or sovereignty to apply directly.

ADD 234B *4ter* Upon receipt, directly from an entity, of a request under No. 234A above, the Secretary-General shall, on the basis of criteria defined by the Council, ensure that the function and purposes of the candidate are in conformity with the purposes of the Union. The Secretary-General shall then, without delay, inform the applicant's Member State inviting approval of the application. If the Secretary-General receives no objection from the Member State within four months, a reminder telegram shall be sent. If the Secretary-General receives no objection within four months after the date of dispatch of the reminder telegram, the application shall be regarded as approved. If an objection is received from the Member State by the Secretary-General, the applicant shall be invited by the Secretary-General to contact the Member State concerned.

ADD 234C *4quater* When authorizing direct application, a Member State may notify the Secretary-General that it assigns authority to the Secretary-General to approve any application by an entity under its jurisdiction or sovereignty.

MOD 237 7. The Secretary-General shall compile and maintain lists of all entities and organizations referred to in Nos. 229 to 231 and Nos. 260 to 262 of this Convention that are authorized to participate in the work of each Sector and shall, at appropriate intervals, publish and distribute these lists to all Member States and Sector Members concerned and to the Director of the Bureau concerned. That Director shall advise such entities and organizations of the action taken on their requests, and shall inform the relevant Member States.

MOD 238 8. The conditions of participation in the Sectors by entities and organizations contained in the lists referred to in No. 237 above are specified in this Article, in Article 33 and in other relevant provisions of this Convention. The provisions of Nos. 25 to 28 of the Constitution do not apply to them.

MOD 239 9. A Sector Member may act on behalf of the Member

Membre qui l'a approuvé, si celui-ci fait savoir au directeur du Bureau concerné qu'il l'a autorisé à cet effet.

MOD 240 10. Tout Membre d'un Secteur a le droit de dénoncer sa participation par une notification adressée au Secrétaire général. Cette participation peut également être dénoncée, le cas échéant, par l'Etat Membre concerné ou, dans le cas du Membre de Secteur approuvé conformément au numéro 234C ci-dessus, selon les critères et les procédures arrêtés par le Conseil. Cette dénonciation prend effet à l'expiration d'une période d'une année à partir du jour de réception de la notification par le Secrétaire général.

ADD 241A L'assemblée ou la conférence d'un Secteur peut décider d'admettre une entité ou organisation à participer comme Associé aux travaux d'une commission d'études donnée et de ses groupes subordonnés, selon les principes indiqués ci-dessous:

ADD 241B 1) Une entité ou organisation mentionnée aux numéros 229 à 231 ci-dessus peut demander de participer aux travaux d'une commission d'études donnée en tant qu'Associé.

ADD 241C 2) Dans les cas où un Secteur a décidé d'admettre des Associés, le Secrétaire général applique aux requérants les dispositions pertinentes du présent article, en tenant compte de la taille de l'entité ou organisation et de tout autre critère pertinent.

ADD 241D 3) Les Associés admis à participer aux travaux d'une commission d'études donnée ne sont pas indiqués dans la liste mentionnée au numéro 237 ci-dessus.

ADD 241E 4) Les conditions de participation aux travaux d'une commission d'études sont spécifiées au numéro 248B et 483A de la présente Convention.

Article 20 (CV)

Conduite des travaux des commissions d'études

MOD 242 1. L'assemblée des radiocommunications, l'assemblée mondiale de normalisation des télécommunications et la conférence mondiale de développement des télécommunications nomment le président de chaque commission d'études

State which has approved it, provided that the Member State informs the Director of the Bureau concerned that it is authorized to do so.

MOD 240 10. Any Sector Member has the right to denounce such participation by notifying the Secretary-General. Such participation may also be denounced, where appropriate, by the Member State concerned or, in case of the Sector Member approved pursuant to No. 234C above, in accordance with criteria and procedures determined by the Council. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.

ADD 241A The assembly or conference of a Sector may decide to admit entities or organizations to participate as Associates in the work of a given study group or subgroups thereof following the principles set out below:

ADD 241B 1) An entity or organization referred to in Nos. 229 to 231 above may apply to participate in the work of a given study group as an Associate.

ADD 241C 2) In cases where a Sector has decided to admit Associates, the Secretary-General shall apply to the applicants the relevant provisions of this Article, taking account of the size of the entity or organization and any other relevant criteria.

ADD 241D 3) Associates admitted to participate in a given study group are not entered in the list referred to in No. 237 above.

ADD 241E 4) The conditions governing participation in the work of a study group are specified in Nos. 248B and 483A of this Convention.

Article 20 (CV)

Conduct of Business of Study Groups

MOD 242 1. The radiocommunication assembly, the world telecommunication standardization assembly and the world telecommunication development conference shall appoint the chairman and one vice-chairman or more for each study group. In

et un ou plusieurs vice-présidents. Lors de la nomination des présidents et des vice-présidents, on tiendra compte tout particulièrement des critères de compétence et de l'exigence d'une répartition géographique équitable, ainsi que de la nécessité de favoriser une participation plus efficace des pays en développement.

MOD 243 2. Si le volume de travail des commissions d'études l'exige, l'assemblée ou la conférence nomme autant de vice-présidents qu'elle l'estime nécessaire.

ADD 246A *5bis*

a) Les Etats Membres et les Membres des Secteurs adoptent des Questions qui doivent être étudiées conformément aux procédures établies par la conférence ou l'assemblée compétente, selon le cas, en indiquant notamment si une recommandation qui en découle doit faire l'objet d'une consultation formelle des Etats Membres.

ADD 246B b) Les recommandations qui découlent de l'étude des Questions susmentionnées sont adoptées par une commission d'études conformément aux procédures établies par la conférence ou l'assemblée compétente, selon le cas. Les recommandations qui ne nécessitent pas une consultation formelle des Etats Membres pour être approuvées sont considérées comme approuvées.

ADD 246C c) Une recommandation qui nécessite une consultation formelle des Etats Membres est traitée conformément aux dispositions du numéro 247 ci-dessous ou est transmise à la conférence ou à l'assemblée compétente, selon le cas.

ADD 246D *cbis*) Les numéros 246A et 246B ci-dessus ne doivent pas être utilisés pour les Questions et recommandations qui ont des incidences politiques ou réglementaires, par exemple:

ADD 246E – Questions et recommandations approuvées par le Secteur des radiocommunications et qui concernent les travaux des conférences des radiocommunications, et autres catégories de Questions et de recommandations que l'assemblée des radiocommunications pourra déterminer;

ADD 246F – Questions et recommandations approuvées par le Secteur de la normalisation des télécommunications et qui ont trait à des questions de tarification et de comptabilité et à certains plans de numérotage et d'adressage;

appointing chairmen and vice-chairmen, particular consideration shall be given to the requirements of competence and equitable geographical distribution, and to the need to promote more efficient participation by the developing countries.

MOD 243 2. If the workload of any study group requires, the assembly or conference shall appoint such additional vice-chairmen as it deems necessary.

ADD 246A *5bis*

a) Member States and Sector Members shall adopt questions to be studied in accordance with procedures established by the relevant conference or, assembly, as appropriate, including the indication whether or not a resulting recommendation shall be the subject of a formal consultation of Member States.

ADD 246B b) Recommendations resulting from the study of the above questions are adopted by a study group in accordance with procedures established by the relevant conference or assembly, as appropriate. Those recommendations which do not require formal consultation of Member States for their approval shall be considered as approved.

ADD 246C c) A recommendation requiring formal consultation of Member States shall be either treated in accordance with No. 247 below or transmitted to the relevant conference or assembly, as appropriate.

ADD 246D *cbis*) Nos. 246A and 246B above shall not be used for questions and recommendations having policy or regulatory implications such as:

ADD 246E – questions and recommendations approved by the Radio-communication Sector relevant to the work of radiocommunication conferences, and other categories of questions and recommendations that may be decided by the radiocommunication assembly;

ADD 246F – questions and recommendations approved by the Telecommunication Standardization Sector which relate to tariff and accounting issues, and relevant numbering and addressing plans;

ADD 246G – Questions et recommandations approuvées par le Secteur du développement des télécommunications et qui concernent des questions réglementaires, politiques ou financières;

ADD 246H – Questions et recommandations pour lesquelles il existe des incertitudes quant à leur champ d'application.

MOD 247 6. Les commissions d'études peuvent prendre des mesures en vue d'obtenir de la part des États Membres l'approbation des recommandations mises au point entre deux assemblées ou conférences. Les procédures à appliquer pour obtenir cette approbation sont celles approuvées par l'assemblée ou la conférence compétente, selon le cas.

ADD 247A *6bis* Les recommandations approuvées en application du numéro 246B ou 247 ci-dessus ont le même statut que celles approuvées par la conférence ou l'assemblée proprement dite.

ADD 248A *7bis* Selon une procédure élaborée par le Secteur concerné, le directeur d'un Bureau peut, après consultation du président de la commission d'études concernée, inviter une organisation qui ne participe pas aux travaux du Secteur à envoyer des représentants pour participer à l'étude d'une question précise dans telle ou telle commission d'études ou dans des groupes relevant de celle-ci.

ADD 248B *7ter* Un Associé, au sens du numéro 241A de la présente Convention, est autorisé à participer aux travaux d'une commission d'études donnée sans prendre part au processus de décision ou aux activités de liaison de cette commission d'études.

CHAPITRE II

MOD DISPOSITIONS GENERALES CONCERNANT
LES CONFERENCES ET LES ASSEMBLEES

Article 23 (CV)

Invitation et admission aux Conférences de plénipotentiaires lorsqu'il y a un gouvernement invitant

MOD 256 2. 1) Un an avant la date d'ouverture de la Conférence, le gouvernement invitant envoie une invitation au gouvernement de chaque Etat Membre.

ADD 246G – questions and recommendations approved by the Telecommunication Development Sector which relate to regulatory, policy and financial issues;

ADD 246H – questions and recommendations where there is any doubt about their scope.

MOD 247 6. Study groups may initiate action for obtaining approval from Member States for recommendations completed between two assemblies or conferences. The procedures to be applied for obtaining such approval shall be those approved by the competent assembly or conference, as appropriate.

ADD 247A *6bis* Recommendations approved in application of Nos. 246B or 247 above shall have the same status as ones approved by the conference or assembly itself.

ADD 248A *7bis* Following a procedure developed by the Sector concerned, the Director of a Bureau may, in consultation with the chairman of the study group concerned, invite an organization which does not participate in the Sector to send representatives to take part in the study of a specific matter in the study group concerned or its subordinate groups.

ADD 248B *7ter* An Associate, as referred to in No. 241A of this Convention, will be permitted to participate in the work of the selected study group without taking part in any decision-making or liaison activity of that study group.

CHAPTER II

MOD GENERAL PROVISIONS REGARDING CONFERENCES AND ASSEMBLIES

Article 23 (CV)

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

MOD 256 2. 1) One year before the date of opening of the conference, the inviting government shall send an invitation to the government of each Member State.

MOD 262A e) Les Membres des Secteurs visés aux numéros 229 et 231 de la présente Convention et les organisations ayant un caractère international représentant ces Membres.

MOD 263 4. 1) Les réponses des Etats Membres doivent parvenir au gouvernement invitant au moins un mois avant l'ouverture de la Conférence; elles doivent, autant que possible, donner toutes indications sur la composition de la délégation.

MOD 265 3) Les réponses des organisations et des institutions visées aux numéros 259 à 262A ci-dessus doivent parvenir au Secrétaire général un mois avant la date d'ouverture de la Conférence.

Article 24 (CV)

Invitation et admission aux conférences des radiocommunications lorsqu'il y a un gouvernement invitant

MOD 271 2. 1) Les dispositions des numéros 256 à 265 de la présente Convention s'appliquent aux conférences des radiocommunications.

MOD 272 2) Les Etats Membres devraient faire part aux Membres du Secteur de l'invitation à participer à une conférence des radiocommunications qui leur a été adressée.

MOD 280 d) les observateurs représentant des Membres du Secteur des radiocommunications dûment autorisés par l'Etat Membre concerné;

MOD 282 f) les observateurs des Etats Membres qui participent, sans droit de vote, à la conférence régionale des radiocommunications d'une région autre que celle à laquelle appartiennent lesdits Etats Membres.

Article 25 (CV)

MOD *Invitation et admission aux assemblées des radiocommunications, aux assemblées mondiales de normalisation des télécommunications et aux conférences de développement des télécommunications lorsqu'il y a un gouvernement invitant*

MOD 285 a) à l'administration de chaque Etat Membre;

MOD 286 b) aux Membres des Secteurs concernés;

MOD 262A e) Sector Members referred to in Nos. 229 and 231 of this Convention and organizations of an international character representing them.

MOD 263 4. 1) The replies of the Member States must reach the inviting government at least one month before the date of opening of the conference and should include whenever possible full information on the composition of the delegation.

MOD 265 3) The replies of the organizations and agencies referred to in Nos. 259 to 262A above must reach the Secretary-General one month before the opening date of the conference.

Article 24 (CV)

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

MOD 271 2. 1) The provisions of Nos. 256 to 265 of this Convention shall apply to radiocommunication conferences.

MOD 272 2) Member States should inform the sector Members of the invitation they have received to participate in a radiocommunication conference.

MOD 280 d) observers representing Sector Members of the Radiocommunication Sector duly authorized by the Member State concerned;

MOD 282 f) observers of Member States participating in a non-voting capacity in a regional radiocommunication conference of a region other than that to which the said Member States belong.

Article 25 (CV)

MOD *Invitation and Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences when there is an Inviting Government*

MOD 285 a) the administration of each Member State;

MOD 286 b) the Sector Members concerned;

MOD 298 c) les représentants des Membres des Secteurs concernés.

Article 26 (CV)

MOD *Procédure de convocation ou d'annulation de conférences ou d'assemblées mondiales à la demande d'Etats Membres ou sur proposition du Conseil*

MOD 299 1. Les procédures énoncées dans les dispositions ci-dessous s'appliquent à la convocation d'une deuxième assemblée mondiale de normalisation des télécommunications dans l'intervalle compris entre deux Conférences de plénipotentiaires successives et à la détermination du lieu précis et des dates exactes de cette assemblée, ou à l'annulation de la deuxième conférence mondiale des radiocommunications ou de la deuxième assemblée des radiocommunications.

MOD 300 2. 1) Les Etats Membres qui désirent qu'une deuxième assemblée mondiale de normalisation des télécommunications soit convoquée en informent le Secrétaire général en indiquant le lieu et les dates de cette assemblée.

MOD 301 2) Le Secrétaire général, au reçu de requêtes concordantes provenant d'au moins un quart des Etats Membres, en informe immédiatement tous les Etats Membres par les moyens de télécommunication les plus appropriés en les priant de lui indiquer, dans un délai de six semaines, s'ils acceptent ou non la proposition formulée.

MOD 302 3) Si la majorité des Etats Membres, déterminée selon les dispositions du numéro 47 de la présente Convention, se prononce en faveur de l'ensemble de la proposition, c'est-à-dire accepte à la fois le lieu et les dates proposés, le Secrétaire général en informe immédiatement tous les Etats Membres par les moyens de télécommunication les plus appropriés.

MOD 303 4) Si la proposition acceptée tend à réunir l'assemblée ailleurs qu'au siège de l'Union, le Secrétaire général, en accord avec le gouvernement invitant, prend les dispositions nécessaires pour la convocation de l'assemblée.

MOD 304 5) Si l'ensemble de la proposition (lieu et dates) n'est pas accepté par la majorité des Etats Membres déterminée selon les dispositions du numéro 47 de la présente Convention, le Secrétaire général communique les réponses reçues

MOD 298 c) representatives of Sector Members concerned.

Article 26 (CV)

MOD *Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council*

MOD 299 1. The procedures to be applied for convening a second world telecommunication standardization assembly in the interval between successive plenipotentiary conferences and fixing its precise place and exact dates or for cancelling the second world radiocommunication conference or the second radiocommunication assembly are set forth in the following provisions.

MOD 300 2. 1) Any Member State wishing to have a second world telecommunication standardization assembly convened shall so inform the Secretary-General, indicating the proposed place and dates of the assembly.

MOD 301 2) On receipt of similar requests from at least one-quarter of the Member States, the Secretary-General shall inform immediately all Member States thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

MOD 302 3) If a majority of the Member States, determined in accordance with No. 47 of this Convention, agree to the proposal as a whole, that is to say, if they accept the proposed place and dates, the Secretary-General shall so inform immediately all Member States by the most appropriate means of telecommunication.

MOD 303 4) If the proposal accepted is for an assembly elsewhere than at the seat of the Union, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the assembly.

MOD 304 5) If the proposal as a whole (place and dates) is not accepted by the majority of the Member States determined in accordance with No. 47 of this Convention, the Secretary-General shall inform the Member States of the replies re-

aux Etats Membres, en les invitant à se prononcer de façon définitive, dans un délai de six semaines à compter de la date de réception, sur le ou les points controversés.

MOD 305 6) Ces points sont considérés comme adoptés lorsqu'ils ont été approuvés par la majorité des Etats Membres, déterminée selon les dispositions du numéro 47 de la présente Convention.

MOD 306 3. 1) Tout Etat Membre qui souhaite qu'une deuxième conférence mondiale des radiocommunications ou qu'une deuxième assemblée des radiocommunications soit annulée en informe le Secrétaire général. Le Secrétaire général, au reçu de requêtes concordantes provenant d'au moins un quart des Etats Membres, en informe immédiatement tous les Etats Membres par les moyens de télécommunication les plus appropriés en les priant de lui indiquer, dans un délai de six semaines, s'ils acceptent ou non la proposition formulée.

MOD 307 2) Si la majorité des Etats Membres, déterminée selon les dispositions du numéro 47 de la présente Convention, se prononce en faveur de la proposition, le Secrétaire général en informe immédiatement tous les Etats Membres par les moyens de télécommunication les plus appropriés et la conférence ou l'assemblée est annulée.

MOD 309 5. Tout Etat Membre qui souhaite qu'une conférence mondiale des télécommunications internationales soit convoquée soumet une proposition à cet effet à la Conférence de plénipotentiaires; l'ordre du jour, le lieu précis et les dates exactes de cette conférence sont déterminés conformément aux dispositions de l'article 3 de la présente Convention.

Article 27 (CV)

MOD *Procédure de convocation de conférences régionales à la demande des Etats Membres ou sur proposition du Conseil*

MOD 310 Dans le cas des conférences régionales, la procédure décrite aux numéros 300 à 305 de la présente Convention s'applique aux seuls Etats Membres de la région intéressée. Si la convocation doit se faire à l'initiative des Etats Membres de la région, il suffit que le Secrétaire général reçoive des demandes concordantes émanant du quart des Etats Membres de cette région. La procédure décrite aux numéros 301 à 305

ceived, requesting them to give a final reply on the point or points under dispute within six weeks of receipt.

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

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

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

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

Article 27 (CV)

MOD *Procedure for Convening Regional Conferences
at the Request of Member States or on a
Proposal of the Council*

MOD 310 In the case of a regional conference, the procedure described in Nos. 300 to 305 of this Convention shall be applicable only to the Member States of the region concerned. If the conference is to be convened on the initiative of the Member States of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Member States in that region. The procedure

de la présente Convention est également applicable lorsque la proposition de convocation d'une conférence régionale est présentée par le Conseil.

Article 28 (CV)

MOD *Dispositions relatives aux conférences et aux assemblées qui se réunissent sans gouvernement invitant*

MOD 311 Lorsqu'une conférence ou une assemblée doit être réunie sans gouvernement invitant, les dispositions des articles 23, 24 et 25 de la présente Convention sont applicables. Le Secrétaire général, après entente avec le Gouvernement de la Confédération suisse, prend les dispositions nécessaires pour convoquer et organiser la conférence ou l'assemblée au siège de l'Union.

Article 29 (CV)

MOD *Changement du lieu ou des dates d'une conférence ou d'une assemblée*

MOD 312 1. Les dispositions des articles 26 et 27 de la présente Convention relatives à la convocation d'une conférence ou d'une assemblée s'appliquent par analogie lorsqu'il s'agit, à la demande d'Etats Membres ou sur proposition du Conseil, de changer le lieu précis ou les dates exactes d'une conférence ou d'une assemblée. Toutefois, de tels changements ne peuvent être opérés que si la majorité des Etats Membres intéressés, déterminée selon les dispositions du numéro 47 de la présente Convention, s'est prononcée en leur faveur.

MOD 313 2. Tout Etat Membre qui propose de changer le lieu précis ou les dates exactes d'une conférence ou d'une assemblée est tenu d'obtenir l'appui du nombre requis d'autres Etats Membres.

Article 30 (CV)

Délais et modalités de présentation des propositions et des rapports aux conférences

MOD 316 2. Immédiatement après l'envoi des invitations, le Secrétaire général prie les Etats Membres de lui faire parvenir au moins quatre mois avant la date d'ouverture de la conférence leurs propositions pour les travaux de la conférence.

described in Nos. 301 to 305 of this Convention shall also be applicable when the proposal to convene such a conference is initiated by the Council.

Article 28 (CV)

MOD *Provisions for Conferences
and Assemblies Meeting when there is no
Inviting Government*

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

Article 29 (CV)

MOD *Change in the Place or Dates of a Conference
or an Assembly*

MOD 312 1. The provisions of Articles 26 and 27 of this Convention for convening a conference or assembly shall apply, by analogy, when a change in the precise place and/or exact dates of a conference or assembly is requested by Member States or is proposed by the Council. However, such changes shall only be made if a majority of the Member States concerned, determined in accordance with No. 47 of this Convention, have pronounced in favour.

MOD 313 2. It shall be the responsibility of any Member State proposing a change in the precise place or exact dates of a conference or assembly to obtain for its proposal the support of the requisite number of other Member States.

Article 30 (CV)

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

MOD 316 2. Immediately after the invitations have been despatched, the Secretary-General shall ask Member States to submit, at least four months before the start of the conference, their proposals for the work of the conference.

- MOD 318** 4. Toute proposition reçue d'un Etat Membre est annotée par le Secrétaire général pour indiquer son origine à l'aide du symbole établi par l'Union pour cet Etat Membre. Lorsqu'une proposition est présentée par plusieurs Etats Membres, la proposition, dans la mesure du possible, est annotée à l'aide du symbole de chaque Etat Membre.
- MOD 319** 5. Le Secrétaire général communique les propositions à tous les Etats Membres au fur et à mesure de leur réception.
- MOD 320** 6. Le Secrétaire général réunit et coordonne les propositions des Etats Membres et les fait parvenir aux Etats Membres au fur et à mesure qu'il les reçoit et en tout cas deux mois au moins avant la date d'ouverture de la conférence. Les fonctionnaires élus et les fonctionnaires de l'Union, de même que les observateurs, et représentants qui peuvent assister à des conférences conformément aux dispositions pertinentes de la présente Convention, ne sont pas habilités à présenter des propositions.
- MOD 321** 7. Le Secrétaire général réunit également les rapports reçus des Etats Membres, du Conseil et des Secteurs de l'Union ainsi que les recommandations formulées par les conférences et les transmet aux Etats Membres, avec tout rapport du Secrétaire général, quatre mois au moins avant l'ouverture de la conférence.
- MOD 322** 8. Les propositions reçues après la date limite spécifiée au numéro 316 ci-dessus sont communiquées à tous les Etats Membres par le Secrétaire général dès que cela est réalisable.

Article 31 (CV)

Pouvoirs aux conférences

- MOD 324** 1. La délégation envoyée à une Conférence de plénipotentiaires, à une conférence des radiocommunications ou à une conférence mondiale des télécommunications internationales par un Etat Membre doit être dûment accréditée conformément aux dispositions des numéros 325 à 331 ci-dessous.
- MOD 327** 3) Sous réserve de confirmation émanant de l'une des autorités citées au numéro 325 ou 326 ci-dessus et reçue avant la signature des Actes finals, une délégation peut être provisoirement accréditée par le Chef de la mission diplomatique de l'Etat Membre concerné auprès du gouvernement hôte ou, si la conférence a lieu dans la Confédération suisse,

- MOD 318** 4. Each proposal received from a Member State shall be annotated by the Secretary-General to indicate its origin by means of the symbol established by the Union for that Member State. Where a proposal is made jointly by more than one Member State the proposal shall, to the extent practicable, be annotated with the symbol of each Member State.
- MOD 319** 5. The Secretary-General shall communicate the proposals to all Member States as they are received.
- MOD 320** 6. The Secretary-General shall assemble and coordinate the proposals received from Member States and shall communicate them to Member States as they are received, but in any case at least two months before the opening of the conference. Elected officials and staff members of the Union, as well as those observers and representatives that may attend conferences in accordance with the relevant provisions of this Convention, shall not be entitled to submit proposals.
- MOD 321** 7. The Secretary-General shall also assemble reports received from Member States, the Council and the Sectors of the Union and recommendations by conferences and shall communicate them to Member States, along with any reports by the Secretary-General, at least four months before the opening of the conference.
- MOD 322** 8. Proposals received after the time-limit specified in No. 316 above shall be communicated to all Member States by the Secretary-General as soon as practicable.

Article 31 (CV)

Credentials for Conferences

- MOD 324** 1. The delegation sent by a Member State to a plenipotentiary conference, a radiocommunication conference or a world conference on international telecommunications shall be duly accredited in accordance with Nos. 325 to 331 below.
- MOD 327** 3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in Nos. 325 or 326 above, a delegation may be provisionally accredited by the head of the diplomatic mission of the Member State concerned to the host government. In the case of a conference held in the Swiss Confederation, a delegation may also be

par le chef de la délégation permanente de l'Etat Membre concerné auprès de l'Office des Nations Unies à Genève.

MOD 332 4. 1) Une délégation dont les pouvoirs sont reconnus en règle par la séance plénière est habilitée à exercer le droit de vote de l'Etat Membre intéressé, sous réserve des dispositions des numéros 169 et 210 de la Constitution, et à signer les Actes finals.

MOD 334 5. Les pouvoirs doivent être déposés au secrétariat de la conférence dès que possible. La commission prévue au numéro 23 du Règlement intérieur des conférences et autres réunions est chargée de les vérifier; elle présente à la séance plénière un rapport sur ses conclusions dans le délai fixé par celle-ci. En attendant la décision de la séance plénière à ce sujet, toute délégation est habilitée à participer aux travaux et à exercer le droit de vote de l'Etat Membre concerné.

MOD 335 6. En règle générale, les Etats Membres doivent s'efforcer d'envoyer aux conférences de l'Union leur propre délégation. Toutefois, si pour des raisons exceptionnelles un Etat Membre ne peut pas envoyer sa propre délégation, il peut donner à la délégation d'un autre Etat Membre le pouvoir de voter et de signer en son nom. Ce transfert de pouvoir doit faire l'objet d'un acte signé par l'une des autorités citées aux numéros 325 ou 326 ci-dessus.

MOD 339 10. Un Etat Membre ou une entité ou organisation agréée qui se propose d'envoyer une délégation ou des représentants à une assemblée mondiale de normalisation des télécommunications, à une conférence de développement des télécommunications ou à une assemblée des radiocommunications en informe le directeur du Bureau du Secteur concerné, en indiquant le nom et la fonction des membres de la délégation ou des représentants.

SUP

CHAPITRE III

Règlement intérieur

Article 32 (CV)

Règlement intérieur des conférences et autres réunions

ADD 339A Le Règlement intérieur des conférences et autres réunions est adopté par la Conférence de plénipotentiaires. Les dispo-

provisionally accredited by the head of the permanent delegation of the Member State concerned to the United Nations Office at Geneva.

MOD 332 4. 1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member State concerned, subject to the provisions of Nos. 169 and 210 of the Constitution, and to sign the final acts.

MOD 334 5. Credentials shall be deposited with the secretariat of the conference as early as possible. The committee referred to in No. 23 of Rules of Procedure of conferences and other meetings be entrusted with the verification thereof and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, any delegation shall be entitled to participate in the conference and to exercise the right to vote of the Member State concerned.

MOD 335 6. As a general rule, Member States should endeavour to send their own delegations to conferences of the Union. However, if a Member State is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member State powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in Nos. 325 or 326 above.

MOD 339 10. A Member State or an authorized entity or organization intending to send a delegation or representatives to a telecommunication standardization assembly, a telecommunication development conference or a radiocommunication assembly shall so inform the Director of the Bureau of the Sector concerned, indicating the names and functions of the members of the delegation or of the representatives.

SUP

CHAPTER III

RULES OF PROCEDURE

Article 32 (CV)

Rules of Procedure of Conferences and Other Meetings

ADD 339A The Rules of Procedure of conferences and other meetings are adopted by the Plenipotentiary Conference. The provi-

sitions relatives à la procédure d'amendement du Règlement intérieur et à l'entrée en vigueur des amendements sont contenues dans ledit Règlement.

(MOD) 340 Le Règlement intérieur est applicable sans préjudice des dispositions relatives à la procédure d'amendement contenue dans l'article 55 de la Constitution et l'article 42 de la présente Convention.

ADD Article 32A (CV)

Droit de vote

ADD 340A 1. A toutes les séances d'une conférence, assemblée ou autre réunion, la délégation d'un Etat Membre, dûment accréditée par ce dernier pour participer à la conférence, assemblée ou autre réunion, a droit à une voix, conformément à l'article 3 de la Constitution.

ADD 340B 2. La délégation d'un Etat Membre exerce son droit de vote dans les conditions précisées à l'article 31 de la présente Convention.

ADD 340C 3. Lorsqu'un Etat Membre n'est pas représenté par une administration à une assemblée des radiocommunications, à une assemblée mondiale de normalisation des télécommunications ou à une conférence de développement des télécommunications, les représentants des exploitations reconnues de l'Etat Membre concerné ont, ensemble et quel que soit leur nombre, droit à une seule voix, sous réserve des dispositions du numéro 239 de la présente Convention. Les dispositions des numéros 335 à 338 de la présente Convention relatives aux procurations s'appliquent aux conférences et assemblées précitées.

ADD Article 32B (CV)

Réserves

ADD 340D 1. En règle générale, les délégations qui ne peuvent pas faire partager leur point de vue par les autres délégations doivent s'efforcer, dans la mesure du possible, de se rallier à l'opinion de la majorité.

ADD 340E 2. Tout Etat Membre qui, pendant une Conférence de plénipotentiaires, se réserve le droit de formuler des réserves, comme indiqué dans la déclaration qu'il fait au moment de

sions governing the procedure for amending those Rules of Procedure and the entry into force of amendments are contained in the Rules themselves.

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

ADD Article 32A (CV)

Right to vote

ADD 340A 1. At all meetings of a conference, assembly or other meeting, the delegation of a Member State duly accredited by that Member State to take part in the work of the conference, assembly or other meeting shall be entitled to one vote in accordance with Article 3 of the Constitution.

ADD 340B 2. The delegation of a Member State shall exercise the right to vote under the conditions described in Article 31 of this Convention.

ADD 340C 3. When a Member State is not represented by an administration at a radiocommunication assembly, a world telecommunication standardization assembly or a telecommunication development conference, the representatives of the recognized operating agencies of the Member State concerned shall, as a whole, and regardless of their number, be entitled to a single vote, subject to the provisions of No. 239 of this Convention. The provisions of Nos. 335 to 338 of this Convention concerning the transfer of powers shall apply to the above conferences and assemblies.

ADD Article 32B (CV)

Reservations

ADD 340D 1. As a general rule, any delegation whose views are not shared by the remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

ADD 340E 2. Any Member State that, during a plenipotentiary conference, reserves its right to make reservations as specified in its declaration when signing the final acts, may make reser-

signer les Actes finals, peut formuler des réserves au sujet d'un amendement à la Constitution et à la présente Convention jusqu'au dépôt auprès du Secrétaire général de son instrument de ratification, d'acceptation, d'approbation dudit amendement ou d'adhésion à celui-ci.

ADD 340F 3. S'il apparaît à une délégation qu'une décision quelconque est de nature à empêcher son gouvernement de consentir à être lié par la révision des Règlements administratifs, cette délégation peut faire des réserves, à titre provisoire ou définitif, au sujet de cette décision à la fin de la Conférence qui adopte ladite révision; de telles réserves peuvent être formulées par une délégation au nom d'un Etat Membre qui ne participe pas à la conférence compétente et qui aura remis une procuration à cette délégation pour signer les Actes finals conformément aux dispositions de l'article 31 de la présente Convention.

ADD 340G 4. Une réserve formulée à l'issue d'une conférence n'est valide que si l'Etat Membre qui l'a formulée la confirme officiellement au moment de notifier son consentement à être lié par l'instrument amendé ou révisé adopté par la conférence à la fin de laquelle il a formulé ladite réserve.

SUP 341 à 467

CHAPITRE IV AUTRES DISPOSITIONS

Article 33 (CV)

Finances

MOD 468 1. 1) L'échelle dans laquelle chaque Etat Membre, sous réserve des dispositions du numéro 468A ci-dessous, ou Membre de Secteur, sous réserve des dispositions du numéro 468B ci-dessous, choisit sa classe de contribution, conformément aux dispositions pertinentes de l'article 28 de la Constitution, est la suivante:

classe de 40 unités	classe de 8 unités
classe de 35 unités	classe de 5 unités
classe de 30 unités	classe de 4 unités
classe de 28 unités	classe de 3 unités

vations regarding an amendment to the Constitution or to this Convention until such time as its instrument of ratification, acceptance or approval of or accession to the amendment has been deposited with the Secretary-General.

ADD 340F 3. If any decision appears to a delegation to be such as to prevent its government from consenting to be bound by the revision of the Administrative Regulations, this delegation may make reservations, final or provisional, regarding that decision, at the end of the conference adopting that revision; any such reservations may be made by a delegation on behalf of a Member State which is not participating in the competent conference and which has given that delegation proxy powers to sign the final acts in accordance with the provisions of Article 31 of this Convention.

ADD 340G 4. A reservation made following a conference shall only be valid if the Member State which made it formally confirms it when notifying its consent to be bound by the amended or revised instrument adopted by the conference at the close of which it made the reservation in question.

SUP 341 to 467

CHAPTER IV

OTHER PROVISIONS

Article 33 (CV)

Finances

MOD 468 1. 1) The scale from which each Member State, subject to the provisions of No. 468A below, and Sector Member, subject to the provisions of No. 468B below, shall choose its class of contribution, in conformity with the relevant provisions of Article 28 of the Constitution, shall be as follows:

40 unit class	8 unit class
35 unit class	5 unit class
30 unit class	4 unit class
28 unit class	3 unit class

classe de 25 unités	classe de 2 unités
classe de 23 unités	classe de 1 1/2 unité
classe de 20 unités	classe de 1 unité
classe de 18 unités	classe de 1/2 unité
classe de 15 unités	classe de 1/4 unité
classe de 13 unités	classe de 1/8 unité
classe de 10 unités	classe de 1/16 unité

ADD 468A *Ibis)* Seuls les Etats Membres recensés par l'Organisation des Nations Unies comme pays les moins avancés et ceux déterminés par le Conseil peuvent choisir les classes de contribution de 1/8 et 1/16 d'unité.

ADD 468B *Iter)* Les Membres des Secteurs ne peuvent pas choisir une classe de contribution inférieure à 1/2 unité, à l'exception des Membres du Secteur du développement des télécommunications, qui peuvent choisir la classe de contribution de 1/4, 1/8 ou 1/16 d'unité. Toutefois, la classe de 1/16 d'unité est réservée aux Membres du Secteur provenant de pays en développement, pays dont la liste est établie par le PNUD et examinée par le Conseil.

MOD 469 2) En plus des classes de contribution mentionnées au numéro 468 ci-dessus, tout Etat Membre ou Membre de Secteur peut choisir un nombre d'unités contributives supérieur à 40.

MOD 470 3) Le Secrétaire général notifie sans tarder à chacun des Etats Membres qui ne sont pas représentés à la Conférence de plénipotentiaires la décision de chaque Etat Membre quant à la classe de la contribution que ce dernier aura choisie.

SUP 471

MOD 472 2. 1) Chaque nouvel Etat Membre et chaque nouveau Membre de Secteur acquittent, au titre de l'année de leur adhésion ou admission, une contribution calculée à partir du premier jour du mois de l'adhésion ou de l'admission, selon le cas.

MOD 473 2) Si un Etat Membre dénonce la Constitution et la présente Convention ou si un Membre de Secteur dénonce sa participation aux travaux d'un Secteur, sa contribution doit être acquittée jusqu'au dernier jour du mois où la dénonciation prend effet conformément au numéro 237 de la Constitution ou au numéro 240 de la présente Convention selon le cas.

25 unit class	2 unit class
23 unit class	1 1/2 unit class
20 unit class	1 unit class
18 unit class	1/2 unit class
15 unit class	1/4 unit class
13 unit class	1/8 unit class
10 unit class	1/16 unit class

ADD 468A 1*bis*) Only Member States listed by the United Nations as least developed countries and those determined by the Council may select the 1/8 and 1/16 unit classes of contribution.

ADD 468B 1*ter*) Sector Members may not select a class of contribution lower than 1/2 unit, with the exception of Sector Members of the Telecommunication Development Sector, which may select the 1/4, 1/8 and 1/16 unit classes. However, the 1/16 unit class is reserved for Sector Members of developing countries as determined by the list established by the United Nations Development Programme (UNDP) to be reviewed by the ITU Council.

MOD 469 2) In addition to the classes of contribution listed in No. 468 above, any Member State or Sector Member may choose a number of contributory units over 40.

MOD 470 3) The Secretary-General shall communicate promptly to each Member State not represented at the Plenipotentiary Conference the decision of each Member State as to the class of contribution to be paid by it.

SUP 471

MOD 472 2. 1) Every new Member State and Sector Member shall, in respect of the year of its accession or admission, pay a contribution calculated as from the first day of the month of accession or admission, as the case may be.

MOD 473 2) Should a Member State denounce the Constitution and this Convention or a sector Member denounce its participation in a Sector, its contribution shall be paid up to the last day of the month in which such denunciation takes effect in accordance with No. 237 of the Constitution or No. 240 of this Convention, respectively.

MOD 474 3. Les sommes dues portent intérêt à partir du début du quatrième mois de chaque année financière de l'Union. Cet intérêt est fixé au taux de 3% (trois pour cent) par an pendant les trois mois qui suivent et au taux de 6% (six pour cent) par an à partir du début du septième mois.

SUP 475

MOD 476 4. 1) Les organisations visées aux numéros 259 à 262A de la présente Convention et d'autres organisations internationales (sauf si elles ont été exonérées par le Conseil, sous réserve de réciprocité) et les Membres des Secteurs (sauf lorsqu'ils assistent à une conférence ou à une assemblée de leur Secteur) qui participent à une Conférence de plénipotentiaires, à une réunion d'un Secteur de l'Union ou à une conférence mondiale des télécommunications internationales contribuent aux dépenses des conférences et réunions auxquelles ils participent en fonction du coût de ces conférences et réunions et conformément au Règlement financier.

MOD 477 2) Tout Membre d'un Secteur figurant sur les listes mentionnées au numéro 237 de la présente Convention contribue aux dépenses du Secteur conformément aux numéros 480 et 480A ci-dessous.

SUP 478 et 479

MOD 480 5) Le montant de la contribution par unité aux dépenses de chaque Secteur concerné est fixé à 1/5 de l'unité contributive des Etats Membres. Ces contributions sont considérées comme des recettes de l'Union. Elles portent intérêt conformément aux dispositions du numéro 474 ci-dessus.

ADD 480A 5bis) Lorsqu'un Membre de Secteur contribue aux dépenses de l'Union conformément au numéro 159 de la Constitution, le Secteur au titre duquel la contribution est versée devrait être identifié.

SUP 481 à 483

ADD 483A Les Associés, au sens du numéro 241A de la présente Convention, contribuent aux dépenses du Secteur, de la commission d'études et des groupes subordonnés auxquels ils participent, selon les modalités fixées par le Conseil.

MOD 474 3. The amounts due shall bear interest from the beginning of the fourth month of each financial year of the Union at 3% (three per cent) per annum during the following three months, and at 6% (six per cent) per annum from the beginning of the seventh month.

SUP 475

MOD 476 4. 1) The organizations referred to in Nos. 259 to 262A of this Convention and other organizations of an international character (unless they have been exempted by the Council, subject to reciprocity) and Sector Members (except when attending a conference or assembly of their respective sector) which participate in a plenipotentiary conference, in a meeting of a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conferences and meetings in which they participate on the basis of the cost of these conferences and meetings and in accordance with the Financial Regulations.

MOD 477 2) Any Sector Member appearing in the lists mentioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 480 and 480A below.

SUP 478 and 479

MOD 480 5) The amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Member States. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.

ADD 480A *5bis*) When a sector Member contributes to defraying the expenses of the Union under No. 159 of the Constitution, the Sector for which the contribution is made should be identified.

SUP 481 to 483

ADD 483A Associates as described in No. 241A of this Convention shall share in defraying the expenses of the Sector and the study group and subordinate groups in which they participate, as determined by the Council.

MOD 484 5. Le Conseil détermine les critères d'application du recouvrement des coûts à certains produits et services.

Article 35 (CV)

Langues

MOD 490 1. 1) Des langues autres que celles indiquées dans les dispositions pertinentes de l'article 29 de la Constitution peuvent être employées:

MOD 491 a) s'il est demandé au Secrétaire général d'assurer l'utilisation orale ou écrite d'une ou de plusieurs langues supplémentaires, de façon permanente ou sur une base ad hoc, sous réserve que les dépenses supplémentaires encourues de ce fait soient supportées par les Etats Membres qui ont fait cette demande ou qui l'ont appuyée;

MOD 492 b) si, lors de conférences ou réunions de l'Union, après en avoir informé le Secrétaire général ou le directeur du Bureau intéressé, une délégation prend elle-même des dispositions pour assurer à ses propres frais la traduction orale de sa propre langue dans l'une des langues indiquées dans la disposition pertinente de l'article 29 de la Constitution.

MOD 493 2) Dans le cas prévu au numéro 491 ci-dessus, le Secrétaire général se conforme à cette demande dans la mesure du possible, après avoir obtenu des Etats Membres intéressés l'engagement que les dépenses encourues seront dûment remboursées par eux à l'Union.

MOD 495 2. Tous les documents dont il est question dans les dispositions pertinentes de l'article 29 de la Constitution peuvent être publiés dans une autre langue que celles qui y sont spécifiées à condition que les Etats Membres qui demandent cette publication s'engagent à prendre à leur charge la totalité des frais de traduction et de publication encourus.

CHAPITRE V

DISPOSITIONS DIVERSES RELATIVES À L'EXPLOITATION
DES SERVICES DE TÉLÉCOMMUNICATION

Article 37 (CV)

Etablissement et règlement des comptes

MOD 497 1. Les règlements des comptes internationaux sont considérés comme transactions courantes et effectués en accord

MOD 484 5. The Council shall determine criteria for the application of cost recovery for some products and services of the Union.

Article 35 (CV)

Languages

MOD 490 1. 1) Languages other than those mentioned in the relevant provisions of Article 29 of the Constitution may be used:

MOD 491 a) if an application is made to the Secretary-General to provide for the use of an additional language or languages, oral or written, on a permanent or an ad hoc basis, provided that the additional cost so incurred shall be borne by those Member States which have made or supported the application;

MOD 492 b) if, at conferences and meetings of the Union, after informing the Secretary-General or the Director of the Bureau concerned, any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in the relevant provision of Article 29 of the Constitution.

MOD 493 2) In the case provided for in No. 491 above, the Secretary-General shall comply to the extent practicable with the application, having first obtained from the Member States concerned an undertaking that the cost incurred will be duly repaid by them to the Union.

MOD 495 2. Any of the documents referred to in the relevant provisions of Article 29 of the Constitution may be published in languages other than those specified therein, provided that the Member States requesting such publication undertake to defray the whole of the cost of translation and publication involved.

CHAPTER V

VARIOUS PROVISIONS RELATED TO THE OPERATION OF
TELECOMMUNICATION SERVICES

Article 37 (CV)

Rendering and Settlement of Accounts

MOD 497 1. The settlement of international accounts shall be regarded as current transactions and shall be effected in accord-

avec les obligations internationales courantes des Etats Membres et des Membres des Secteurs intéressés, lorsque leurs gouvernements ont conclu des arrangements à ce sujet. En l'absence d'arrangements de ce genre ou d'accords particuliers, conclus dans les conditions prévues à l'article 42 de la Constitution, ces règlements des comptes sont effectués conformément aux dispositions des Règlements administratifs.

MOD 498 2. Les administrations des Etats Membres et les Membres des Secteurs qui exploitent des services internationaux de télécommunication doivent se mettre d'accord sur le montant de leurs débits et crédits.

Article 38 (CV)

Unité monétaire

MOD 500 En l'absence d'arrangements particuliers conclus entre Etats Membres, l'unité monétaire employée pour la composition des taxes de répartition pour les services internationaux de télécommunication et pour l'établissement des comptes internationaux est:

- soit l'unité monétaire du Fonds monétaire international,
- soit le franc-or,

comme définis dans les Règlements administratifs. Les modalités d'application sont fixées dans l'appendice 1 au Règlement des télécommunications internationales.

Article 40 (CV)

Langage secret

MOD 505 2. Les télégrammes privés en langage secret peuvent être admis entre tous les Etats Membres à l'exception de ceux qui ont préalablement notifié, par l'intermédiaire du secrétaire général, qu'ils n'admettent pas ce langage pour cette catégorie de correspondance.

MOD 506 3. Les Etats Membres qui n'admettent pas les télégrammes privés en langage secret en provenance ou à destination de leur propre territoire doivent les accepter en transit, sauf dans le cas de suspension de service prévu à l'article 35 de la Constitution.

ance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.

- MOD 498** 2. Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.

Article 38 (CV)

Monetary Unit

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

Article 40 (CV)

Secret Language

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

CHAPITRE VI
ARBITRAGE ET AMENDEMENT

Article 41 (CV)

Arbitrage: procédure (voir l'article 56 de la Constitution)

MOD 510 4. Si l'arbitrage est confié à des gouvernements ou à des administrations de ces gouvernements, ceux-ci doivent être choisis parmi les Etats Membres qui ne sont pas impliqués dans le différend, mais qui sont parties à l'accord dont l'application a provoqué le différend.

Article 42 (CV)

Dispositions pour amender la présente Convention

MOD 519 1. Tout Etat Membre peut proposer tout amendement à la présente Convention. Une telle proposition doit, pour pouvoir être transmise à tous les Etats Membres et être examinée par eux en temps utile, parvenir au Secrétaire général au plus tard huit mois avant la date d'ouverture fixée pour la Conférence de plénipotentiaires. Le Secrétaire général transmet, aussitôt que possible et au plus tard six mois avant cette dernière date, une telle proposition à tous les Etats Membres.

MOD 520 2. Toute proposition de modification d'un amendement proposé conformément au numéro 519 ci-dessus peut, cependant, être soumise à tout moment par un Etat Membre ou par sa délégation à la Conférence de plénipotentiaires.

MOD 523 5. Les dispositions générales concernant les conférences et les assemblées figurant dans la présente Convention et le Règlement intérieur des conférences et autres réunions s'appliquent, à moins que les paragraphes précédents du présent article, qui prévalent, n'en disposent autrement.

MOD 524 6. Tous les amendements à la présente Convention adoptés par une Conférence de plénipotentiaires entrent en vigueur, à une date fixée par la Conférence, dans leur totalité et sous la forme d'un instrument d'amendement unique, entre les Etats Membres qui ont déposé avant cette date leur instrument de ratification, d'acceptation, d'approbation ou d'adhésion à la présente Convention et à l'instrument d'amendement. La ratification, l'acceptation, l'approbation ou l'adhésion à une partie seulement de cet instrument d'amendement est exclue.

CHAPTER VI
ARBITRATION AND AMENDMENT

Article 41 (CV)

Arbitration: Procedure (see Article 56 of the Constitution)

- MOD 510** 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Member States which are not involved in the dispute, but which are parties to the agreement, the application of which caused the dispute.

Article 42 (CV)

Provisions for Amending this Convention

- MOD 519** 1. Any Member State may propose any amendment to this Convention. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but *not* later than six months prior to the latter date, forward any such proposal to all the Member States.
- MOD 520** 2. Any proposed modification to any amendment submitted in accordance with No. 519 above may, however, be submitted at any time by a Member State or by its delegation at the Plenipotentiary Conference.
- MOD 523** 5. Unless specified otherwise in the preceding paragraphs of the present Article, which shall prevail, the general provisions regarding conferences and assemblies contained in this Convention and the Rules of Procedure of conferences and other meetings shall apply.
- MOD 524** 6. Any amendments to this Convention adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Convention and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

MOD 526 8. Le Secrétaire général notifie à tous les Etats Membres le dépôt de chaque instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

Annexe (CV)

*Définition de certains termes employés dans la présente Convention
et dans les Règlements administratifs de l'Union internationale
des télécommunications*

MOD 1002 *Observateur*: Personne envoyée par:

- l'Organisation des Nations Unies, une institution spécialisée des Nations Unies, l'Agence internationale de l'énergie atomique, une organisation régionale de télécommunication ou une organisation intergouvernementale exploitant des systèmes à satellites, pour participer à titre consultatif à la Conférence de plénipotentiaires, à une conférence ou à une réunion d'un Secteur,
- une organisation internationale, pour participer à titre consultatif à une conférence ou à une réunion d'un Secteur,
- le gouvernement d'un Etat Membre, pour participer sans droit de vote à une conférence régionale,
- un Membre de Secteur visé au numéro 229 ou 231 de la Convention ou une organisation de caractère international représentant de tels Membres des Secteurs, conformément aux dispositions pertinentes de la présente Convention.

PARTIE II

DATE D'ENTRÉE EN VIGUEUR

Les amendements contenus dans le présent instrument entreront en vigueur, dans leur totalité et sous la forme d'un instrument unique, le 1er janvier 2000 entre les Etats Membres qui seront alors parties à la Constitution et à la Convention de l'Union internationale des télécommunications (Genève, 1992) et qui auront déposé avant cette date leur instrument de ratification, d'acceptation ou d'approbation du présent instrument ou d'adhésion à celui-ci.

EN FOI DE QUOI, les Plénipotentiaires soussignés ont signé l'original du présent instrument d'amendement à la Constitution de l'Union internationale des télécommunications (Genève, 1992) telle qu'amendée par la Conférence de plénipotentiaires (Kyoto, 1994).

FAIT à Minneapolis, le 6 novembre 1998

MOD 526 8. The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

Annex (CV)

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

MOD 1002 *Observer*: A person sent by:

- the United Nations, a specialized agency of the United Nations, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a plenipotentiary conference, a conference or a meeting of a Sector,
- an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector,
- the government of a Member State to participate, in a non-voting capacity, in a regional conference, or
- a Sector Member referred to in Nos. 229 or 231 of the Convention or an organization of an international character representing such Sector Members,
in accordance with the relevant provisions of this Convention.

PART II

DATE OF ENTRY INTO FORCE

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 2000 between Member States being at that time parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present amending instrument.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed the original of the present instrument amending the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

DONE at Minneapolis, 6 November 1998.

Declarations and Reservations

made at the end of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998)*

The undersigned plenipotentiaries confirm, through their signing of the present document, which forms part of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), that they have taken note of the following declarations and reservations made at the end of that conference:

1

Original: English

For the Socialist People's Libyan Arab Jamahiriya:

The delegation of the Great Socialist People's Libyan Arab Jamahiriya to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any action it deems necessary to safeguard its national interests and telecommunication services, should any Member fail to comply with the provisions of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998). It also reserves for its Government the right to make any reservation it deems necessary prior to the ratification of these Final Acts should any provision conflict with the Constitution of the Great Socialist People's Libyan Arab Jamahiriya.

2

Original: English

For the Republic of Suriname:

The delegation of the Republic of Suriname to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), in signing the Final Acts of this conference, declares, on behalf of its Government, that it reserves the right:

1. to take any action it considers necessary to safeguard its interests,

* *Note by the General Secretariat* – The texts of the declarations and reservations are shown in the chronological order in which they were deposited.

In the table of contents, these texts are grouped in the alphabetical order of the names of the Member States which made them.

should other Members fail to observe the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes and protocols attached thereto, or should reservations by other countries, or any failure to comply with the Constitution and Convention, jeopardize the proper operation of its telecommunication services;

2. to enter reservations regarding any provisions of the Constitution or Convention which may be opposed to its basic law.

3

Original: English

For the Commonwealth of Dominica:

The delegation of the Commonwealth of Dominica reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes thereto, or should reservations by other countries jeopardize its interests.

4

Original: French

For the Democratic Republic of the Congo:

The delegation of the Democratic Republic of the Congo reserves for its Government the right:

1. to take any action it considers necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or any annexes and protocols thereto;

2. to take any action it considers necessary to safeguard its interests should any reservations deposited or other measures taken by other governments jeopardize the proper functioning of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union;

3. to reject any provisions of the instruments (Minneapolis, 1998)

amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or annexes and protocols thereto, which might directly or indirectly affect its sovereignty.

5

Original: French

For the Republic of Cape Verde:

The delegation of Cape Verde to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

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

6

Original: Russian/English

For the Republic of Uzbekistan:

The delegation of the Republic of Uzbekistan reserves for its Government the right:

1. to make any additional reservations it may consider necessary, before or during the deposit of its documents for the ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998);
2. to take any measures it may consider necessary and sufficient to safeguard its interests, should any reservations introduced by other States jeopardize the normal functioning of its telecommunication services, or give rise to the possibility of an increase in its contributory share in defraying Union expenditure.

Original: Spanish

For the Republic of Panama:

The delegation of the Republic of Panama reserves for its Government the right to take any action it considers necessary to safeguard its interests should any present or future Members fail to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes and protocols thereto, or should any reservations made by other Members jeopardize the proper functioning of its telecommunication services.

It also expresses reservations with respect to any provision contained in the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), which may conflict with the current legislation of the Republic of Panama or may in any way affect its sovereign right to regulate its telecommunication services.

Original: Spanish

For Costa Rica:

The delegation of Costa Rica to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998):

1. reserves for its Government the right:
 - a) to take any action it considers necessary to safeguard its national interests and its telecommunication services, should other Members fail to comply with the provisions of the Final Acts of this conference (Minneapolis, 1998);
 - b) to enter any reservations it deems necessary prior to ratification of the Final Acts of this conference (Minneapolis, 1998), in respect of any provisions of the Final Acts which may contravene the Constitution of Costa Rica;
2. declares that Costa Rica shall be bound by the instruments of the International Telecommunication Union, comprising the Constitution, Convention, Administrative Regulations and amendments or modifications thereto, only in so far as their application does not contravene the provisions of its Constitution, its legislation or international law.

Original: English

For the Republic of Maldives:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Maldives reserves for its Government the right to take such action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or should reservation by any Member of the Union jeopardize the Republic of Maldives' telecommunication services and affect its sovereignty.

Original: Spanish

For the Eastern Republic of Uruguay:

In signing the Final Acts, the delegation of the Eastern Republic of Uruguay declares, on behalf of its Government, that it reserves the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the Constitution and the Convention of the International Telecommunication Union or the annexes and protocols thereto, or should reservations by other Members jeopardize the proper functioning of its telecommunication services.

Original: Russian

For the Kyrgyz Republic:

The delegation of the Kyrgyz Republic reserves for its Government the right to make any statement or reservation when ratifying the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), and the right to take any action it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International

Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the Kyrgyz Republic or lead to an increase in its annual contribution to defraying the expenses of the Union.

Original: French

For Burkina Faso:

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of Burkina Faso reserves for its Government the right to take any action it deems necessary to safeguard the interests of Burkina Faso:

1. should any Member in any way fail to comply with the provisions of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) and/or their respective annexes;
2. should any Members deliberately refuse to pay their share of the Union's expenses;
3. should reservations made by other Members be likely to jeopardize the technical and/or commercial operation of its telecommunication services.

The delegation of Burkina Faso further reserves for its Government the right to make any declaration or reservation at the time of ratifying the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998).

Original: English

For the Republic of Yemen:

The delegation of the Republic of Yemen reserves for its Government the right to take any action it may deem necessary to protect its interests should any other Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or of the Final Acts of this conference (Minneapolis, 1998), or should the reservations made by any such Member jeopardize its telecommunication services or entail

an increase in its contributory share in defraying the expenditure of the Union.

14

Original: English

For the Republic of Zimbabwe:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Zimbabwe declares that it reserves for its Government the right to take any measures it considers or deems necessary and appropriate to safeguard its interests should any Member state fail to comply with or abide by the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the protocols, annexes or regulations attached thereto, or should reservations by other Member States jeopardize or appear likely to jeopardize the operation of its telecommunication services.

15

Original: French

For Portugal:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Portugal declares on behalf of its Government:

- a) that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution to defraying the expenditure of the Union;
- b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
- c) that it also reserves for its Government the right to express additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

Original: French

For the Gabonese Republic:

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

1. to take any action necessary to protect its interests should any Member States fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the amending instruments adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or should reservations by other Member States be likely to jeopardize the operation of its telecommunication services;
2. to accept or not to accept any financial consequences that may result from such reservations;
3. to make any further reservations it may consider necessary up to the time of depositing its instruments of ratification.

Original: French

For the Republic of Mozambique:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Mozambique declares on behalf of its Government:

- a) that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution towards defraying the expenditure of the Union;
- b) that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interests should any Members not contribute their share towards defraying the expenditure of the Union or fail in any way whatever to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
- c) that it also reserves for its Government the right to express specific reservations additional to the aforesaid Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

Original: English

For Thailand:

The delegation of Thailand reserves the right of its Government to take action that it deems necessary to safeguard its interests should any Member State fail, in any way, to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or should any reservation made by any Member State jeopardize its telecommunication services or lead to an increase in its share towards defraying the expenses of the Union.

Original: French

For the Republic of Mali:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Mali reserves for its Government the sovereign right to take whatever measures or actions may be necessary to safeguard its rights and national interests in the event that certain Members of the Union should fail in any way to comply with the provisions of the said Acts, or directly or indirectly jeopardize the interests of its telecommunication services or put the security of its national sovereignty at risk.

Original: English

For Malaysia:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of Malaysia reserves for its Government the right to take such actions as it may deem necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the require-

ments of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes attached thereto, or should the consequences of reservations by other Members jeopardize its telecommunication services.

The delegation of Malaysia further reserves the right of its Government to make such additional reservations as may be necessary to the Final Acts adopted by the present conference up to the time of deposit of the appropriate instrument of ratification.

21

Original: English

For Ukraine:

The delegation of Ukraine reserves for its Government the right to make any statement or reservation when ratifying the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), and the right to take any action it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of its telecommunication services or lead to an increase in its annual contribution to defraying the expenses of the Union.

22

Original: English

For the Kingdom of Swaziland:

In signing these Final Acts, the delegation of the Kingdom of Swaziland reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members failing in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes and regulations annexed thereto, or should reservations by other countries jeopardize its telecommunication services, or lead to an increase in Swaziland's share in defraying the expenses of the Union.

Original: English

For the Republic of Singapore:

The delegation of the Republic of Singapore reserves for its Government the right to take any action which it considers necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), and the annexes and protocols attached thereto, or should reservation by any Member of the Union jeopardize the Republic of Singapore's telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

Original: English

For the Republic of Poland:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) the delegation of the Republic of Poland declares on behalf of its Government:

1. that it accepts no consequence of the reservations made by other governments which might entail an increase in its contribution to defraying the expenditure of the Union;
2. that it reserves for its Government the right to take any steps it may consider necessary to safeguard its interest should any Members not contribute their share to defraying the expenditure of the Union or fail in any way whatever to comply with the provision of the Constitution and the Convention of the International Telecommunication Union as amended by the Final Acts of this conference, or if any reservations expressed by other countries were to jeopardize the proper operation of its telecommunication services;
3. that it also reserves for its Government the right to express specific reservations additional to the aforesaid Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

Original: English

For the Kingdom of Tonga:

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Kingdom of Tonga declares that it reserves for its Government the right:

a) to take any measures it may deem necessary, in conformity with its domestic law and with international law, to safeguard its national interests should any other Members fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or should any actions or reservations by representatives of other states affect its national sovereignty or its national telecommunications or lead to an increase in its contributory share towards defraying the expenses of the Union;

b) to make, under the Vienna Convention on the Law of Treaties of 1969, reservations to the abovementioned Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) at any time it considers proper between the date of signature and the date of their ratification or approval and not to be bound by any provision of these Final Acts or of the Constitution and the Convention of the International Telecommunication Union restricting its sovereign right to make reservations.

Original: French

For the Republic of Burundi:

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

1. to take any measures it considers necessary to safeguard its interests should any Members fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes and protocols thereto, or should reservations by other countries jeopardize its telecommunications services;

2. to accept or not to accept any measure which might lead into an increase in its contributory share.

Original: English

For the Republic of Bulgaria:

The delegation of the Republic of Bulgaria to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1. to take any action it considers necessary to safeguard its interests should any Member State of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or should the consequences of reservations made by other countries jeopardize Bulgarian telecommunication services;

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

3. to make any statement or reservation when ratifying the amendments to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) adopted by the Plenipotentiary Conference (Minneapolis, 1998).

Original: English

For the People's Republic of China:

The delegation of the People's Republic of China, in signing these Final Acts, reserves for its Government the right to take such actions as it may consider necessary to safeguard its interests, should any Member States fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes thereto, or should reservations by other countries jeopardize its interests.

Original: English

For the Republic of San Marino:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of San Marino reserves for its Government the right to take all measures it deems necessary so as to protect its interests in the event that any Member of the Union fails to adhere to the provisions of the Constitution and the Convention or its annexes, additional protocols and administrative regulations.

The same rights are also reserved to the Government of the Republic of San Marino towards reservations made by other Members which might interfere with, limit or jeopardize the correct functioning of the telecommunication services of the Republic of San Marino.

Original: French

For the Republic of Benin:

The delegation of the Republic of Benin to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis 1998) reserves for its Government the right to take any action it deems necessary to protect its interests should certain Members fail to comply with the provisions of the present Constitution and Convention of the International Telecommunication Union, or should reservations by other Members jeopardize the operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

Original: English

For Italy:

The delegation of Italy reserves for its Government the right to take any action which it might consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary

Conference (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or, finally, should reservations by other countries jeopardize its telecommunication services.

32

Original: English

For the Commonwealth of the Bahamas:

The delegation of the Commonwealth of the Bahamas, on behalf of its Government, reserves the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992) as adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or an instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

33

Original: French

For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Republic of Cameroon, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the State of Kuwait, Malta, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Sultanate of Oman, the Islamic Republic of Pakistan, the Syrian Arab Republic, Tunisia and the Republic of Yemen:

The delegations of the above-mentioned countries reserve for their Governments the right to take any action they may deem necessary to safeguard their interests should any Member State fail to comply with the provisions of the Constitution, the Convention or the Administrative Regulations.

The delegations of the above-mentioned countries have agreed to the transfer of certain provisions of the Convention to a new instrument entitled "Rules of procedure of conferences and other meetings of the International Telecommunication Union", provided that the provisions of this new instrument are binding on all Member States and that any revision thereof by a conference enters into force only after the signature of the final acts of the conference which adopted them.

The delegations of the above-mentioned countries consider that their access to the common resources of the radio-frequency spectrum and orbits can only be safeguarded by planning which ensures equitable

access for all Member States. Under no circumstances can they accept that existing entries in their names in the plans in Appendices 30 and 30A to the Radio Regulations, whether in respect of their implementation or of future modifications thereto to meet their legitimate requirements, should be affected by commercial systems.

34

Original: French

For the People's Democratic Republic of Algeria:

The delegation of the People's Democratic Republic of Algeria to the Plenipotentiary Conference (Minneapolis, 1998) considers that the conditions under which many issues were addressed by the conference and subsequent decisions were taken were not such as to ensure the practical participation of a large number of delegations and to safeguard the interests of all Members of the Union.

The delegation of Algeria to this conference therefore reserves for its country and in particular for its Government the right to take such action as they deem necessary to protect the rights and interests of the People's Democratic Republic of Algeria, should these be jeopardized by any of this conference's decisions.

35

Original: English

For the Republic of Gambia:

The delegation of the Republic of the Gambia reserves for its Government the right to take any action it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998) or should reservations by other countries jeopardize its interests.

36

Original: English

For the Republic of Moldova:

The delegation of the Republic of Moldova reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the

expenses of the Union, or should they fail in any other way to comply with the amendments to the Constitution and the Convention of the International Telecommunication Union adopted by the Plenipotentiary Conference (Minneapolis, 1998), or should reservations by other countries jeopardize its interests in any way.

37

Original: English

For the Hashemite Kingdom of Jordan:

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

The delegation of the Hashemite Kingdom of Jordan, on signing the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), reserves for its Government the right:

1. to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member States fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes or the protocols and regulations attached thereto;

2. to protect its interests should certain Member States not share in defraying the expenses of the Union or should the reservations by other Member States jeopardize the telecommunication services of the Hashemite Kingdom of Jordan;

3. not to be bound by any provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Hashemite Kingdom of Jordan; and

4. to make any other reservation or statement until such time as the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), are ratified.

Original: French

For the Togolese Republic:

In signing these Final Acts, the delegation of the Togolese Republic reserves for its Government the right to take whatever action may be necessary to safeguard its interests should any Member States fail to comply with the provisions of these Final Acts and of the Convention and Constitution of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), and should reservations by other countries jeopardize its interests.

Original: English

For the Islamic Republic of Iran:

In the name of Allah, most compassionate, most merciful.

The delegation of the Islamic Republic of Iran, on signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1. to take such action as it may consider necessary or to take any measures required to safeguard its rights and interests should other Member fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes or the protocols and regulations attached thereto;
2. to protect its interests should certain Member States not share in defraying the expenses of the Union or should the reservations by other Member States jeopardize the telecommunication services of the Islamic Republic of Iran;
3. not to be bound by any provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), which may directly or indirectly affect its sovereignty and be in contravention with the Constitution, Laws and Regulations of the Islamic Republic of Iran;

4. to make any other reservation or statement until such time as the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), are ratified.

40

Original: English

For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the State of Bahrain, the Islamic Federal Republic of the Comoros, the United Arab Emirates, the Islamic Republic of Iran, the State of Kuwait, Lebanon, the Islamic Republic of Mauritania, the Sultanate of Oman, the Islamic Republic of Pakistan, the Syrian Arab Republic, Tunisia and the Republic of Yemen:

The above-mentioned delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that the signature and possible ratification by their respective Governments of the Final Acts of this conference should not be valid for the ITU Member under the name "Israel", and in no way whatsoever imply its recognition by these Governments.

41

Original: English

For the Republic of Fiji:

The delegation of the Republic of Fiji reserves the right of its Government to take any action as it may consider necessary to safeguard its interests should any Member State fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations by other Member States jeopardize its interests.

42

Original: English

For Lebanon, the Sultanate of Oman and the State of Qatar:

The above-mentioned delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that their Governments reserve the right to take any measures they consider necessary to safeguard their interests

should non-compliance with, or reservations to the provisions of the Constitution, the Convention or their annexes or the protocol attached thereto by other Members in any way jeopardize their telecommunication services.

Furthermore, the above-mentioned delegations declare that their Governments reserve the right to take any action they deem necessary to safeguard their interests should any Members of the Union not share in defraying the expenses of the Union, or should they fail in any way to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or its annexes or the protocol attached thereto, or should reservations by other countries be liable to cause an increase in their contributory shares in defraying Union expenses or jeopardize their telecommunication services, or should any other action taken or intend to be taken by any person, natural or juridical, directly or indirectly affect their sovereignty.

The above-mentioned delegations further reserve for their Governments the right to make any other declaration or reservation until and up to the time that the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), are ratified by their Governments.

43

Original: English

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

The above-mentioned delegations to the Plenipotentiary Conference (Minneapolis, 1998) declare that their Governments reserve the right to take such action as they may consider necessary to safeguard their interests should any Member not share in defraying the expenses of the Union, or should they fail in any way to comply with the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or the resolutions attached thereto, or should reservations made by any Member jeopardize their telecommunication services.

44

Original: French

For Austria, Belgium and Luxembourg:

The delegations of the above-mentioned countries declare that they

maintain the declarations and reservations made or reconfirmed at the end of the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) and that these declarations and reservations likewise apply to the instruments adopted by the Plenipotentiary Conference (Minneapolis, 1998) amending the Constitution and the Convention.

45

Original: English

For the Republic of South Africa:

The delegation of the Republic of South Africa reserves its Government's right:

1. to take any such action as it may consider necessary to safeguard its interests, should any Member of the Union fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by such Members directly or indirectly affect the operation of its telecommunication services or its sovereignty;

2. further, the delegation of the Republic of South Africa reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by the Republic of South Africa of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

46

Original: English

For the Republic of Uganda:

The delegation of the Republic of Uganda in signing the Final Acts reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) or the annexes thereto, or should reservations by other countries jeopardize its interests.

Original: English

For the Republic of Kenya:

The delegation of the Republic of Kenya reserves for its Government the right to take such action as it may consider necessary and/or appropriate to safeguard and protect its interests should any Member fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998) or any other instruments associated therewith. The declaration further affirms that the Government of the Republic of Kenya does not accept responsibility for the consequences arising out of any reservations made by other Members of the Union.

Original: Spanish

For Spain:

I

The Spanish delegation declares, on behalf of its Government, that it does not accept any declaration or reservation expressed by other governments which might imply an increase in its financial obligations.

II

The Spanish delegation reserves for the Kingdom of Spain the right, under the Vienna Convention on the Law of Treaties of 23 May 1969, to express reservations to the Final Acts adopted by the present conference up to the time of deposit of the appropriate instrument of ratification.

Original: English

For the Socialist Republic of Viet Nam:

On behalf of the Government of the Socialist Republic of Viet Nam, the Vietnamese delegation attending the Plenipotentiary Conference (Minneapolis, 1998) declares:

1. that it maintains the reservations made at the Plenipotentiary Conference (Nairobi, 1982) and reaffirmed at the Plenipotentiary Conference (Nice, 1989), the Plenipotentiary Conference (Geneva, 1992) and the Plenipotentiary Conference (Kyoto, 1994);

2. that it reserves the right of its Government to take any action which it may deem necessary to safeguard its interests, should any other Member States fail in any way to comply with the provisions of the Constitution, Convention or Administrative Regulations of the International Telecommunication Union as well as the appendices and annexes thereto, or should reservations by other Member States jeopardize the telecommunication services or the sovereignty of the Socialist Republic of Viet Nam;

3. that it also reserves the right of its Government to make any additional declarations and reservations prior to the deposit of the instrument of ratification of the amended Constitution and the Convention, if necessary.

50

Original: Spanish

For the Republic of Colombia:

On signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Colombia:

1. states that it reserves for its Government the right:

a) to take any action consistent with its domestic law and with international law that it may deem necessary to safeguard its national interests should any other Members fail to comply with the provisions contained in the Final Acts (Minneapolis, 1998), or should any reservations by representatives of other States jeopardize the telecommunication services of the Republic of Colombia or its full sovereign rights;

b) to accept or not to accept, in whole or in part, any amendments made to the Constitution, the Convention or any other international instruments of the International Telecommunication Union;

c) to make reservations to the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), pursuant to the Vienna Convention on the Law of Treaties of 1969, at any time it sees fit between the date of signature and the date of possible ratification of the international instruments constituting those Final Acts. Accordingly, it shall not be bound by any rules restricting the sovereign right to make reservations only to the time of signing the final acts of conferences and other meetings of the Union;

2. reaffirms, in their essence, Reservations Nos. 40 and 79 made at the World Administrative Radio Conference (Geneva, 1979) in particular, with respect to the new provisions amending the Constitution, the Convention and other documents of the Final Acts (Minneapolis, 1998);

3. declares that the Republic of Colombia considers itself bound by the instruments of the International Telecommunication Union, including the provisions amending the Constitution, the Convention, the Protocols and the Administrative Regulations, only in so far as it has expressly and duly consented to be bound by each of the aforesaid international instruments, and subject to completion of the applicable constitutional procedures. Accordingly, it does not agree to be bound by any presumed or tacit consent;

4. declares that, under its Constitution, its Government is unable to give provisional effect to the international instruments which constitute the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) and other instruments of the Union, owing to the content and nature of such instruments;

5. declares that the amendments introduced in Article 44 of the Constitution, and elsewhere in the Constitution and the Convention of the International Telecommunication Union, consisting of incorporating within such provisions relating to the geostationary-satellite orbit material pertaining to other satellite orbits, have been accepted in the sense that prevailed during the deliberations; that is, that such amendments must fully maintain the scope of the provisions of Article 44 of the Constitution as currently in force, to the effect that the geostationary-satellite orbit is a limited natural resource whose use must be based on the principle that different countries or groups of countries must have equitable access to the orbit and the frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries. The same consideration applies to the other provisions with respect to the geostationary-satellite orbit contained in the Constitution and the Convention as currently in force.

For the Republic of Cameroon:

The delegation of Cameroon to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) signs these Final Acts in the spirit of consensus which has always characterized the work of the Union. Nevertheless, it reserves for its Government the right:

1. to take all appropriate measures to safeguard its interests should these be jeopardized by any Member's failure to comply with certain provisions of the basic instrument, the regulations or the annexes and protocols thereto;

2. to make reservations regarding any provisions of the instruments of the Union which may be contrary to the laws of Cameroon;

3. to accept no consequences arising from reservations that might result in an increase in Cameroon's contributory share towards defraying the expenses of the Union.

52

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

The delegation of the Republic of Hungary reserves for its Government the right not to accept any financial measure liable to lead to unjustified increases in its contributory share in defraying the expenses of the Union, the right to take any action as it may deem necessary to safeguard its interests if certain Members of the Union fail to comply with the provisions of the Constitution, the Convention or Regulations, or if they jeopardize the proper operation of its telecommunication services, and the right to make specific reservations and statements prior to ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

53

*Original: English**For Greece:*

In signing the Final Acts of the sixteenth Plenipotentiary Conferences of the International Telecommunication Union (Minneapolis, 1998), the delegation of Greece declares that:

1. it reserves for its Government the right:

a) to take any action consistent with its national legislation and with international law that it may consider or deem necessary or useful to safeguard and protect its sovereignty and its sovereign and inalienable rights and legitimate interests should any Member State(s) of ITU fail in any manner to comply with or apply the provisions of these Final Acts and/or the instruments of ITU (Constitution and/or Convention and their annexes and the Optional Protocol attached thereto and/or the Administrative Regulations), or should the acts of other states or any public or private entity or third party, in general, affect its national sovereignty and interests;

b) to make, under the Vienna Convention on the Law of Treaties of 1969, any reservations to the above-mentioned Final Acts at any time it sees fit between the date of their signature and the date of their ratification and not to be bound by any provision of the said Final Acts and/or the instruments of ITU restricting in any way its sovereign right to make such reservations;

2. each and every declaration made by its Government in signing the Final Acts of the fourteenth (Additional) Plenipotentiary Conference (Geneva, 1992) (Nos. 50 and 73), the fifteenth Plenipotentiary Conference (Kyoto, 1994) (Nos. 73, 92 and 94) and the World Radiocommunication Conference (Geneva, 1997) (Nos. 19, 26 and 91) remains intact and completely valid.

54

Original: English

For the Republic of Zambia:

The delegation of the Republic of Zambia to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any such action as it may consider necessary to safeguard its interests, should any Member State or sector Member of the Union fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other Members directly or indirectly affect the operation of its telecommunication services.

55

Original: English

For the Islamic Republic of Pakistan:

The delegation of the Islamic Republic of Pakistan, in signing the Final Acts of this conference, reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services, its national security or its sovereignty or lead to an increase in its contributory share in defraying the expenses of the Union.

Original: English

For the Kingdom of Lesotho:

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

1. that it will not accept any consequences resulting from any reservation made by any country, and reserves the right to take any action it deems fit;
2. that it reserves the right to take such action as it may consider necessary to protect its interests should any other country not observe the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or the Administrative Regulations, or the Rules of Procedure of conferences and other meetings of ITU, and/or should reservations by other countries jeopardize its telecommunication services.

Original: Spanish

For Mexico:

The Mexican delegation, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right:

1. to take whatever measures it considers necessary to protect and safeguard its sovereign rights should other Member States fail to comply with or to apply the provisions contained in the Union's basic instruments, resolutions, decisions, recommendations and annexes making up the Final Acts of this conference;
2. to express reservations to these Final Acts up to the date of their ratification, in accordance with the Vienna Convention on the Law of Treaties of 1969;
3. not to accept financial consequences that might imply an increase in the contributory unit; nor to accept that, as a result of the application of decisions adopted by the present conference, additional charges for services or products should be established that are inequitable or disproportionate.

Further, the Government of Mexico maintains and reaffirms, as if they were repeated here in full, the reservations it made at the time of signing the Final Acts of the Plenipotentiary Conference (Geneva, 1992) and the Plenipotentiary Conference (Kyoto, 1994), and the reservations it made upon the adoption and revision of the Administrative Regulations.

Original: English

For the Czech Republic:

The delegation of the Czech Republic reserves the right of its Government to take any action as it may deem necessary to safeguard its interests should any Member State not share in defraying the expenses of the Union or should any Member State fail to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union or its annexes or protocols or the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) or, finally, should reservations by other countries jeopardize its telecommunication services.

Original: English

For Brunei Darussalam:

The delegation of Brunei Darussalam reserves for its Government the right to take any action that it deems necessary to safeguard its interests should any country fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations made by other countries adversely affect the interests of Brunei Darussalam or lead to an increase in its share towards defraying the expenses of the Union.

The delegation of Brunei Darussalam further reserves the right of its Government to make such additional reservations as may be necessary up to and including the time of ratification by Brunei Darussalam of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

Original: English

For the Republic of Slovenia:

The delegation of the Republic of Slovenia reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member State not share in defraying the expenses of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying the Union expenses, or, finally, should reservations by other countries jeopardize its telecommunication services.

Original: English

For Ghana:

The delegation of the Republic of Ghana, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right to take any measures it may consider necessary to safeguard its interests should any Member of the Union fail to comply with the requirements of the Final Acts, or the annexes or protocols attached thereto, or should reservations by other countries jeopardize the efficient operation of its telecommunication services.

The delegation of the Republic of Ghana also reserves for its Government the right, if necessary, to make further reservations to the present Final Acts.

Original: English

For the Slovak Republic:

The delegation of the Slovak Republic reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member State not share in defraying the expenses

of the Union or should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations by other countries be liable to cause an increase in its contributory shares in defraying Union expenses, or, finally, should reservations by other countries jeopardize its telecommunication services.

63

*Original: French
English
Spanish*

For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, Finland, France, Greece, Ireland, Italy, Luxembourg, the Kingdom of the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland and Sweden:

The delegations of the Member States of the European Union declare that the Member States of the European Union will apply the instruments adopted by the Plenipotentiary Conference (Minneapolis, 1998) in accordance with their obligations under the Treaty establishing the European Economic Community.

64

Original: English

For Denmark, the Republic of Estonia, Finland, Ireland, Iceland, Italy, the Republic of Latvia, the Principality of Liechtenstein, the Kingdom of the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland, Sweden and the Confederation of Switzerland:

The delegations of the above-mentioned Member States formally declare, with regard to Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), that they maintain the reservations made on behalf of their Governments when signing the Administrative Regulations mentioned in Article 4.

Original: English

For the Republic of Cyprus, Denmark, the Republic of Estonia, Finland, Greece, Iceland, Ireland, Italy, the Republic of Latvia, Malta, Norway, the Kingdom of the Netherlands, Romania, Sweden and Turkey:

At the time of signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998):

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

2. the delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests should certain Member States not share in defraying the expenses of the Union, or should any Member fail in any other way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or the annexes or protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

Original: English

For the Federal Republic of Germany, the Republic of Cyprus, Denmark, the Republic of Estonia, Finland, Iceland, Ireland, Italy, the Republic of Latvia, the Principality of Liechtenstein, Malta, Norway, the Kingdom of the Netherlands, Romania, the United Kingdom of Great Britain and Northern Ireland and the Confederation of Switzerland:

At the time of signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegations of the above-mentioned countries formally declare that they maintain the declarations and reservations made by their countries when signing the Final Acts of the Additional Plenipotentiary Conference (Geneva, 1992) and the Final Acts of the Plenipotentiary Conference (Kyoto 1994).

Original: English

For Guyana:

The delegation of Guyana reserves on behalf of its Government the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992), as adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or any instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

Original: English

For Barbados:

The delegation of Barbados reserves on behalf of its Government the right to take any action it considers necessary to safeguard its interests should any Member fail to observe the provisions of the instruments amending the Constitution and Convention (Geneva, 1992), as adopted by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or any instrument attached thereto, or should a reservation by another country jeopardize its telecommunication services.

Original: French

For the Republic of Niger:

The delegation of Niger to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right:

1. to take such action as it may consider necessary should any Member States or Sector Members fail in any way to comply with the instruments of the International Telecommunication Union as adopted at Minneapolis (November 1998) or should any reservations by Member States jeopardize the operation of its telecommunication services;
2. not to accept any consequences of reservations likely to lead to an increase in its contributory share in defraying Union expenditure.

Original: English

For the Syrian Arab Republic:

The delegation of the Syrian Arab Republic declares that its Government reserves the right to take such action as it may consider necessary to protect its interests should a Member fail in any way to observe the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or should the reservations made by such Members, now or in the future, when acceding to or ratifying the above-mentioned instruments, jeopardize Syria's telecommunication services or lead to an increase in Syria's share in defraying the expenses of the Union.

Original: English

For the United Republic of Tanzania:

The delegation of the United Republic of Tanzania to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) reserves for its Government the right to take any action it may deem necessary to safeguard its interests in the event of any Members failing in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or any instrument attached thereto, or should reservations by other Members jeopardize its telecommunication services or lead to an increase in its contributory share towards defraying the expenses of the Union.

Original: English

For the Republic of Botswana:

The delegation of the Republic of Botswana hereby declares on behalf of the Government of the Republic of Botswana that it:

1. reserves the right to take such action as it may consider necessary to protect its interests should any other country not observe the provisions of the Constitution and Convention of the International Telecom-

munication Union (Geneva, 1992), and any amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), and/or any other instruments associated therewith;

2. will not accept any consequences resulting from any reservation made by any country, and reserves the right to take any action it deems fit.

73

Original: Spanish

For the Republic of Venezuela:

The delegation of the Republic of Venezuela reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should any other present or future Members fail to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes or protocols thereto, or should reservations by other Members jeopardize the efficient operation of its telecommunication services.

Furthermore, it expresses its reservations with respect to all articles of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), relating to arbitration as a means of settling disputes, in conformity with the international policy of the Government of Venezuela in that regard.

74

Original: English

For Turkey:

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the delegation of the Republic of Turkey reserves for its Government the right to take any action as it may consider necessary to safeguard its interests, should any Member State, in any way, fail to comply with the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), and as further amended by the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or protocols thereto, or should any reservation made by any Member State jeopardize the proper operation of its telecommunication services or lead to an increase in its contribution to defraying the expenses of the Union.

Original: English

For the Republic of the Philippines:

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

The Philippine delegation further reserves for its Government the right to make any declaration or reservation and/or take other appropriate action, as may be necessary, prior to the deposit of the instrument of ratification of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

Original: English

For Malta:

The delegation of Malta reserves for its Government the right to make additional specific reservations to these Final Acts or to any other instrument arising from other relevant ITU conferences which has not yet been ratified until such time as the respective instrument of ratification has been deposited.

Original: English

For the State of Israel:

1. The delegation of the State of Israel hereby reserves for its Government the right:

a) to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services, should they be affected by the decisions or resolutions of this conference or by the reservations made by other delegations;

b) to take any action to avail itself of its rights to safeguard its interests should any Member State fail to comply with the requirements of the ITU Constitution and Convention (Geneva, 1992) as amended by the

Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto;

c) to take any other action in accordance with its legal system.

2. Regarding the process by which Document 284 was adopted by the conference, the delegation of the State of Israel, on behalf of its Government, protests the following matters:

a) a specific request on the part of the delegation of the State of Israel for a legal opinion from the secretariat regarding the competence of the conference to vote on Document 284, in accordance with No. 405 of the Convention, was ignored, although this request was seconded by the delegation of the United States of America;

b) a specific request on the part of the delegation of the State of Israel for a roll-call vote on the matter of competence referred to in "a)" above, seconded by the delegation of the United States of America in accordance with No. 420 of the Convention, was ignored;

c) the conference took no vote whatsoever on the question of the competence of the conference to vote on Document 284, although such a vote was requested as specified in "b)" above;

d) the secret ballot taken on Document 284 itself is invalid, since it was requested by only three delegations, and not the five required by No. 422 of the Convention.

3. The delegation of the State of Israel, on behalf of its Government, protests the violation of No. 193 of the Constitution, entitled "special Arrangements", which is inherent in Document 284.

4. The delegation of the State of Israel, on behalf of its Government, protests the inclusion of the "considering further" paragraph of the resolution, which is contrary to international law and practice, does not reflect a factual legal situation, and is thus misleading and inappropriate.

5. The delegation of the State of Israel, on behalf of its Government, strongly objects to the words "the Palestine delegation" in Part 3 of the resolution. Instead, the words "the PLO" should be inserted. This correction reflects the phrase under "*resolves*", which states that "pending any further change in the status of Palestine in ITU, the following shall apply". The status quo can only be preserved, in accordance with the express intent of the resolution, if the PLO continues to be classified as an observer and not a delegation, as the last term refers exclusively to Member States.

6. The delegation of the State of Israel, on behalf of its Government, protests the general non-compliance of the conference with the constitutional procedures for the amendment of the Constitution and Convention of ITU which result from Document 284, both procedurally and substantively.

7. The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply the Interim Agreement

of 25 September 1995 and the Wye River Memorandum of 23 October 1998, in accordance with its understanding of those agreements, with regard to the implementation of telecommunication issues between the Israeli side and the Palestinian side.

8. The delegation of the State of Israel, on behalf of its Government, reserves its sovereign right to interpret and apply Document 284 in accordance with its understanding of this resolution and in accordance with paragraph 1 above.

78

Original: Spanish

For Ecuador:

The delegation of Ecuador, in signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), reserves for its Government the right to take any measures it may deem necessary, pursuant to its sovereign right and under national and international law, should its interests be jeopardized in any way by any act on the part of other States in regard to the application of the provisions of the instruments of the International Telecommunication Union.

79

Original: French

For the Republic of Côte d'Ivoire:

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

a) to take any action it considers necessary to safeguard its interests should any Member State fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998);

b) to reject the consequences of any reservations made to the Final Acts of the present Plenipotentiary Conference (Minneapolis, 1998) by other Member States which might give rise to an increase in its contributory share in defraying the expenses of the Union or which might jeopardize the proper functioning of its telecommunication services;

c) to make reservations or reject any amendments made by the present conference to the Constitution and the Convention of the Union which might jeopardize the proper functioning of its telecommunication services or directly or indirectly affect its sovereignty;

d) to make reservations with respect to any other instrument adopted by this conference.

Original: English

For the People's Republic of Bangladesh:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the People's Republic of Bangladesh reserves for its Government the right to take any steps which it may consider necessary to safeguard its interests should any Member or Members of the Union fail in any way to comply with the provisions of these Final Acts, of the Constitution and the Convention of the International Telecommunication Union or of the annexes or protocols attached thereto, or should the reservations made by other countries jeopardize the proper technical and/or commercial operation of its telecommunication services or lead to any increase in its share towards defraying the expenses of the Union.

Original: Spanish

For Cuba:

In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of Cuba declares that:

– In view of the continuing interventionist practice by the Government of the United States of America of setting up radio and television broadcasting stations directed towards Cuban territory for political and destabilizing purposes, in open violation of the provisions and principles which govern telecommunications throughout the world, especially those aimed at facilitating international cooperation and economic and social development between peoples, and to the detriment of the normal operation and development of Cuba's own radiocommunication services, the Cuban Administration reserves the right to take any steps it may deem necessary.

– The consequences of any action which the Cuban Administration might see fit to take on account of the underhand behaviour of the Government of the United States of America will be the sole responsibility of that Government.

– It in no way recognizes the notification, registration or use of frequencies by the Government of the United States of America in that part of Cuban territory in the province of Guantánamo which the United States is occupying by force, contrary to the express will of the people and the Government of Cuba.

– It does not accept the Optional Protocol on the settlement of disputes relating to this Constitution, Convention and Administrative Regulations.

– It reserves for its Government the right to take whatever measures it considers necessary to protect its interests should any other Member countries in any way fail to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), with the Administrative Regulations or with the Rules of Procedure of conferences and other meetings of ITU, or should reservations by other Members in any way jeopardize Cuba's telecommunication services or lead to an increase in its contribution towards defraying the expenses of the Union. The delegation of Cuba likewise reserves for its Government the right to make any further declaration or reservation which may be necessary at the time of depositing its instrument of ratification of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994).

82

*Original: English**For Canada:*

The delegation of Canada reserves for its Government the right to make any statements or reservations when depositing its instruments of ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

83

*Original: English**For New Zealand:*

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the New Zealand delegation reserves for its Government the right to take such measures as it might deem necessary to safeguard its interests if any other country should in any way fail to respect the conditions specified in the Final Acts or if the reservations made by any

other country should be prejudicial or detrimental to New Zealand's interests. In addition, New Zealand reserves the right to make appropriate specific reservations and statements prior to ratification of the Final Acts.

84

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

1. The delegation of the Federal Republic of Germany reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Member States not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

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

85

*Original: French**For the Islamic Federal Republic of the Comoros:*

The delegation of the Islamic Federal Republic of the Comoros reserves for its Government the right to take any steps necessary to safeguard its interests:

1. should any Member fail, in any way whatever, to comply with the provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes or protocols thereto;

2. should any reservations made, or other steps taken, by other Governments jeopardize the proper functioning of the country's telecommunication services, lead to an increase in its contributory share towards defraying the Union's expenses or, directly or indirectly, undermine its sovereignty.

Original: French

For the Republic of Senegal:

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1999), the delegation of the Republic of Senegal declares on behalf of its Government that it accepts no consequences arising from reservations made by other governments which result in an increase in its contributory share towards defraying the expenses of the Union.

The Republic of Senegal reserves the right to take any action it deems necessary to safeguard its interests should any Member States, including Sector Members under their jurisdiction, fail to comply with the provisions contained in the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations by other countries tend to jeopardize the proper operation of its telecommunication services.

Senegal reiterates and incorporates by reference all declarations or reservations made at world administrative conferences and world radio-communication conferences prior to signature of these Final Acts.

Senegal does not by its signature or by any subsequent ratification of the amendments to the Constitution and the Convention adopted by the Plenipotentiary Conference (Minneapolis, 1998) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall Senegal be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete revisions, adopted subsequent to the date of signature of these Final Acts, unless it has specifically notified the International Telecommunication Union of its consent to be bound.

Original: English

For the Republic of India:

1. In signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Republic of India does not accept any financial implications for its Government, resulting from any reservations that might be made by any Member on matters pertaining to the finances of the Union.

2. The delegation of the Republic of India further reserves the right of its Government to take any action it deems necessary to safeguard and protect its interests in the event of any Member failing in any way to comply with one or more provisions of the Constitution and the Con-

vention of the International Telecommunication Union (Geneva, 1992) and amendments made thereto by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the Administrative Regulations.

88

Original: English

For Papua New Guinea:

The delegation of Papua New Guinea reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member of the Union fail in any way to comply with the requirements of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) as amended by the Final Acts of the Plenipotentiary Conference (Kyoto, 1994) and the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or should reservations by any Member of the Union jeopardize Papua New Guinea's telecommunication services, affect its sovereignty or lead to an increase in its contributory share towards defraying the expenses of the Union.

89

Original: English

For the Republic of Mauritius:*

The delegation of the Republic of Mauritius, in signing the Final Acts of this conference, reserves for its Government the right to take any action which it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes attached thereto, or should reservations by other Members jeopardize its telecommunication services, national interests, security or sovereignty or lead to an increase in its contributory share in defraying the expenses of the Union.

* *Note by the General Secretariat* – The Republic of Mauritius did not sign the Final Acts of the conference.

Original: English

For the United States of America:

The United States of America refers to Article 32, Section 16, of the Convention of the International Telecommunication Union (Geneva, 1992), and notes that in considering the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), the United States of America may find it necessary to make additional declarations or reservations. Accordingly, the United States of America reserves the right to make additional declarations or reservations at the time of deposit of its instruments of ratification of the amendments to the Constitution and the Convention (Geneva, 1992) adopted by the Plenipotentiary Conference (Minneapolis, 1998).

The United States of America reiterates and incorporates by reference all reservations and declarations made at world administrative conferences and world radiocommunication conferences prior to signature of these Final Acts.

The United States of America does not by signature or by any subsequent ratification of the amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Minneapolis, 1998) consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the United States of America be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete, adopted subsequent to the date of signature of these Final Acts, without specific notification to the International Telecommunication Union by the United States of America of its consent to be bound.

Original: English

For the United States of America:

The United States of America will make all reasonable efforts to comply with the cost-recovery procedures contained in Resolutions 95 (Minneapolis, 1998) and 73 (Minneapolis, 1998), but declares its right *not* to do so in cases involving satellite networks or systems that transmit government telecommunications as defined under No. 1014 of the annex to the Constitution of the International Telecommunication Union (Geneva, 1992).

Original: English

For the United States of America:

The United States of America refers to Resolution 72 (Minneapolis, 1998) and notes its concern about the action taken by this conference in that regard. The United States of America reiterates its view that Resolution 72 (Minneapolis, 1998) raises legal concerns, particularly in regard to its consistency with provisions of the Constitution and Convention of the International Telecommunication Union (Geneva, 1992). Furthermore, the United States of America notes its regret that political issues were allowed to interfere with the technical work of this conference.

Original: French

For France:

I

The French delegation reserves for its Government the right to take any action that it may deem necessary to safeguard its interests in the event that certain Member States do not assume their share in defraying the expenses of the Union or fail in any manner to comply with the provisions of the amendments adopted by this Plenipotentiary Conference (Minneapolis, 1998) to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or should reservations made by other countries jeopardize the operation of France's telecommunication services or entail an increase in its contributory share towards defraying the expenses of the Union.

II

The French delegation formally declares that, with respect to France, the provisional or definitive application of the amendments to the Administrative Regulations of the Union as defined in Article 54 of the Constitution of the International Telecommunication Union (Geneva, 1992), as amended by the amending instruments (Kyoto, 1994) and by the amending instruments (Minneapolis, 1998), shall be understood as being to the extent authorized under national law.

Original: English

For Australia:

The delegation of Australia declares that it reserves for its Government the right to make any statements or reservations in depositing its instruments of ratification of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

Original: Russian

For the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation:

The delegations of the above-mentioned countries reserve for their respective Governments the right to make any statement or reservation when ratifying the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), and the right to take any action they may consider necessary to safeguard their interests should any Member of the Union fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union, or should reservations made by other countries jeopardize the operation of the telecommunication services of the above-mentioned countries or lead to an increase in their annual contribution to defraying the expenses of the Union.

Original: English

For Japan:

In signing the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998), subject to formal ratification, the delegation of Japan reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member State fail in any way to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), or the annexes thereto, or should reservations by other countries jeopardize its interests in any way.

Original: English

For the Federal Republic of Germany, the Republic of India, Japan and the United Kingdom of Great Britain and Northern Ireland:

The delegations of the above-mentioned countries consider that Resolution 78 (Minneapolis, 1998) concerning internal invoicing of the costs of activities undertaken by BDT at the request of the General Secretariat or an ITU sector has significant implications for the management of the Union.

These implications were not considered by the Plenipotentiary Conference and the above-mentioned countries do not consider that the Secretary-General and the Directors of the Bureaux are bound by that resolution.

Original: English

For the State of Israel:

1. Declaration No. 40 made by certain delegations in respect of the Final Acts, is in flagrant contradiction with the principles and purposes of the International Telecommunication Union, and is therefore devoid of any legal validity.

2. The delegation of the State of Israel, on behalf of its Government, wishes to put on record that it rejects outright this declaration which politicizes and undetermines the work of ITU. The delegation of the State of Israel will proceed on the assumption that this declaration has no bearing whatsoever with respect to the rights and duties of any Member State of ITU.

3. The delegation of the State of Israel, on behalf of its Government, will, in so far as concerns the substance of the matter, adopt towards the Members whose delegations have made the above-mentioned declaration, an attitude of complete reciprocity.

4. The delegation of the State of Israel reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Member States not share in defraying the expenses of the Union or should they fail in any other way to comply with the provisions of the instruments (Minneapolis, 1998) amending the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the amending instruments (Kyoto,

1994), or should reservations by other Member States be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunication services.

5. The delegation of the State of Israel, on behalf of its Government, does not by signature or by any subsequent ratification of the amendments to the Constitution and Convention adopted by this conference consent to be bound by the Administrative Regulations adopted prior to the date of signature of these Final Acts. Nor shall the State of Israel be deemed to have consented to be bound by revisions of the Administrative Regulations, whether partial or complete, adopted subsequent to the date of signature of these Final Acts, without specific notification to ITU by the State of Israel of its consent to be bound.

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

Original: French

For the Islamic Republic of Mauritania:

After taking note of Document 311, the delegation of the Islamic Republic of Mauritania reserves for its Government the right:

1. to take any measure it deems necessary to safeguard its national interests should any Member States fail in any way to comply with the provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or should reservations by other Member States not be in accordance with its chief concern, namely to operate its telecommunication network in as satisfactory manner as possible;

2. to accept or not to accept any financial implications arising from the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) or from reservations by other Member States.

The delegation of Mauritania further declares that the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992) and any amendment made by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998) to those instruments shall be subject to ratification by the competent national institutions.

The delegation of Mauritania requests that the name of Mauritania be deleted from Declaration No. 40.

Original: English

For the Republic of Namibia:

The delegation of the Republic of Namibia, after having considered the declarations contained in conference Document 311, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), reserves the right for the Government of the Republic of Namibia to take any measures it considers appropriate to safeguard its interest.

The Namibian delegation further reserves for the Government of the Republic of Namibia the right to make any statements and reservations when depositing its instrument of ratification for the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

Original: English

For the United States of America:

The United States of America refers to declarations made by various Members reserving their right to take such action as they may consider necessary to safeguard their interests with respect to application of provisions of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and any amendments thereto. The United States of America reserves the right to take whatever measures it deems necessary to safeguard U.S. interests in response to such actions.

Original: English

For the United States of America:

The United States of America, noting Statement 81 entered by the delegation of Cuba, recalls its right to broadcast to Cuba on appropriate frequencies free of jamming or other wrongful interference and reserves its rights with respect to existing interference and any future interference by Cuba with U.S. broadcasting. Furthermore, the United States of America notes that its presence in Guantanamo is by virtue of an international

agreement presently in force and that the United States of America reserves the right to meet its radiocommunication requirements there as it has in the past.

103

Original: English

For the Federal Democratic Republic of Ethiopia:

The delegation of the Federal Democratic Republic of Ethiopia, having considered the declarations contained in conference Document 311, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), reserves the right of the Government of the Federal Democratic Republic of Ethiopia to take any measures it considers appropriate to safeguard its interests.

The Ethiopian delegation further reserves for the Government the right to make any statements and reservations when depositing its instrument of ratification for the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998).

104

Original: English

For the Republic of Cyprus:

The delegation of the Republic of Cyprus, after having considered the declarations contained in conference Document 311, reserves for its Government the right to take any action it deems necessary to safeguard its interests should any Members of the Union not share in defraying the expenses of the Union, or should they fail in any way to comply with the Constitution and Convention (Geneva, 1992), and/or annexes and protocols thereto, as amended by the amending instruments (Kyoto, 1994) and the amending instruments (Minneapolis, 1998), or should reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses or jeopardize its telecommunication service, or should any other action taken or intended to be taken by any person, physical or juridical directly or indirectly affect its sovereignty.

The delegation of the Republic of Cyprus further reserves for its Government the right to make any other declaration or reservations until and up to the time that the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) and the amending instruments (Kyoto, 1994) are ratified by the Republic of Cyprus.

Original: English

For the Federal Republic of Nigeria:

After having taken note of Document 311, the delegation of the Federal Republic of Nigeria to the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), in signing the Final Acts of this conference, reserves for its Government, the right:

1. to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provision of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes thereto, or should reservations by other Members or any failure jeopardize the proper operation of its telecommunication services;

2. not to accept responsibility for consequences arising out of any reservation made by other Members likely to lead to an increase in its contributory share in defraying Union expenditure.

Original: English

For the Republic of Korea:

The delegation of the Republic of Korea, after having considered the declarations and reservations contained in conference Document 311, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), reserves the right for the Government of the Republic of Korea to take any action as it may consider necessary to safeguard its interests should these declarations and reservations jeopardize its interests in any way.

Original: English

For the Kingdom of Bhutan:

Acknowledging Document 311 and in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), the delegation of the Kingdom of Bhutan reserves for its Royal Government the right to take any action which it deems necessary to take to safeguard its national interests should any

Member of the Union fail in any way to comply with the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), or the annexes and protocols attached thereto, or should reservation by any Member of the Union jeopardize the Kingdom of Bhutan's telecommunication services and affect its sovereign rights.

108

*Original: English**For the Federative Republic of Brazil:*

Having considered the declarations contained in Document 311, the delegation of Brazil, in accordance with the provisions of the Brazilian Constitution, hereby declares that the signature of the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998) is subject to ratification by the National Congress.

109

*Original: Spanish**For Chile:*

Having taken note of Document 311, the delegation of Chile, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), declares that it reserves for its Government the right to make whatever reservations may be necessary, prior to the ratification of the said Final Acts, to safeguard its national interests should any of the provisions thereof conflict with its legislation.

110

*Original: English**For the Lao People's Democratic Republic:*

The delegation of the Lao People's Democratic Republic, having considered the declarations contained in Document 311, reserves the right of its Government to take any action it may consider necessary to safeguard its interests should any Member State fail, in any way, to comply with the requirements of the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), as amended by

the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), or the annexes and protocols attached thereto, or should any reservation made by any Member State jeopardize its telecommunication services or lead to an increase in its contribution towards defraying the expenses of ITU.

111

Original: English

For the Federal Republic of Germany, Austria, Belgium, Denmark, the Republic of Estonia, the United States of America, Finland, France, Greece, Ireland, Iceland, Italy, Japan, the Principality of Liechtenstein, Luxembourg, Malta, Norway, the Kingdom of the Netherlands, the Republic of Poland, Portugal, the Slovak Republic, the Czech Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden and the Confederation of Switzerland:

The delegations of the above-mentioned States, referring to the declaration made by the Republic of Colombia (No. 50), in as much as this and any similar statement refers to the Bogota Declaration of 3 December 1976 by equatorial countries and to the claims of those countries to exercise sovereign rights over segments of the geostationary-satellite orbit, consider that the claims in question cannot be recognized by this conference.

Further, the above-mentioned delegations wish to affirm or reaffirm the declaration made by a number of delegations (No. 92) at the Plenipotentiary Conference (Kyoto, 1994) and declarations at conferences referred to therein as if these declarations were here repeated in full.

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

112

Original: English

For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, the Republic of Estonia, Finland, France, Greece, Ireland, Italy, the Principality of Liechtenstein, Luxembourg, Norway, the Kingdom of the Netherlands, Portugal, the Slovak Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden, the Confederation of Switzerland and Turkey:

The delegations of the above-mentioned States, referring to Declara-

tion No. 91 made by the United States of America, do not accept that any distinction should be made between government and other satellite networks and reserve the right to take any appropriate action in respect of any financial implications resulting from that declaration.

113

Original: English

For the Federal Republic of Germany, Austria, Belgium, Denmark, Spain, the Republic of Estonia, Finland, France, Greece, Ireland, Italy, Luxembourg, Norway, the Kingdom of the Netherlands, the Republic of Poland, Portugal, the Slovak Republic, the Czech Republic, the United Kingdom of Great Britain and Northern Ireland, Sweden and Turkey:

The delegations of the above-mentioned States, referring to Declaration No. 33 made by a number of countries, consider that entries in the Plans of Appendices 30 and 30A of the Radio Regulations refer to administrations and that no distinction shall be made between commercial and other systems.

114

Original: Russian

For the Republic of Kazakstan, the Russian Federation and Ukraine:

Having regard to the declaration made in Document 31 I with respect to the application of those parts of Resolutions 95 (Minneapolis, 1998) and 73 (Minneapolis, 1998) that deal with satellite networks or systems that transmit government telecommunications, the delegations of the Republic of Kazakstan, the Russian Federation and Ukraine reserve for their respective Governments the right to determine the degree of application of the said resolutions with respect to their systems and networks of that type if the universality of application of the said resolutions is infringed.

115

Original: French

For the Republic of Haiti:

Having examined the declarations and reservations contained in Document 311 of the conference, the delegation of the Republic of Haiti, in signing the Final Acts of the Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998), reserves for its

Government the right to take any action which it may deem necessary to safeguard its interests should any other present or future Members fail to comply with the provisions of the Constitution and the Convention of the Union, and the annexes and protocols thereto, or should reservations made by other Member States jeopardize the operation of its telecommunication services.

The delegation also expresses reservations regarding any provision of the instruments (Minneapolis, 1998) amending the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), which may be contrary to the current legislation of the Republic of Haiti or which may in any way affect its sovereign right to regulate its telecommunications.

D. PARLEMENT

De wijzigingen behoeven ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan de wijzigingen kan worden gebonden.

G. INWERKINGTREDING

De wijzigingen zullen op 1 januari 2000 in werking treden tussen Leden, die partij zijn bij het Statuut en het Verdrag van de Internationale Unie voor Telecommunicatie (Genève, 1992) en die voor genoemde datum hun akte van bekrachtiging, aanvaarding of goedkeuring van, of toetreding tot, de wijzigingen hebben neergelegd.

J. GEGEVENS

Tijdens een in november 1998 te Minneapolis gehouden Plenipotentiare Conferentie van de Internationale Unie voor Telecommunicatie zijn de onderhavige Akten van wijziging tot stand gekomen.

Tevens heeft de Plenipotentiare Conferentie een aantal Besluiten en Resoluties aangenomen, waarvan de volgende in dit Tractatenblad zijn opgenomen:

Decision 4 (Minneapolis, 1998)

Procedure concerning choice of contributory class

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

decides

1. that each Member State and Sector Member shall inform the Secretary-General before 6 May 1999 of the class of contribution it has chosen from the scale of contributions in Article 33 of the Convention of the International Telecommunication Union;

2. that Member States and Sector Members which have failed to make known their decision before 6 May 1999 in accordance with the requirements of paragraph 1 above shall be required to continue to contribute the same number of units as they contributed previously;

3. that, at the first session of the Council held after 1 January 2000, a Member State or Sector Member may, with the approval of the Council, reduce the level of its contributory class determined under paragraphs 1 and 2 above if its relative contributory position under the applicable scale of contribution is substantially worse than its previous position;

4. that the classes of contribution chosen under paragraph 1 above shall be applied as from 1 January 2000 to 31 December 2003,

instructs the Secretary-General

1. to inform Member States and Sector Members of this decision;

2. to inform Member States and Sector Members without delay regarding the choice of class of contribution made under *decides* 1 above.

Resolution 99 (Minneapolis, 1998)

Status of Palestine in ITU

The Plenipotentiary Conference of the International Telecommunication Union (Minneapolis, 1998),

recalling

a) the Charter of the United Nations and the Universal Declaration of Human Rights;

b) Resolution A/52/250 of the United Nations General Assembly relating to the participation of Palestine in the work of the United Nations;

c) Resolutions 6 and 32 of the Plenipotentiary Conference (Kyoto, 1994);

d) Resolution 18 of the World Telecommunication Development Conference (Valletta, 1998),

considering

a) that the basic instruments of the Union have as a purpose to strengthen peace and security in the world by means of international cooperation and better understanding among peoples;

b) that to achieve the above purpose, ITU needs to have a universal character,

considering further

that many, but not all, ITU Member States recognize Palestine as a State,

resolves

that pending any further change in the status of Palestine in ITU, the following shall apply:

1. the provisions of the Administrative Regulations, and related resolutions and recommendations, shall be applied to the Palestinian Authority in the same manner as they are applied to administrations as defined in No. 1002 of the Constitution, and the General Secretariat and the three Bureaux shall act accordingly. In particular in relation to the international access code, call signs and the processing of frequency notification assignments;

2. Palestine may participate in all ITU conferences, assemblies and meetings as an observer, with the rights that are attributed to an observer as defined in No. 1002 of the Convention, and in treaty-making conferences with the following additional rights:

– the right to raise points of order related to the proceedings on Palestinian and Middle East issues, provided that the right to raise such a point of order shall not include the right to challenge the decision of the presiding officer;

– the right to co-sponsor draft resolutions and decisions on Palestinian and Middle East issues; such draft resolutions and decisions shall only be put to vote upon request from a Member State;

3. the Palestinian delegation shall be seated immediately after Member States.

Verwijzingen

Van het op 26 juni 1945 te San Francisco tot stand gekomen Handvest van de Verenigde Naties, naar welke Organisatie onder meer in artikel 1 (CS) van de Akte van wijziging van het Statuut van de Internationale Unie voor Telecommunicatie wordt verwezen, zijn de Engelse en Franse tekst, zoals gewijzigd, geplaatst in *Trb.* 1979, 37 en de herziene vertaling in *Trb.* 1987, 113. Zie ook, laatstelijk, *Trb.* 1998, 145.

Van de op 27 december 1945 te Washington tot stand gekomen Overeenkomst betreffende het Internationale Monetaire Fonds, naar welke Organisatie in artikel 38 (CV) van de Akte van wijziging van het Verdrag van de Internationale Unie voor Telecommunicatie wordt verwezen, is de Engelse tekst alsmede de vertaling afgedrukt in *Stb.* G 278. Zie ook, laatstelijk, *Trb.* 1991, 70.

Van het op 26 oktober 1956 te New York tot stand gekomen Statuut van de Internationale Organisatie voor Atoomenergie, naar welke Organisatie in Annex (CV) van de Akte van wijziging van het Verdrag van de Internationale Unie voor Telecommunicatie wordt verwezen, zijn de Engelse en Franse tekst alsmede de vertaling geplaatst in *Trb.* 1957, 50. Zie ook, laatstelijk, *Trb.* 1990, 51.

Van het op 22 december 1992 te Genève tot stand gekomen Statuut en Verdrag van de Internationale Unie voor Telecommunicatie welke door de onderhavige wijzigingen worden gewijzigd zijn de Franse en Engelse tekst geplaatst in *Trb.* 1993, 138. Zie ook *Trb.* 1996, 165.

Van de op 14 oktober 1994 te Kyoto tot stand gekomen Akten van wijziging van het Statuut en Verdrag van de Internationale Unie voor Telecommunicatie van 1992 zijn de Franse en Engelse tekst geplaatst in *Trb.* 1995, 201. Zie ook *Trb.* 1996, 166.

Geconsolideerde versie van de Engelse tekst van het Statuut en het Verdrag van de Internationale Unie voor Telecommunicatie van 1992, zoals gewijzigd bij de Akten van wijziging van 1994 (Kyoto) en 1998 (Minneapolis)¹⁾

¹⁾ Verklarende noten:

1. Het Statuut (S) en het Verdrag (V) en hun onderscheiden Bijlagen zijn de teksten aangenomen door de Aanvullende Plenipotenciaire Conferentie (Genève, 1992), met inbegrip van de wijzigingen aangenomen door de Plenipotenciaire Conferentie (Kyoto, 1994) en de Plenipotenciaire Conferentie (Minneapolis, 1998).

2. De nummers in de marge van S, V en de Bijlagen staan in de linkermarge, soms vergezeld van het symbool "PP-94", dat verwijst naar de Plenipotenciaire Conferentie (Kyoto, 1994) en/of "PP-98", dat verwijst naar de Plenipotenciaire Conferentie (Minneapolis, 1998).

Voorbeelden:

a. Alleen een nummer in de marge, bijvoorbeeld:

496

verwijst naar een bepaling aangenomen door de Aanvullende Plenipotenciaire Conferentie (Genève, 1992), die sindsdien niet gewijzigd is.

b. Een nummer in de marge vergezeld van hetzij PP-94 hetzij PP-98, bijvoorbeeld:

269 of **136**
PP-94 **PP-98**

verwijst naar een bepaling aangenomen door de Aanvullende Plenipotenciaire Conferentie (Genève, 1992), die is gewijzigd door PP-94 of PP-98, naar gelang wat van toepassing is.

c. Een nummer in de marge vergezeld van zowel PP-94 als PP-98, bijvoorbeeld:

239
PP-94
PP-98

verwijst naar een bepaling aangenomen door de Aanvullende Plenipotenciaire Conferentie (Genève, 1992,) die is gewijzigd door zowel PP-94 als PP-98.

d. Een nummer in de marge gevolgd door een letter en vergezeld van hetzij PP-94 hetzij PP-98, bijvoorbeeld:

59A of **241A**
PP-94 **PP-98**

verwijst naar een bepaling die is toegevoegd door PP-94 of PP-98, naar gelang wat van toepassing is.

e. Een nummer in de marge, gevolgd door een letter en vergezeld van zowel PP-94 als PP-98, bijvoorbeeld:

59D
PP-94
PP-98

verwijst naar een bepaling die is toegevoegd door PP-94 en gewijzigd door PP-98.

3. Het symbool „(SUP)” verwijst naar een bepaling of reeks bepalingen die is/zijn geschrapt door PP-94 of PP-98.

4. In S en V, met uitzondering van bepaalde gevallen waarin specifieke nummers in de marge of specifieke nummers van hoofdstukken, onderdelen, artikelen of leden redactioneel moesten worden gewijzigd ter wille van de logische volgorde of consistentie, is de nummering in de Slotakten van de aannemende of wijzigende plenipotenciaire conferentie gehandhaafd. Zodoende zijn de letters A, B, C enz. gehandhaafd in de toegevoegde bepalingen; zijn de Latijnse achtervoegsels *bis*, *ter*, *quater*, enz. gehandhaafd in de toegevoegde bepalingen en zijn hoofdstukken, onderdelen en artikelen niet hernummerd wanneer er tekst is geschrapt (zo „springt” het Verdrag van Hoofdstuk II naar Hoofdstuk IV, omdat Hoofdstuk III niet meer bestaat.). Dit vereenvoudigt verwijzing over en weer naar de Slotakten van de desbetreffende plenipotenciaire conferentie en maakt het mogelijk de ontwikkeling van de teksten van S en V via de achtereenvolgende plenipotenciaire conferenties te traceren.

Constitution of the International Telecommunication Union*

Preamble

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

* Note by the General Secretariat: In accordance with Resolution 70 (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the text of the Constitution is to be considered as gender neutral.

CHAPTER I

BASIC PROVISIONS

Article 1

Purposes of the Union

- 2 1. The purposes of the Union are:
- 3 **PP-98** a) to maintain and extend international cooperation among all its Member States for the improvement and rational use of telecommunications of all kinds;
- 3A **PP-98** *abis*) to promote and enhance participation of entities and organizations in the activities of the Union and foster fruitful cooperation and partnership between them and Member States for the fulfilment of the overall objectives as embodied in the purposes of the Union;
- 4 **PP-98** b) to promote and to offer technical assistance to developing countries in the field of telecommunications, and also to promote the mobilization of the material, human and financial resources needed for its implementation, as well as access to information;
- 5 c) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;
- 6 d) to promote the extension of the benefits of the new telecommunication technologies to all the world's inhabitants;
- 7 e) to promote the use of telecommunication services with the objective of facilitating peaceful relations;
- 8 **PP-98** f) to harmonize the actions of Member States and promote fruitful and constructive cooperation and partnership between Member States and Sector Members in the attainment of those ends;
- 9 g) to promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the

global information economy and society, by cooperating with other world and regional intergovernmental organizations and those non-governmental organizations concerned with telecommunications.

- 10** 2. To this end, the Union shall in particular:
- 11 PP-98** a) effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and the registration of radiofrequency assignments and, for space services, of any associated orbital position in the geostationary-satellite orbit or of any associated characteristics of satellites in other orbits, in order to avoid harmful interference between radio stations of different countries;
- 12 PP-98** b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum for radiocommunication services and of the geostationary-satellite and other satellite orbits;
- 13** c) facilitate the worldwide standardization of telecommunications, with a satisfactory quality of service;
- 14 PP-98** d) foster international cooperation and solidarity in the delivery of technical assistance to the developing countries and the creation, development and improvement of telecommunication equipment and networks in developing countries by every means at its disposal, including through its participation in the relevant programmes of the United Nations and the use of its own resources, as appropriate;
- 15** e) coordinate efforts to harmonize the development of telecommunication facilities, notably those using space techniques, with a view to full advantage being taken of their possibilities;
- 16 PP-98** f) foster collaboration among Member States and Sector Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunications on a sound basis;
- 17** g) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services;

- 18 h) undertake studies, make regulations, adopt resolutions, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters;
- 19 i) promote, with international financial and development organizations, the establishment of preferential and favourable lines of credit to be used for the development of social projects aimed, inter alia, at extending telecommunication services to the most isolated areas in countries.
- 19A PP-98 j) promote participation of concerned entities in the activities of the Union and cooperation with regional and other organizations for the fulfilment of the purposes of the Union.

Article 2

Composition of the Union

- 20 PP-98 The International Telecommunication Union is an inter-governmental organization in which Member States and Sector Members, having well-defined rights and obligations, cooperate for the fulfilment of the purposes of the Union. It shall, having regard to the principle of universality and the desirability of universal participation in the Union, be composed of:
- 21 PP-98 a) any State which is a Member State of the International Telecommunication Union as a Party to any International Telecommunication Convention prior to the entry into force of this Constitution and the Convention;
- 22 b) any other State, a Member of the United Nations, which accedes to this Constitution and the Convention in accordance with Article 53 of this Constitution;
- 23 PP-98 c) any other State, not a Member of the United Nations, which applies for membership of the Union and which, after having secured approval of such application by two-thirds of the Member States of the Union, accedes to this Constitution and the Convention in accordance with Article 53 of this Constitution. If such application for membership is made during the interval between two plenipotentiary conferences, the Secretary-General shall consult the Member States of the Union; a Member State shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

Article 3

PP-98 *Rights and Obligations of Member States and Sector Members*

- 24 PP-98** 1. Member States and Sector Members shall have the rights and shall be subject to the obligations provided for in this Constitution and the Convention.
- 25 PP-98** 2. Rights of Member States in respect of their participation in the conferences, meetings and consultations of the Union are:
- 26 PP-98** a) all Member States shall be entitled to participate in conferences, shall be eligible for election to the Council and shall have the right to nominate candidates for election as officials of the Union or as members of the Radio Regulations Board;
- 27 PP-98** b) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall have one vote at all plenipotentiary conferences, all world conferences and all Sector assemblies and study group meetings and, if it is a Member State of the Council, all sessions of that Council. At regional conferences, only the Member States of the region concerned shall have the right to vote;
- 28 PP-98** c) subject to the provisions of Nos. 169 and 210 of this Constitution, each Member State shall also have one vote in all consultations carried out by correspondence. In the case of consultations regarding regional conferences, only the Member States of the region concerned shall have the right to vote.
- 28A PP-98** 3. In respect of their participation in activities of the Union, Sector Members shall be entitled to participate fully in the activities of the Sector of which they are members, subject to relevant provisions of this Constitution and the Convention:
- 28B PP-98** a) they may provide chairmen and vice-chairmen of Sector assemblies and meetings and world telecommunication development conferences;
- 28C PP-98** b) they shall be entitled, subject to the relevant provisions of the Convention and relevant decisions adopted in this regard by the Plenipotentiary Conference, to take part in the adoption of Questions and Recommendations and in deci-

sions relating to the working methods and procedures of the Sector concerned.

Article 4

Instruments of the Union

- 29** 1. The instruments of the Union are:
- this Constitution of the International Telecommunication Union,
 - the Convention of the International Telecommunication Union, and
 - the Administrative Regulations.
- 30** 2. This Constitution, the provisions of which are complemented by those of the Convention, is the basic instrument of the Union.
- 31 PP-98** 3. The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Member States:
- International Telecommunication Regulations,
 - Radio Regulations.
- 32** 4. In the case of inconsistency between a provision of this Constitution and a provision of the Convention or of the Administrative Regulations, the Constitution shall prevail. In the case of inconsistency between a provision of the Convention and a provision of the Administrative Regulations, the Convention shall prevail.

Article 5

Definitions

- 33** Unless the context otherwise requires:
- 34** a) the terms used in this Constitution and defined in its Annex, which forms an integral part of this Constitution, shall have the meanings assigned to them in that Annex;
- 35** b) the terms – other than those defined in the Annex to this Constitution – used in the Convention and defined in the Annex thereto, which forms an integral part of the Convention, shall have the meanings assigned to them in that Annex;

- 36 c) other terms defined in the Administrative Regulations shall have the meanings therein assigned to them.

Article 6

Execution of the Instruments of the Union

- 37 **PP-98** 1. The Member States are bound to abide by the provisions of this Constitution, the Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 48 of this Constitution.
- 38 **PP-98** 2. The Member States are also bound to take the necessary steps to impose the observance of the provisions of this Constitution, the Convention and the Administrative Regulations upon operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

Article 7

Structure of the Union

- 39 The Union shall comprise:
- 40 a) the Plenipotentiary Conference, which is the supreme organ of the Union;
- 41 b) the Council, which acts on behalf of the Plenipotentiary Conference;
- 42 c) world conferences on international telecommunications;
- 43 d) the Radiocommunication Sector, including world and regional radiocommunication conferences, radiocommunication assemblies and the Radio Regulations Board;
- 44 **PP-98** e) the Telecommunication Standardization Sector, including world telecommunication standardization assemblies;

45 f) the Telecommunication Development Sector, including world and regional telecommunication development conferences;

46 g) the General Secretariat.

Article 8

Plenipotentiary Conference

47 PP-98 1. The Plenipotentiary Conference shall be composed of delegations representing Member States. It shall be convened every four years.

48 PP-98 2. On the basis of proposals by Member States and taking account of reports by the Council, the Plenipotentiary Conference shall:

49 a) determine the general policies for fulfilling the purposes of the Union prescribed in Article 1 of this Constitution;

50 PP-94 b) consider the reports by the Council on the activities of
PP-98 the Union since the previous plenipotentiary conference and on the policy and strategic planning of the Union;

51 PP-98 c) establish the basis for the budget of the Union and determine, in the light of its decisions taken on the reports referred to in No. 50 above, related financial limits until the next plenipotentiary conference, after considering all relevant aspects of the work of the Union in that period;

51A PP-98 *cbis*) establish, using the procedures described in Nos. 161D to 161G of this Constitution, the total number of contributory units for the period up to the next plenipotentiary conference on the basis of the classes of contribution announced by Member States;

52 d) provide any general directives dealing with the staffing of the Union and, if necessary, fix the basic salaries, the salary scales and the system of allowances and pensions for all the officials of the Union;

53 e) examine the accounts of the Union and finally approve them, if appropriate:

54 PP-98 f) elect the Member States which are to serve on the Council;

- 55** g) select the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux of the Sectors as elected officials of the Union;
- 56** h) elect the members of the Radio Regulations Board;
- 57 PP-94** i) consider and adopt, if appropriate, proposals for amendments to this Constitution and the Convention, put forward
PP-98 by Member States, in accordance with the provisions of Article 55 of this Constitution and the relevant provisions of the Convention, respectively;
- 58** j) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded by the Council on behalf of the Union, and take such measures in connection therewith as it deems appropriate;
- 58A PP-98** *jbis*) adopt and amend the Rules of Procedure of conferences and other meetings of the Union;
- 59** k) deal with such other telecommunication questions as may be necessary.
- 59A PP-94** 3. Exceptionally, in the interval between two ordinary Plenipotentiary Conferences, it shall be possible to convene an extraordinary Plenipotentiary Conference with a restricted agenda to deal with specific matters:
- 59B PP-94** a) by a decision of the preceding ordinary Plenipotentiary Conference;
- 59C PP-94** b) should two-thirds of the Member States individually so
PP-98 request the Secretary-General;
- 59D PP-94** c) at the proposal of the Council with the approval of at
PP-98 least two-thirds of the Member States.

Article 9

Principles Concerning Elections and Related Matters

- 60** 1. The Plenipotentiary Conference, at any elections referred to in Nos. 54 to 56 of this Constitution, shall ensure that:

61 a) the Members of the Council* are elected with due regard to the need for equitable distribution of the seats on the Council among all regions of the world;

**62 PP-94
PP-98**

b) the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaus and the members of the Radio Regulations Board shall be elected among the candidates proposed by Member States as their nationals and shall all be nationals of different Member States, and at their election due consideration should be given to equitable geographical distribution amongst the regions of the world; as far as the elected officials are concerned, due consideration should also be given to the principles embodied in No. 154 of this Constitution;

**63 PP-94
PP-98**

c) the members of the Radio Regulations Board shall be elected in their individual capacity; each Member State may propose only one candidate.

64

2. The procedures for these elections shall be established by the Plenipotentiary Conference. Provisions relating to taking up duties, vacancy and re-eligibility are contained in the Convention.

Article 10

The Council

65 PP-98 1. 1) The Council shall be composed of Member States elected by the Plenipotentiary Conference in accordance with the provisions of No. 61 of this Constitution.

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

67 2. The Council shall adopt its own Rules of Procedure.

* Note by the General Secretariat: "Members of the Council" should read "Member States of the Council".

** Note by the General Secretariat: "Member of the Council" should read "Member State of the Council".

- 68** 3. In the interval between Plenipotentiary Conferences, the Council shall act, as governing body of the Union, on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.
- 69 PP-98** 4. 1) The Council shall take all steps to facilitate the implementation by the Member States of the provisions of this Constitution, of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties assigned to it by the Plenipotentiary Conference.
- 70 PP-98** 2) It shall consider broad telecommunication policy issues in keeping with the guidelines given by the Plenipotentiary Conference in order to ensure that the Union's policies and strategy fully respond to the constantly changing telecommunication environment, and shall prepare a report on the policy and strategic planning recommended for the Union, together with their financial implications. It shall use to this effect the material prepared by the Secretary-General under No. 74A below.
- 71** 3) It shall ensure the efficient coordination of the work of the Union and exercise effective financial control over the General Secretariat and the three Sectors.
- 72** 4) It shall contribute, in accordance with the purposes of the Union, to the development of telecommunications in the developing countries by every means at its disposal, including through the participation of the Union in the appropriate programmes of the United Nations.

Article 11

General Secretariat

- 73** 1. 1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.
- 73A PP-98** 2) The functions of the Secretary-General are specified in the Convention. In addition, the Secretary-General shall:
- 74 PP-98** a) coordinate the Union's activities, with the assistance of the Coordination Committee;

- 74A PP-98** b) prepare, with the assistance of the Coordination Committee, material required for the preparation of a report on the policies and strategic plan for the Union, and coordinate the implementation of the plan;
- 75 PP-98** c) take all the actions required to ensure economic use of the Union's resources and be responsible to the Council for all the administrative and financial aspects of the Union's activities;
- 76 PP-98** d) act as the legal representative of the Union.
- 76A PP-98** 3) The Secretary-General may act as depositary of special arrangements established in conformity with Article 42 of this Constitution.
- 77** 2. The Deputy Secretary-General shall be responsible to the Secretary-General; he shall assist the Secretary-General in the performance of his duties and undertake such specific tasks as may be entrusted to him by the Secretary-General. He shall perform the duties of the Secretary-General in the absence of the latter.

CHAPTER II

RADIOCOMMUNICATION SECTOR

Article 12

Functions and Structure

- 78 PP-98** 1. 1) The functions of the Radiocommunication Sector shall be, bearing in mind the particular concerns of developing countries, to fulfil the purposes of the Union, as stated in Article 1 of this Constitution, relating to radiocommunication:
- by ensuring the rational, equitable, efficient and economical use of the radio-frequency spectrum by all radiocommunication services, including those using the geostationary-satellite or other satellite orbits, subject to the provisions of Article 44 of this Constitution, and
 - by carrying out studies without limit of frequency range and adopting recommendations on radiocommunication matters.
- 79** 2) The precise responsibilities of the Radiocommunication Sector and the Telecommunication Standardization Sec-

tor shall be subject to continuing review, in close cooperation, with regard to matters of common interest to both Sectors, in accordance with the relevant provisions of the Convention. Close coordination shall be carried out between the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors.

- 80** 2. The Radiocommunication Sector shall work through:
- 81** a) world and regional radiocommunication conferences;
- 82** b) the Radio Regulations Board;
- 83 PP-98** c) radiocommunication assemblies;
- 84** d) radiocommunication study groups;
- 84A PP-98** *dbis*) the radiocommunication advisory group;
- 85** e) the Radiocommunication Bureau, headed by the elected Director.
- 86** 3. The Radiocommunication Sector shall have as members:
- 87 PP-98** a) of right, the administrations of all Member States;
- 88 PP-98** b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 13

Radiocommunication Conferences and Radiocommunication Assemblies

- 89** 1. A world radiocommunication conference may partially or, in exceptional cases, completely, revise the Radio Regulations and may deal with any question of a worldwide character within its competence and related to its agenda: its other duties are specified in the Convention.
- 90 PP-98** 2. World radiocommunication conferences shall normally be convened every two to three years; however, following the application of the relevant provisions of the Convention, such a conference need not be convened or an additional one may be convened.

91 PP-98 3. Radiocommunication assemblies shall also normally be convened every two to three years, and may be associated in place and time with world radiocommunication conferences so as to improve the efficiency and effectiveness of the Radiocommunication Sector. Radiocommunication assemblies shall provide the necessary technical bases for the work of the world radiocommunication conferences and respond to all requests from world radiocommunication conferences. The duties of the radiocommunication assemblies are specified in the Convention.

92 PP-98 4. The decisions of a world radiocommunication conference, of a radiocommunication assembly and of a regional radiocommunication conference shall in all circumstances be in conformity with this Constitution and the Convention. The decisions of a radiocommunication assembly or of a regional radiocommunication conference shall also in all circumstances be in conformity with the Radio Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 14

Radio Regulations Board

93 1. The Radio Regulations Board shall consist of elected members thoroughly qualified in the field of radiocommunications and possessing practical experience in the assignment and utilization of frequencies.
Each member shall be familiar with the geographic, economic and demographic conditions within a particular area of the world. They shall perform their duties for the Union independently and on a part-time basis.

93A PP-98 *1.bis* The Radio Regulations Board is composed of not more than either 12 members, or of a number corresponding to 6% of the total number of Member States, whichever is the greater.

94 2. The duties of the Radio Regulations Board shall consist of:

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

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Article 15

PP-98 *Radiocommunication Study Groups and
Advisory Group*

102 PP-98 The respective duties of the radiocommunication study groups and advisory group are specified in the Convention.

Article 16

Radiocommunication Bureau

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

CHAPTER III

TELECOMMUNICATION STANDARDIZATION SECTOR

Article 17

Functions and Structure

104 PP-98 1. 1) The functions of the Telecommunication Standardization Sector shall be, bearing in mind the particular concerns of the developing countries, to fulfil the purposes of the Union relating to telecommunication standardization, as stated in Article 1 of this Constitution, by studying technical, operating and tariff questions and adopting recommendations on them with a view to standardizing telecommunications on a worldwide basis.

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

106 2. The Telecommunication Standardization Sector shall work through:

107 PP-98 a) world telecommunication standardization assemblies;

108 b) telecommunication standardization study groups;

- 108A PP-98** *bis*) the telecommunication standardization advisory group;
- 109** c) the Telecommunication Standardization Bureau headed by the elected Director.
- 110** 3. The Telecommunication Standardization Sector shall have as members:
- 111 PP-98** a) of right, the administrations of all Member States;
- 112 PP-98** b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 18

PP-98 *World Telecommunication Standardization Assemblies*

- 113 PP-98** 1. The duties of world telecommunication standardization assemblies are specified in the Convention.
- 114 PP-98** 2. World telecommunication standardization assemblies shall be convened every four years; however, an additional assembly may be held in accordance with the relevant provisions of the Convention.
- 115 PP-98** 3. Decisions of world telecommunication standardization assemblies must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the assemblies shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 19

PP-98 *Telecommunication Standardization Study Groups and Advisory Group*

- 116 PP-98** The respective duties of the telecommunication standardization study groups and advisory group are specified in the Convention.

Article 20

Telecommunication Standardization Bureau

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

CHAPTER IV

TELECOMMUNICATION DEVELOPMENT SECTOR

Article 21

Functions and Structure

- 118 1. 1) The functions of the Telecommunication Development Sector shall be to fulfil the purposes of the Union as stated in Article 1 of this Constitution and to discharge, within its specific sphere of competence, the Union's dual responsibility as a United Nations specialized agency and executing agency for implementing projects under the United Nations development system or other funding arrangements so as to facilitate and enhance telecommunications development by offering, organizing and coordinating technical cooperation and assistance activities.
- 119 2) The activities of the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors shall be the subject of close cooperation with regard to matters relating to development, in accordance with the relevant provisions of this Constitution.
- 120 2. Within the foregoing framework, the specific functions of the Telecommunication Development Sector shall be to:
- 121 a) raise the level of awareness of decision-makers concerning the important role of telecommunications in the national economic and social development programme, and provide information and advice on possible policy and structural options;
- 122 PP-98 b) promote, especially by means of partnership, the development, expansion and operation of telecommunication networks and services, particularly in developing countries, taking into account the activities of other relevant bodies, by reinforcing capabilities for human resources development, planning, management, resource mobilization, and research and development;

- 123 c) enhance the growth of telecommunications through co-operation with regional telecommunications organizations and with global and regional development financing institutions, monitoring the status of projects included in its development programme to ensure that they are properly executed;
- 124 d) activate the mobilization of resources to provide assistance in the field of telecommunications to developing countries by promoting the establishment of preferential and favourable lines of credit, and cooperating with international and regional financial and development institutions;
- 125 e) promote and coordinate programmes to accelerate the transfer of appropriate technologies to the developing countries in the light of changes and developments in the networks of the developed countries;
- 126 f) encourage participation by industry in telecommunication development in developing countries, and offer advice on the choice and transfer of appropriate technology;
- 127 g) offer advice, carry out or sponsor studies, as necessary, on technical, economic, financial, managerial, regulatory and policy issues, including studies of specific projects in the field of telecommunications:
- 128 h) collaborate with the other Sectors, the General Secretariat and other concerned bodies in developing a general plan for international and regional telecommunication networks so as to facilitate the coordination of their development with a view to the provision of telecommunication services;
- 129 i) in carrying out the above functions, give special attention to the requirements of the least developed countries.
- 130 3. The Telecommunication Development Sector shall work through:
- 131 a) world and regional telecommunication development conferences;
- 132 b) telecommunication development study groups;
- 132A PP-98 *bbis*) the telecommunication development advisory group;
- 133 c) the Telecommunication Development Bureau headed by the elected Director.

- 134** 4. The Telecommunication Development Sector shall have as members:
- 135 PP-98** a) of right, the administrations of all Member States;
- 136 PP-98** b) any entity or organization which becomes a Sector Member in accordance with the relevant provisions of the Convention.

Article 22

Telecommunication Development Conferences

- 137** 1. Telecommunication development conferences shall be a forum for the discussion and consideration of topics, projects and programmes relevant to telecommunication development and for the provision of direction and guidance to the Telecommunication Development Bureau.
- 138** 2. Telecommunication development conferences shall comprise:
- 139** a) world telecommunication development conferences;
- 140** b) regional telecommunication development conferences.
- 141** 3. There shall be, between two Plenipotentiary Conferences, one world telecommunication development conference and, subject to resources and priorities, regional telecommunication development conferences.
- 142 PP-98** 4. Telecommunication development conferences shall not produce Final Acts. Their conclusions shall take the form of resolutions, decisions, recommendations or reports. These conclusions must in all circumstances be in conformity with this Constitution, the Convention and the Administrative Regulations. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.
- 143** 5. The duties of telecommunication development conferences are specified in the Convention.

Article 23

PP-98 *Telecommunication Development Study Groups
and Advisory Group*

- 144 PP-98** The respective duties of telecommunication development study groups and advisory group are specified in the Convention.

Article 24

Telecommunication Development Bureau

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

CHAPTER V

OTHER PROVISIONS CONCERNING THE FUNCTIONING OF
THE UNION

Article 25

World Conferences on International Telecommunications

- 146** 1. A world conference on international telecommunications may partially, or in exceptional cases, completely revise the International Telecommunication Regulations and may deal with any question of a worldwide character within its competence and related to its agenda.
- 147 PP-98** 2. Decisions of world conferences on international telecommunications shall in all circumstances be in conformity with this Constitution and the Convention. When adopting resolutions and decisions, the conferences shall take into account the foreseeable financial implications and should avoid adopting resolutions and decisions which might give rise to expenditure in excess of the financial limits laid down by the Plenipotentiary Conference.

Article 26

Coordination Committee

- 148** 1. The Coordination Committee shall consist of the Secretary-General, the Deputy Secretary-General and the Directors of the three Bureaus. It shall be presided over by the Secretary-General, and in his absence by the Deputy Secretary-General.

- 149** 2. The Coordination Committee shall act as an internal management team which advises and gives the Secretary-General practical assistance on all administrative, financial, information system and technical cooperation matters which do not fall under the exclusive competence of a particular Sector or of the General Secretariat and on external relations and public information. In its considerations, the Committee shall keep fully in view the provisions of this Constitution, the Convention, the decisions of the Council and the interests of the Union as a whole.

Article 27

Elected Officials and Staff of the Union

- 150** 1. 1) In the performance of their duties, neither the elected officials nor the staff of the Union shall seek or accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.
- 151 PP-98** 2) Member States and Sector Members shall respect the exclusively international character of the duties of these elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.
- 152** 3) No elected official or any member of the staff of the Union shall participate in any manner or have any financial interest whatsoever in any enterprise concerned with telecommunications, except as part of their duties. However, the term "financial interest" is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.
- 153 PP-98** 4) In order to ensure the efficient operation of the Union, any Member State a national of which has been elected Secretary-General, Deputy Secretary-General or Director of a Bureau shall refrain, as far as possible, from recalling that national between two Plenipotentiary Conferences.
- 154** 2. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence and integrity. Due regard shall be

paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 28

Finances of the Union

- 155** 1. The expenses of the Union shall comprise the costs of:
- 156** a) the Council;
- 157** b) the General Secretariat and the Sectors of the Union;
- 158** c) Plenipotentiary Conferences and world conferences on international telecommunications.
- 159 PP-98** 2. The expenses of the Union shall be met from:
- 159A PP-98** a) the contributions of its Member States and Sector Members;
- 159B PP-98** b) other revenues as identified in the Convention or in the Financial Regulations.
- 159C PP-98** *2bis* Each Member State and Sector Member shall pay a sum equivalent to the number of units in the class of contribution it has chosen in accordance with Nos. 160 to 161I below.
- 159D PP-98** *2ter* Expenses incurred by the regional conferences referred to in No. 43 of this Constitution shall be borne, in accordance with their class of contribution, by all the Member States of the region concerned and, where appropriate, on the same basis by any Member States of other regions which have participated in such conferences.
- 160 PP-98** 3. 1) Member States and Sector Members shall be free to choose their class of contribution for defraying Union expenses.
- 161 PP-98** 2) The choice by Member States shall be made at a plenipotentiary conference in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.

- 161A PP-98** 3) The choice by Sector Members shall be made in accordance with the scale of classes of contribution and conditions contained in the Convention and with the procedures described below.
- 161B PP-98** *3bis* 1) At its session preceding the Plenipotentiary Conference, the Council shall fix the provisional amount of the contributory unit, on the basis of the draft financial plan for the corresponding period and total number of contributory units.
- 161C PP-98** 2) The Secretary-General shall inform the Member States and Sector Members of the provisional amount of the contributory unit as determined under No. 161B above and invite the Member States to notify, no later than one week prior to the date set for the opening of the Plenipotentiary Conference, the class of contribution they have provisionally chosen.
- 161D PP-98** 3) The Plenipotentiary Conference shall, during its first week, determine the provisional upper limit of the amount of the contributory unit resulting from the steps taken by the Secretary-General in pursuance of Nos. 161B and 161C above, and taking account of any changes in class of contribution notified by Member States to the Secretary-General as well as classes of contribution remaining unchanged.
- 161E PP-98** 4) Bearing in mind the draft financial plan as revised, the Plenipotentiary Conference shall determine the definitive upper limit of the amount of the contributory unit. The Secretary-General shall then invite the Member States to announce, before the end of the penultimate week of the Plenipotentiary Conference, their definitive choice of class of contribution.
- 161F PP-98** 5) Member States which have failed to notify the Secretary-General of their decision by the date set by the Plenipotentiary Conference shall retain the class of contribution previously chosen.
- 161G PP-98** 6) The Plenipotentiary Conference shall then approve the definitive financial plan on the basis of the total number of contributory units corresponding to the definitive classes of contribution chosen by the Member States and classes of contribution of the Sector Members at the date on which the financial plan is approved.

161H PP-98 *3ter* 1) The Secretary-General shall inform the Sector Members of the definitive upper limit of the amount of the contributory unit and invite them to notify, within three months from the closing date of the Plenipotentiary Conference, the class of contribution they have chosen.

161I PP-98 2) Sector Members which have failed to notify the Secretary-General of their decision within this three-month period shall retain the class of contribution previously chosen.

162 PP-98 3) Amendments to the scale of classes of contribution adopted by a Plenipotentiary Conference shall apply for the selection of the class of contribution during the following plenipotentiary conference.

163 PP-94 4) The class of contribution chosen by a Member State
PP-98 or a Sector Member is applicable as of the first biennial budget after a Plenipotentiary Conference.

164 PP-98 (SUP)

165 PP-98 5. When choosing its class of contribution, a Member State shall not reduce it by more than two classes of contribution and the Council shall indicate to it the manner in which the reduction shall be gradually implemented over the period between plenipotentiary conferences.
However, under exceptional circumstances such as natural disasters necessitating international aid programmes, the Plenipotentiary Conference may authorize a greater reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

165A PP-98 *5bis* Under exceptional circumstances such as natural disasters necessitating international aid programmes, the Council may authorize a reduction in the number of contributory units when so requested by a Member State which has established that it can no longer maintain its contribution at the class originally chosen.

165B PP-98 *5ter* Member States and Sector Members may at any time choose a class of contribution higher than the one already adopted by them.

166 and (SUP)
167 PP-98

- 168 PP-98** 8. Member States and Sector Members shall pay in advance their annual contributory shares, calculated on the basis of the biennial budget approved by the Council as well as of any adjustment adopted by the Council.
- 169 PP-98** 9. A Member State which is in arrears in its payments to the Union shall lose its right to vote as defined in Nos. 27 and 28 of this Constitution for so long as the amount of its arrears equals or exceeds the amount of the contribution due for the two preceding years.
- 170 PP-98** 10. Specific provisions governing the financial contributions by Sector Members and by other international organizations are contained in the Convention.

Article 29

Languages

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

Article 30

Seat of the Union

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

Article 31

Legal Capacity of the Union

176 PP-98 The Union shall enjoy in the territory of each of its Member States such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

Article 32

Rules of Procedure of Conferences and Other Meetings

177 PP-98 1. For the organization of their work and the conduct of their discussions, conferences and other meetings of the Union shall apply the Rules of Procedure of conferences and other meetings of the Union adopted by the Plenipotentiary Conference.

178 PP-98 2. Conferences, assemblies and the Council may adopt such rules as they consider to be essential in addition to those in the Rules of Procedure. Such additional rules must, however, be compatible with this Constitution, the Convention and the Rules of Procedure referred to in No. 177 above; those adopted by conferences or assemblies shall be published as documents of the conference or assembly concerned.

CHAPTER VI

GENERAL PROVISIONS RELATING TO
TELECOMMUNICATIONS

Article 33

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

179 PP-98 Member States recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges and the safeguards shall be the same for all users in each category of correspondence without any priority or preference.

Article 34

Stoppage of Telecommunications

180 PP-98 1. Member States reserve the right to stop, in accordance with their national law, the transmission of any private tele-

gram which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.

- 181 PP-98** 2. Member States also reserve the right to cut off, in accordance with their national law, any other private telecommunications which may appear dangerous to the security of the State or contrary to its laws, to public order or to decency.

Article 35

Suspension of Services

- 182 PP-98** Each Member State reserves the right to suspend the international telecommunication service, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Member States through the Secretary-General.

Article 36

Responsibility

- 183 PP-98** Member States accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

Article 37

Secrecy of Telecommunications

- 184 PP-98** 1. Member States agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.
- 185** 2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their national laws or the execution of international conventions to which they are parties.

Article 38

Establishment, Operation and Protection of Telecommunication Channels and Installations

- 186 PP-98** 1. Member States shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.
- 187** 2. So far as possible, these channels and installations must be operated by the methods and procedures which practical operating experience has shown to be the best. They must be maintained in proper operating condition and kept abreast of scientific and technical progress.
- 188 PP-98** 3. Member States shall safeguard these channels and installations within their jurisdiction.
- 189 PP-98** 4. Unless other conditions are laid down by special arrangements, each Member State shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.
- 189A PP-98** 5. Member States recognize the necessity of taking practical measures to prevent the operation of electrical apparatus and installations of all kinds from disrupting the operation of telecommunication installations within the jurisdiction of other Member States.

Article 39

Notification of Infringements

- 190 PP-98** In order to facilitate the application of the provisions of Article 6 of this Constitution, Member States undertake to inform and, as appropriate, assist one another with regard to infringements of the provisions of this Constitution, of the Convention and of the Administrative Regulations.

Article 40

Priority of Telecommunications Concerning Safety of Life

- 191** International telecommunication services must give absolute priority to all telecommunications concerning safety of

life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

Article 41

Priority of Government Telecommunications

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

Article 42

Special Arrangements

193 PP-98 Member States reserve for themselves, for the operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special arrangements on telecommunication matters which do not concern Member States in general. Such arrangements, however, shall not be in conflict with the terms of this Constitution, of the Convention or of the Administrative Regulations, so far as concerns the harmful interference which their operation might cause to the radio services of other Member States, and in general so far as concerns the technical harm which their operation might cause to the operation of other telecommunication services of other Member States.

Article 43

Regional Conferences, Arrangements and Organizations

194 PP-98 Member States reserve the right to convene regional conferences, to make regional arrangements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. Such arrangements shall not be in conflict with either this Constitution or the Convention.

CHAPTER VII

SPECIAL PROVISIONS FOR RADIO

Article 44

PP-98 *Use of the Radio-Frequency Spectrum and of the Geostationary-Satellite and Other Satellite Orbits*

- 195** 1. Members* shall endeavour to limit the number of frequencies and the spectrum used to the minimum essential to provide in a satisfactory manner the necessary services. To that end, they shall endeavour to apply the latest technical advances as soon as possible.
- 196 PP-98** 2. In using frequency bands for radio services, Member States shall bear in mind that radio frequencies and any associated orbits, including the geostationary-satellite orbit, are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to those orbits and frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries.

Article 45

Harmful Interference

- 197 PP-98** 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Member States or of recognized operating agencies, or of other duly authorized operating agencies which carry on a radio service, and which operate in accordance with the provisions of the Radio Regulations.
- 198 PP-98** 2. Each Member State undertakes to require the operating agencies which it recognizes and the other operating agencies duly authorized in this purpose to observe the provisions of No. 197 above.
- 199 PP-98** 3. Further, the Member States recognize the necessity of taking all practicable steps to prevent the operation of elec-

* Note by the General Secretariat: "Members" should read "Member States".

trical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in No. 197 above.

Article 46

Distress Calls and Messages

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

Article 47

False or Deceptive Distress, Urgency, Safety or Identification Signals

- 201 PP-98** Member States agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations under their jurisdiction transmitting such signals.

Article 48

Installations for National Defence Services

- 202 PP-98** 1. Member States retain their entire freedom with regard to military radio installations.
- 203** 2. Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Administrative Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.
- 204** 3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Administrative Regulations, they must, in general, comply with the regulatory provisions for the conduct of such services.

CHAPTER VIII

RELATIONS WITH THE UNITED NATIONS, OTHER INTERNATIONAL ORGANIZATIONS AND NON-MEMBER STATES

Article 49

Relations With the United Nations

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

Article 50

Relations With Other International Organizations

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

Article 51

Relations With Non-Member States

- 207 PP-98** Each Member State reserves for itself and for the recognized operating agencies the right to fix the conditions on which it admits telecommunications exchanged with a State which is not a Member State of the Union. If a telecommunication originating in the territory of such a State is accepted by a Member State, it must be transmitted and, in so far as it follows the telecommunication channels of a Member State, the obligatory provisions of this Constitution, of the Convention and of the Administrative Regulations and the usual charges shall apply to it.

CHAPTER IX

FINAL PROVISIONS

Article 52

Ratification, Acceptance or Approval

- 208 PP-98** 1. This Constitution and the Convention shall be simultaneously ratified, accepted or approved by any signatory Mem-

ber State, in accordance with its constitutional rules, in one single instrument. This instrument shall be deposited, in as short a time as possible, with the Secretary-General. The Secretary-General shall notify the Member States of each deposit of any such instrument.

209 PP-98 2. 1) During a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member State, even though it may not have deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall enjoy the rights conferred on Member States in Nos. 25 to 28 of this Constitution.

210 PP-98 2) From the end of a period of two years from the date of entry into force of this Constitution and the Convention, a signatory Member State which has not deposited an instrument of ratification, acceptance or approval, in accordance with No. 208 above, shall no longer be entitled to vote at any conference of the Union, at any session of the Council, at any meeting of any of the Sectors of the Union, or during any consultation by correspondence conducted in accordance with the provisions of this Constitution and of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.

211 3. After the entry into force of this Constitution and the Convention in accordance with Article 58 of this Constitution, an instrument of ratification, acceptance or approval, shall become effective on the date of its deposit with the Secretary-General.

Article 53

Accession

212 PP-98 1. A Member State which is not a signatory to this Constitution and the Convention, or, subject to the provisions of Article 2 of this Constitution, any other State referred to in that Article, may accede to this Constitution and the Convention at any time. Such accession shall be made simultaneously in the form of one single instrument covering both this Constitution and the Convention.

213 PP-98 2. The instrument of accession shall be deposited with the Secretary-General, who shall notify the Member States of each deposit of any such instrument when it is received and shall forward to each of them a certified copy thereof.

- 214** 3. After the entry into force of this Constitution and the Convention in accordance with Article 58 of this Constitution, an instrument of accession shall become effective on the date of its deposit with the Secretary-General, unless otherwise specified therein.

Article 54

Administrative Regulations

- 215** 1. The Administrative Regulations, as specified in Article 4 of this Constitution, are binding international instruments and shall be subject to the provisions of this Constitution and the Convention.
- 216** 2. Ratification, acceptance or approval of this Constitution and the Convention, or accession to these instruments, in accordance with Articles 52 and 53 of this Constitution, shall also constitute consent to be bound by the Administrative Regulations adopted by competent world conferences prior to the date of signature of this Constitution and the Convention. Such consent is subject to any reservation made at the time of signature of the Administrative Regulations or revisions thereof to the extent that the reservation is maintained at the time of deposit of the instrument of ratification, acceptance, approval or accession.
- 216A PP-98** *2bis* The Administrative Regulations referred to in No. 216 above shall remain in force, subject to such revisions as may be adopted in application of Nos. 89 and 146 of this Constitution and brought into force. Any revision of the Administrative Regulations, either partial or complete, shall enter into force on the date or dates specified therein only for the Member States which, prior to such date or dates, have notified the Secretary-General of their consent to be bound by that revision.
- 217 PP-98** (SUP)
- 217A PP-98** *3bis* A Member State shall notify its consent to be bound by a partial or complete revision of the Administrative Regulations by depositing with the Secretary-General an instrument of ratification, acceptance or approval of that revision or of accession thereto or by notifying the Secretary-General of its consent to be bound by that revision.

217B PP-98 *3ter* Any Member State may also notify the Secretary-General that its ratification, acceptance or approval of, or accession to, amendments to this Constitution or the Convention in accordance with Article 55 of the Constitution or Article 42 of the Convention shall constitute consent to be bound by any revision of the Administrative Regulations, either partial or complete, adopted by a competent conference prior to the signature of the said amendments to this Constitution or to the Convention.

217C PP-98 *3quater* The notification referred to in No. 217B above shall be given at the time of the deposit by the Member State of its instrument of ratification, acceptance or approval of, or accession to, the amendments to this Constitution or to the Convention.

217D PP-98 *3penter* Any revision of the Administrative Regulations shall apply provisionally, as from the date of entry into force of the revision, in respect of any Member State that has signed the revision and has not notified the Secretary-General of its consent to be bound in accordance with Nos. 217A and 217B above. Such provisional application only takes effect if the Member State in question did not oppose it at the time of signature of the revision.

218 PP-98 4. Such provisional application shall continue for a Member State until it notifies the Secretary-General of its decision concerning its consent to be bound by any such revision.

219 to 221 (SUP)
PP-98

221A PP-98 *5bis* If a Member State fails to notify the Secretary-General of its decision concerning its consent to be bound under No. 218 above within thirty-six months following the date or dates of entry into force of the revision, that Member State shall be deemed to have consented to be bound by that revision.

221B PP-98 *5ter* Any provisional application within the meaning of No. 217D or any consent to be bound within the meaning of No. 221A shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the revision. Any consent to be bound within the meaning of Nos. 216A, 217A, 217B and 218 above shall be subject to any reservation as may have been made by the Member State concerned at the time of signature of the

Administrative Regulations or revision thereto, provided that it maintains the reservation when notifying the Secretary-General of its consent to be bound.

222 PP-98 (SUP)

223 PP-98 7. The Secretary-General shall inform Member States promptly of any notification received pursuant to this Article.

Article 55

Provisions for Amending this Constitution

224 PP-98 1. Any Member State may propose any amendment to this Constitution. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but not later than six months prior to the latter date, forward any such proposal to all the Member States.

225 PP-98 2. Any proposed modification to any amendment submitted in accordance with No. 224 above may, however, be submitted at any time by a Member State or by its delegation at the Plenipotentiary Conference.

226 3. The quorum required at any Plenary Meeting of the Plenipotentiary Conference for consideration of any proposal for amending this Constitution or modification thereto shall consist of more than one half of the delegations accredited to the Plenipotentiary Conference.

227 4. To be adopted, any proposed modification to a proposed amendment as well as the proposal as a whole, whether or not modified, shall be approved, at a Plenary Meeting, by at least two-thirds of the delegations accredited to the Plenipotentiary Conference which have the right to vote.

228 PP-98 5. Unless specified otherwise in the preceding paragraphs of this Article, which shall prevail, the general provisions regarding conferences and the Rules of Procedure of conferences and other meetings shall apply.

229 PP-98 6. Any amendments to this Constitution adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date

fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Constitution and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.

230 PP-98 7. The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

231 8. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 52 and 53 of this Constitution shall apply to the Constitution as amended.

232 9. After entry into force of any such amending instrument, the Secretary-General shall register it with the Secretariat of the United Nations, in accordance with the provisions of Article 102 of the Charter of the United Nations. No. 241 of this Constitution shall also apply to any such amending instrument.

Article 56

Settlement of Disputes

233 PP-98 1. Member States may settle their disputes on questions relating to the interpretation or application of this Constitution, of the Convention or of the Administrative Regulations by negotiation, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

234 PP-98 2. If none of these methods of settlement is adopted, any Member State party to a dispute may have recourse to arbitration in accordance with the procedure defined in the Convention.

235 PP-98 3. The Optional Protocol on the Compulsory Settlement of Disputes Relating to this Constitution, to the Convention, and to the Administrative Regulations shall be applicable as between Member States parties to that Protocol.

Article 57

Denunciation of this Constitution and the Convention

- 236 PP-98** 1. Each Member State which has ratified, accepted, approved or acceded to this Constitution and the Convention shall have the right to denounce them. In such a case, this Constitution and the Convention shall be denounced simultaneously in one single instrument, by a notification addressed to the Secretary-General. Upon receipt of such notification, the Secretary-General shall advise the other Member States thereof.
- 237** 2. Such denunciation shall take effect at the expiration of a period of one year from the date of receipt of its notification by the Secretary-General.

Article 58

Entry into Force and Related Matters

- 238** 1. This Constitution and the Convention shall enter into force on 1 July 1994 between Members having deposited before that date their instrument of ratification, acceptance, approval or accession.*
- 239** 2. Upon the date of entry into force specified in No. 238 above, this Constitution and the Convention shall, as between Parties thereto, abrogate and replace the International Telecommunication Convention (Nairobi, 1982).
- 240** 3. In accordance with the provisions of Article 102 of the Charter of the United Nations, the Secretary-General of the Union shall register this Constitution and the Convention with the Secretariat of the United Nations.
- 241 PP-98** 4. The original of this Constitution and the Convention drawn up in the Arabic, Chinese, English, French, Russian and Spanish languages shall remain deposited in the archives

* Note by the General Secretariat: The amendments to the Constitution and Convention adopted by the Plenipotentiary Conference (Kyoto, 1994) and by the Plenipotentiary Conference (Minneapolis, 1998) respectively entered into force on 1 January 1996 and 1 January 2000 between Member States being at those times parties to the Constitution and Convention and having deposited before those respective dates their instrument of ratification, acceptance or approval of, or accession to, the amending instruments.

of the Union. The Secretary-General shall forward, in the languages requested, a certified true copy to each of the signatory Member States.

- 242 5. In the event of any discrepancy among the various language versions of this Constitution and the Convention, the French text shall prevail.

Annex

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

- 1001 For the purpose of the above instruments of the Union, the following terms shall have the meanings defined below:
- 1001A PP-98 Member State: A State which is considered to be a Member of the International Telecommunication Union in application of Article 2 of this Constitution.
- 1001B PP-98 Sector Member: An entity or organization authorized in accordance with Article 19 of the Convention to participate in the activities of a Sector.
- 1002 Administration: Any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations.
- 1003 Harmful Interference: Interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations.
- 1004 Public Correspondence: Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.
- 1005 PP-98 Delegation: The totality of the delegates and, should the case arise, any representatives, advisers, attachés, or interpreters sent by the same Member State.

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

- 1006 PP-98** Delegate: A person sent by the government of a Member State to a plenipotentiary conference, or a person representing a government or an administration of a Member State at another conference or at a meeting of the Union.
- 1007** Operating Agency: Any individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.
- 1008 PP-98** Recognized Operating Agency: Any operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member State in whose territory the head office of the agency is situated, or by the Member State which has authorized this operating agency to establish and operate a telecommunication service on its territory.
- 1009** Radiocommunication: Telecommunication by means of radio waves.
- 1010** Broadcasting Service: A radiocommunication service in which the transmissions are intended for direct reception by the general public.
This service may include sound transmissions, television transmissions or other types of transmission.
- 1011** International Telecommunication Service: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.
- 1012** Telecommunication: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

- 1013** Telegram: Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.
- 1014** Government Telecommunications: Telecommunications originating with any:
- Head of State;
 - Head of government or members of a government;
 - Commanders-in-Chief of military forces, land, sea or air;
 - diplomatic or consular agents;
 - the Secretary-General of the United Nations; Heads of the principal organs of the United Nations;
 - the International Court of Justice,
- or replies to government telecommunications mentioned above.
- 1015** Private Telegrams: Telegrams other than government or service telegrams.
- 1016** Telegraphy: A form of telecommunication in which the transmitted information is intended to be recorded on arrival as a graphic document; the transmitted information may sometimes be presented in an alternative form or may be stored for subsequent use.
Note: A graphic document records information in a permanent form and is capable of being filed and consulted; it may take the form of written or printed matter or of a fixed image.
- 1017** Telephony: A form of telecommunication primarily intended for the exchange of information in the form of speech.
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Convention of the International Telecommunication Union*

CHAPTER I

FUNCTIONING OF THE UNION

SECTION 1

Article 1

Plenipotentiary Conference

- 1** 1) The Plenipotentiary Conference shall be convened in accordance with the relevant provisions of Article 8 of the Constitution of the International Telecommunication Union (hereinafter referred to as “the Constitution”).
- 2 PP-98** 2) If practicable, the precise place and the exact dates of a Plenipotentiary Conference shall be set by the preceding Plenipotentiary Conference; failing this, they shall be fixed by the Council with the concurrence of the majority of the Member States.
- 3** 2. 1) The precise place and the exact dates of the next Plenipotentiary Conference, or either one of these, may be changed:
- 4 PP-98** a) when at least one-quarter of the Member States have individually proposed a change to the Secretary-General; or
- 5** b) on a proposal of the Council.
- 6 PP-98** 2) Any such change shall require the concurrence of a majority of the Member States.

Article 2

Elections and Related Matters

The Council

- 7 PP-98** 1. Except in the case of vacancies arising in the circumstances described in Nos. 10 to 12 below, the Member States

* Note by the General Secretariat: In accordance with Resolution 70 (Minneapolis, 1998) on inclusion of gender perspective in the work of ITU, the language used in the text of the Convention is to be considered as gender neutral.

elected to the Council shall hold office until the date on which a new Council is elected. They shall be eligible for reelection.

8 PP-98 2. 1) If, between two plenipotentiary conferences, a seat becomes vacant on the Council, it shall pass by right to the Member State from the same region as the Member State whose seat is vacated which had obtained at the previous election the largest number of votes among those not elected.

9 PP-98 2) When for any reason a vacant seat cannot be filled according to the procedure of No. 8 above, the Chairman of the Council shall invite the other Member States of the region to seek election within one month of such an invitation being issued. At the end of this period, the Chairman of the Council shall invite Member States to elect a new Member State of the Council. The election shall be carried out by secret ballot by correspondence. The same majority as indicated above will be required.
The new Member State of the Council shall hold office until the election of the new Council by the next competent plenipotentiary conference.

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

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

12 PP-98 b) when a Member State resigns its membership of the Council.

Elected officials

13 1. The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux shall take up their duties on the dates determined by the Plenipotentiary Conference at the time of their election.
They shall normally remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for reelection once only.

14 2. If the post of Secretary-General falls vacant, the Deputy Secretary-General shall succeed to it and shall remain in

* Note by the General Secretariat: "Council Member" should read "Member State of the Council".

office until a date determined by the following Plenipotentiary Conference. When under these conditions the Deputy Secretary-General succeeds to the office of the Secretary-General, the post of Deputy Secretary-General shall be considered to fall vacant on that same date and the provisions of No. 15 below shall be applied.

- 15** 3. If the post of Deputy Secretary-General falls vacant more than 180 days prior to the date set for the convening of the next Plenipotentiary Conference, the Council shall appoint a successor for the balance of the term.
- 16** 4. If the posts of the Secretary-General and the Deputy Secretary-General fall vacant simultaneously, the Director who has been longest in office shall discharge the duties of Secretary-General for a period not exceeding 90 days. The Council shall appoint a Secretary-General and, if the vacancies occur more than 180 days prior to the date set for the convening of the next Plenipotentiary Conference, a Deputy Secretary-General. An official thus appointed by the Council shall serve for the balance of the term for which his predecessor was elected.
- 17** 5. If the post of a Director becomes unexpectedly vacant, the Secretary-General shall take the necessary steps to ensure that the duties of that Director are carried out until the Council shall appoint a new Director at its next ordinary session following the occurrence of such a vacancy. A Director so appointed shall serve until the date fixed by the next Plenipotentiary Conference.
- 18** 6. Subject to the relevant provisions of Article 27 of the Constitution, the Council shall provide for the filling of any vacancy in the post of Secretary-General or Deputy Secretary-General in the situation described in the relevant provisions of the present Article at an ordinary session, if held within 90 days after a vacancy occurs, or at a session convened by the Chairman within the periods specified in those provisions.
- 19** 7. Any period of service in the post of an elected official pursuant to an appointment under Nos. 14 to 18 above shall not affect eligibility for election or re-election to such a post.

Members of the Radio Regulations Board

- 20** 1. The members of the Radio Regulations Board shall take up their duties on the dates determined by the Plenipotentiary

Conference at the time of their election. They shall remain in office until dates determined by the following Plenipotentiary Conference, and shall be eligible for re-election once only.

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

Article 3

PP-98 *Other Conferences and Assemblies*

- 23 PP-98** 1. In conformity with the relevant provisions of the Constitution, the following world conferences and assemblies of the Union shall normally be convened within the period between two plenipotentiary conferences:
- 24 PP-98** a) one or two world radiocommunication conferences;

* Note by the General Secretariat: "Members of the Union" should read "Member States".

** Note by the General Secretariat: "Member of the Union" should read "Member State".

*** Note by the General Secretariat: "Member of the Union" should read "Member State".

- 25 PP-98** b) one world telecommunication standardization assembly;
- 26** c) one world telecommunication development conference;
- 27 PP-98** d) one or two radiocommunication assemblies.
- 28** 2. Exceptionally, within the period between Plenipotentiary Conferences:
- 29 PP-98** (SUP)
- 30 PP-98** – an additional world telecommunication standardization assembly may be convened.
- 31** 3. These actions shall be taken:
- 32** a) by a decision of a Plenipotentiary Conference;
- 33 PP-98** b) on the recommendation of the previous world conference or assembly of the Sector concerned, if approved by the Council; in the case of a radiocommunication assembly, the recommendation of the assembly shall be transmitted to the following world radiocommunication conference for comments for the attention of the Council;
- 34 PP-98** c) at the request of at least one-quarter of the Member States, which shall individually address their requests to the Secretary-General; or
- 35** d) on a proposal of the Council.
- 36** 4. A regional radiocommunication conference shall be convened:
- 37** a) by a decision of a Plenipotentiary Conference;
- 38** b) on the recommendation of a previous world or regional radiocommunication conference if approved by the Council;
- 39 PP-98** c) at the request of at least one-quarter of the Member States belonging to the region concerned, which shall individually address their requests to the Secretary-General; or
- 40** d) on a proposal of the Council.

- 41 PP-98** 5. 1) The precise place and the exact dates of a world or regional conference or an assembly of a Sector may be fixed by a plenipotentiary conference.
- 42 PP-98** 2) In the absence of such a decision, the Council shall determine the precise place and the exact dates of a world conference or an assembly of a Sector with the concurrence of a majority of the Member States, and of a regional conference with the concurrence of a majority of the Member States belonging to the region concerned; in both cases the provisions of No. 47 below shall apply.
- 43** 6. 1) The precise place and the exact dates of a conference or assembly may be changed:
- 44 PP-98** a) at the request of at least one-quarter of the Member States in the case of a world conference or an assembly of a Sector, or of at least one-quarter of the Member States belonging to the region concerned in the case of a regional conference. Their requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or
- 45** b) on a proposal of the Council.
- 46 PP-98** 2) In the cases specified in Nos. 44 and 45 above, the changes proposed shall not be finally adopted until accepted by a majority of the Member States, in the case of a world conference or an assembly of a Sector, or by a majority of the Member States belonging to the region concerned, in the case of a regional conference, subject to the provisions of No. 47 below.
- 47 PP-98** 7. In the consultations referred to in Nos. 42, 46, 118, 123, 138, 302, 304, 305, 307 and 312 of this Convention. Member States which have not replied within the time-limits specified by the Council shall be regarded as not participating in the consultations, and in consequence shall not be taken into account in computing the majority. If the number of replies does not exceed one-half of the Member States consulted, a further consultation shall take place, the results of which shall be decisive regardless of the number of votes cast.
- 48** 8. 1) World conferences on international telecommunications shall be held upon decision by the Plenipotentiary Conference.

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

SECTION 2

Article 4

The Council

- 50 PP-94** 1. 1) The number of Member States of the Council shall
PP-98 be determined by the Plenipotentiary Conference which is held every four years.
- 50A PP-94** 2) This number shall not exceed 25% of the total num-
PP-98 ber of Member States.
- 51** 2. 1) The Council shall hold an ordinary session annually at the seat of the Union.
- 52** 2) During this session it may decide to hold, exception- ally, an additional session.
- 53 PP-98** 3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by the Chairman at the request of a majority of its Member States, or on the initiative of the Chairman under the conditions provided for in No. 18 of this Convention.
- 54** 3. The Council shall take decisions only in session. Excep- tionally, the Council in session may agree that any specific issue shall be decided by correspondence.
- 55 PP-98** 4. At the beginning of each ordinary session, the Council shall elect its own Chairman and Vice-Chairman from among the representatives of its Member States, taking into account the principle of rotation between the regions. They shall serve until the opening of the next ordinary session and shall not be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.
- 56 PP-98** 5. The person appointed to serve on the Council by a Member State of the Council shall, so far as possible, be an official serving in, or directly responsible to, or for, their tele- communication administration and qualified in the field of telecommunication services.

- 57 PP-98** 6. Only the travelling, subsistence and insurance expenses incurred by the representative of each Member State of the Council in that capacity at Council sessions shall be borne by the Union.
- 58 PP-98** 7. The representative of each Member State of the Council shall have the right to attend, as an observer, all meetings of the Sectors of the Union.
- 59** 8. The Secretary-General shall act as Secretary of the Council.
- 60 PP-98** 9. The Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux may participate as of right in the deliberations of the Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to the representatives of its Member States.
- 60A PP-98** *9bis* A Member State which is not a Member State of the Council may, with prior notice to the Secretary-General, send one observer at its own expense to meetings of the Council, its committees and its working groups. An observer shall not have the right to vote or address the meeting.
- 61 PP-98** 10. The Council shall consider each year the report prepared by the Secretary-General on implementation of the strategic plan adopted by the Plenipotentiary Conference and shall take appropriate action.
- 62** 11. The Council shall, in the interval between two Plenipotentiary Conferences, supervise the overall management and administration of the Union; it shall in particular:
- 63** 1) approve and revise the Staff Regulations and the Financial Regulations of the Union and any other regulations as it may consider necessary, taking account of current practice of the United Nations and of the specialized agencies applying the common system of pay, allowances and pensions;
- 64** 2) adjust as necessary:
- 65** a) the basic salary scales for staff in the professional and higher categories, excluding the salaries for posts filled by election, to accord with any changes in the basic salary scales adopted by the United Nations for the corresponding common system categories;

- 66** b) the basic salary scales for staff in the general services categories to accord with changes in the rates applied by the United Nations and the specialized agencies at the seat of the Union;
- 67** c) the post adjustment for professional and higher categories, including posts filled by election, in accordance with decisions of the United Nations for application at the seat of the Union;
- 68** d) the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations common system;
- 69 PP-98** 3) take decisions to ensure equitable geographical distribution and representation of women in the professional and higher categories in the staff of the Union and monitor the implementation of such decisions;
- 70** 4) decide on proposals for major organizational changes within the General Secretariat and the Bureaux of the Sectors of the Union consistent with the Constitution and this Convention, submitted to it by the Secretary-General following their consideration by the Coordination Committee;
- 71** 5) examine and decide on plans concerning Union posts and staff and human resources development programmes covering several years, and give guidelines for the staffing of the Union, including on staffing levels and structures, taking into account the guidelines given by the Plenipotentiary Conference and the relevant provisions of Article 27 of the Constitution;
- 72** 6) adjust, as necessary, the contributions payable by the Union and its staff to the United Nations Joint Staff Pension Fund, in accordance with the Fund's rules and regulations, as well as the cost of living allowances to be granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of the practice followed by the Fund;
- 73 PP-98** 7) review and approve the biennial budget of the Union, and consider the budget forecast for the two-year period following that budget, taking account of the decisions of the Plenipotentiary Conference in relation to No. 50 of the Constitution and of the financial limits set by the Plenipotentiary Conference in accordance with No. 51 of the Constitu-

tion; it shall ensure the strictest possible economy but be mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible. In so doing, the Council shall take into account the views of the Coordination Committee as contained in the report by the Secretary-General mentioned in No. 86 and the financial operating report mentioned in No. 101 of this Convention;

74 8) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them, if appropriate, for submission to the next Plenipotentiary Conference;

75 PP-98 9) arrange for the convening of the conferences and assemblies of the Union and provide, with the consent of a majority of the Member States in the case of a world conference or assembly, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, appropriate directives to the General Secretariat and the Sectors of the Union with regard to their technical and other assistance in the preparation for and organization of conferences and assemblies;

76 10) take decisions in relation to No. 28 of this Convention;

77 11) decide upon the implementation of any decisions which have been taken by conferences and which have financial implications;

78 12) to the extent permitted by the Constitution, this Convention and the Administrative Regulations, take any other action deemed necessary for the proper functioning of the Union;

79 PP-98 13) take any necessary steps, with the agreement of a majority of the Member States, provisionally to resolve questions not covered by the Constitution, this Convention, the Administrative Regulations and their annexes and which cannot await the next competent conference for settlement;

80 PP-94 14) be responsible for effecting the coordination with all international organizations referred to in Articles 49 and 50 of the Constitution and to this end, conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 50 of the Constitution and in Nos. 260 and 261 of the Convention, and with the United

Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the Plenipotentiary Conference in accordance with the relevant provision of Article 8 of the Constitution;

- 81 PP-98** 15) send to Member States, as soon as possible after each of its sessions, summary records on the activities of the Council and other documents deemed useful;
- 82** 16) submit to the Plenipotentiary Conference a report on the activities of the Union since the previous Plenipotentiary Conference and any appropriate recommendations.

SECTION 3

Article 5

General Secretariat

- 83** 1. The Secretary-General shall:
- 84** a) be responsible for the overall management of the Union's resources; he may delegate the management of part of these resources to the Deputy Secretary-General and the Directors of the Bureaux, in consultation as necessary with the Coordination Committee;
- 85** b) coordinate the activities of the General Secretariat and the Sectors of the Union, taking into account the views of the Coordination Committee, with a view to assuring the most effective and economical use of the resources of the Union.
- 86 PP-98** c) prepare, with the assistance of the Coordination Committee, and submit to the Council a report indicating changes in the telecommunication environment since the last Plenipotentiary Conference and containing recommended action relating to the Union's future policies and strategy, together with their financial implications;
- 86A PP-98** *cbis*) coordinate implementation of the strategic plan adopted by the Plenipotentiary Conference and prepare an annual report on this implementation for review by the Council;
- 87** d) organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the direc-

tives of the Plenipotentiary Conference and the rules established by the Council;

87A PP-98 *dbis*) prepare an annual operational plan and financial plan of activities to be undertaken by the staff of the General Secretariat in support of the strategic plan, to be reviewed by Council.

88 e) undertake administrative arrangements for the Bureaux of the Sectors of the Union and appoint their staff on the basis of the choice and proposals of the Director of the Bureau concerned, although the final decision for appointment or dismissal shall rest with the Secretary-General;

89 f) report to the Council any decisions taken by the United Nations and the specialized agencies which affect common system conditions of service, allowances and pensions;

90 g) ensure the application of any regulations adopted by the Council;

91 h) provide legal advice to the Union;

92 i) supervise, for administrative management purposes, the staff of the Union with a view to assuring the most effective use of personnel and the application of the common system conditions of employment for the staff of the Union. The staff appointed to assist directly the Directors of the Bureaux shall be under the administrative control of the Secretary-General and shall work under the direct orders of the Directors concerned but in accordance with administrative guidelines given by the Council;

93 j) in the interest of the Union as a whole and in consultation with the Directors of the Bureaux concerned, temporarily reassign staff members from their appointed position as necessary to meet fluctuating work requirements at headquarters;

94 k) make, in agreement with the Director of the Bureau concerned, the necessary administrative and financial arrangements for the conferences and meetings of each Sector;

95 l) taking into account the responsibilities of the Sectors, undertake appropriate secretariat work preparatory to and following conferences of the Union;

- 96 m) prepare recommendations for the first meeting of the Heads of delegations referred to in No. 342 of this Convention*, taking into account the results of any regional consultation;
- 97 n) provide, where appropriate in cooperation with the inviting government, the secretariat of conferences of the Union, and provide the facilities and services for meetings of the Union, in collaboration, as appropriate, with the Director concerned, drawing from the Union's staff as he deems necessary in accordance with No. 93 above. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
- 98 o) take necessary action for the timely publication and distribution of service documents, information bulletins, and other documents and records prepared by the General Secretariat and the Sectors, communicated to the Union or whose publication is requested by conferences or the Council; the list of documents to be published shall be maintained by the Council, following consultation with the conference concerned, with respect to service documents and other documents whose publication is requested by conferences;
- 99 p) publish periodically, with the help of information put at his disposal or which he may collect, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunication;
- 100 PP-98** q) after consultation with the Coordination Committee and making all possible economies, prepare and submit to the Council a biennial draft budget covering the expenditures of the Union, taking account of the financial limits laid down by the Plenipotentiary Conference. This draft shall consist of a consolidated budget, including cost-based budgets for the three Sectors, prepared in accordance with the budget guidelines issued by the Secretary-General, and comprising two versions. One version shall be for zero growth of the contributory unit, the other for a growth less than or equal to any limit fixed by the Plenipotentiary Conference, after any drawing on the Reserve Account. The budget resolution, after

* Note by the General Secretariat: "No. 342 of this Convention" should read: "No. 4 of the Rules of Procedure of Conferences and other Meetings of the International Telecommunication Union".

approval by the Council, shall be sent for information to all Member States;

- 101** r) with the assistance of the Coordination Committee, prepare an annual financial operating report in accordance with the Financial Regulations and submit it to the Council. A recapitulative financial operating report and accounts shall be prepared and submitted to the next Plenipotentiary Conference for examination and final approval;
- 102 PP-98** s) with the assistance of the Coordination Committee, prepare an annual report on the activities of the Union which, after approval by the Council, shall be sent to all Member States;
- 102A PP-98** *sbis*) manage the special arrangements referred to in No. 76A of the Constitution, the cost of this management being borne by the signatories of the arrangement in a manner agreed between them and the Secretary-General.
- 103** t) perform all other secretarial functions of the Union;
- 104** u) perform any other functions entrusted to him by the Council.
- 105** 2. The Secretary-General or the Deputy Secretary-General may participate, in a consultative capacity, in conferences of the Union; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union.

SECTION 4

Article 6

Coordination Committee

- 106** 1. 1) The Coordination Committee shall assist and advise the Secretary-General on all matters mentioned under the relevant provisions of Article 26 of the Constitution and the relevant Articles of this Convention.
- 107** 2) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Articles 49 and 50 of the Constitution as regards representation of the Union at conferences of such organizations.

- 108** 3) The Committee shall examine the progress of the work of the Union and assist the Secretary-General in the preparation of the report referred to in No. 86 of this Convention for submission to the Council.
- 109 PP-98** 2. The Committee shall endeavour to reach conclusions unanimously. In the absence of the support of the majority in the Committee, its Chairman may in exceptional circumstances take decisions, on the Chairman's own responsibility, when judging that the decision of the matters in question is urgent and cannot await the next session of the Council. In such circumstances the Chairman shall report promptly in writing on such matters to the Member States of the Council, setting forth the reasons for such action together with any other written views submitted by other members of the Committee. If in such circumstances the matters are not urgent, but nevertheless important, they shall be submitted for consideration by the next session of the Council.
- 110** 3. The Chairman shall convene the Committee at least once a month; the Committee may also be convened when necessary at the request of two of its members.
- 111** 4. A report shall be made of the proceedings of the Coordination Committee and will be made available on request to Members of the Council.*

SECTION 5

RADIOCOMMUNICATION SECTOR

Article 7

World Radiocommunication Conference

- 112** 1. In accordance with No. 90 of the Constitution, a world radiocommunication conference shall be convened to consider specific radiocommunication matters. A world radiocommunication conference shall deal with those items which are included in its agenda adopted in accordance with the relevant provisions of this Article.

* Note by the General Secretariat: "Members of the Council" should read "Member States of the Council".

- 113** 2. 1) The agenda of a world radiocommunication conference may include:
- 114** a) the partial or, exceptionally, complete revision of the Radio Regulations referred to in Article 4 of the Constitution;
- 115** b) any other question of a worldwide character within the competence of the conference;
- 116** c) an item concerning instructions to the Radio Regulations Board and the Radiocommunication Bureau regarding their activities, and a review of those activities;
- 117 PP-98** d) the identification of topics to be studied by the radiocommunication assembly and the radiocommunication study groups, as well as matters that the assembly shall consider in relation to future radiocommunication conferences.
- 118 PP-94** 2) The general scope of this agenda should be established
PP-98 four to six years in advance, and the final agenda shall be established by the Council preferably two years before the conference, with the concurrence of a majority of the Member States, subject to the provisions of No. 47 of this Convention. These two versions of the agenda shall be established on the basis of the recommendations of the world radiocommunication conference, in accordance with No. 126 of this Convention.
- 119** 3) This agenda shall include any question which a Plenipotentiary Conference has directed to be placed on the agenda.
- 120** 3. 1) This agenda may be changed:
- 121 PP-98** a) at the request of at least one-quarter of the Member States. Such requests shall be addressed individually to the Secretary-General, who shall transmit them to the Council for approval; or
- 122** b) on a proposal of the Council.
- 123 PP-98** 2) The proposed changes to the agenda of a world radiocommunication conference shall not be finally adopted until accepted by a majority of the Member States, subject to the provisions of No. 47 of this Convention.
- 124** 4. The conference shall also:

- 125** 1) consider and approve the report of the Director of the Bureau on the activities of the Sector since the last conference;
- 126** 2) recommend to the Council items for inclusion in the agenda of a future conference and give its views on such agendas for at least a four-year cycle of radiocommunication conferences, together with an estimate of the financial implications;
- 127** 3) include, in its decisions, instructions or requests, as appropriate, to the Secretary-General and the Sectors of the Union.
- 128** 5. The Chairman and Vice-Chairmen of the radiocommunication assembly, or of relevant study groups, may participate in the associated world radiocommunication conference.

Article 8

Radiocommunication Assembly

- 129** 1. A radiocommunication assembly shall deal with and issue, as appropriate, recommendations on questions adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, the Council or the Radio Regulations Board.
- 130** 2. With regard to No. 129 above, the radiocommunication assembly shall:
- 131 PP-98** 1) consider the reports of study groups prepared in accordance with No. 157 of this Convention and approve, modify or reject the draft recommendations contained in those reports, and consider the reports of the radiocommunication advisory group prepared in accordance with No. 160H of this Convention;
- 132** 2) bearing in mind the need to keep the demands on the resources of the Union to a minimum, approve the programme of work arising from the review of existing questions and new questions and determine the priority, urgency, estimated financial implications and time-scale for the completion of their study;
- 133** 3) decide, in the light of the approved programme of work derived from No. 132 above, on the need to maintain,

terminate or establish study groups, and allocate to each of them the questions to be studied;

134 4) group questions of interest to the developing countries as far as possible, in order to facilitate their participation in the study of those questions;

135 5) give advice on matters within its competence in response to requests from a world radiocommunication conference;

136 PP-98 6) report to the following world radiocommunication conference on the progress in matters that may be included in the agenda of future radiocommunication conferences.

137 3. A radiocommunication assembly shall be presided over by a person designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the assembly.

137A PP-98 4. A radiocommunication assembly may refer specific matters within its competence to the radiocommunication advisory group for advice.

Article 9

Regional Radiocommunication Conferences

138 PP-98 The agenda of a regional radiocommunication conference may provide only for specific radiocommunication questions of a regional nature, including instructions to the Radio Regulations Board and the Radiocommunication Bureau regarding their activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Only items included in its agenda may be discussed by such a conference. The provisions contained in Nos. 118 to 123 of this Convention shall apply to a regional radiocommunication conference, but only with regard to the Member States of the region concerned.

Article 10

Radio Regulations Board

139 PP-98 (SUP)

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

Article 11

Radiocommunication Study Groups

- 148** 1. Radiocommunication study groups are set up by a radiocommunication assembly.
- 149 PP-98** 2. 1) The radiocommunication study groups shall study questions adopted in accordance with a procedure established by the radiocommunication assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.
- 149A PP-98** *1bis*) The radiocommunication study groups shall also study topics identified in resolutions and recommendations of world radiocommunication conferences. The results of such studies shall be included in recommendations or in the reports prepared in accordance with No. 156 below.
- 150 PP-98** 2) The study of the above questions and topics shall, subject to No. 158 below, focus on the following:
- 151 PP-98** a) use of the radio-frequency spectrum in terrestrial and space radiocommunication and of the geostationary-satellite and other satellite orbits;
- 152** b) characteristics and performance of radio systems;
- 153** c) operation of radio stations;
- 154** d) radiocommunication aspects of distress and safety matters.
- 155 PP-98** 3) These studies shall not generally address economic questions, but when they involve comparing technical or operational alternatives, economic factors may be taken into consideration.
- 156** 3. The radiocommunication study groups shall also carry out preparatory studies of the technical, operational and procedural matters to be considered by world and regional radiocommunication conferences and elaborate reports thereon in accordance with a programme of work adopted in this respect by a radiocommunication assembly or following instructions by the Council.

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

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Article 11A

Radiocommunication Advisory Group

- 160A PP-98** 1. The radiocommunication advisory group shall be open to representatives of administrations of Member States and

representatives of Sector Members and to chairmen of the study groups, and will act through the Director.

160B PP-98 2. The radiocommunication advisory group shall:

160C PP-98 1) review priorities, programmes, operations, financial matters and strategies related to radiocommunication assemblies, study groups and the preparation of radiocommunication conferences, and any specific matters as directed by a conference of the Union, a radiocommunication assembly or the Council;

160D PP-98 2) review progress in the implementation of the programme of work established under No. 132 of this Convention;

160E PP-98 3) provide guidelines for the work of study groups;

160F PP-98 4) recommend measures, *inter alia*, to foster cooperation and coordination with other standards bodies, with the Telecommunication Standardization Sector, the Telecommunication Development Sector and the General Secretariat;

160G PP-98 5) adopt its own working procedures compatible with those adopted by the radiocommunication assembly;

160H PP-98 6) prepare a report for the Director of the Radiocommunication Bureau indicating action in respect of the above items;

Article 12

Radiocommunication Bureau

161 1. The Director of the Radiocommunication Bureau shall organize and coordinate the work of the Radiocommunication Sector. The duties of the Bureau are supplemented by those specified in provisions of the Radio Regulations.

162 2. The Director shall, in particular,

163 1) in relation to radiocommunication conferences:

164 PP-98 a) coordinate the preparatory work of the study groups and the Bureau, communicate to the Member States and Sector Members the results of this preparatory work, collect their

comments and submit a consolidated report to the conference which may include proposals of a regulatory nature;

- 165** b) participate as of right, but in an advisory capacity, in the deliberations of the radiocommunication assembly and of the radiocommunication study groups. The Director shall make all necessary preparations for radiocommunication conferences and meetings of the Radiocommunication Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;
- 166** c) provide assistance to the developing countries in their preparations for radiocommunication conferences.
- 167** 2) in relation to the Radio Regulations Board:
- 168** a) prepare and submit draft Rules of Procedure for approval by the Radio Regulations Board; they shall include, *inter alia*, calculation methods and data required for the application of the provisions of the Radio Regulations;
- 169 PP-98** b) distribute to all Member States the Rules of Procedure of the Board and collect comments thereon received from administrations;
- 170** c) process information received from administrations in application of the relevant provisions of the Radio Regulations and regional agreements and prepare it, as appropriate, in a form suitable for publication;
- 171** d) apply the Rules of Procedure approved by the Board. prepare and publish findings based on those Rules, and submit to the Board any review of a finding which is requested by an administration and which cannot be resolved by the use of those Rules of Procedure;
- 172** e) in accordance with the relevant provisions of the Radio Regulations, effect an orderly recording and registration of frequency assignments and, where appropriate, the associated orbital characteristics, and keep up to date the Master International Frequency Register; review entries in that Register with a view to amending or eliminating, as appropriate, those which do not reflect actual frequency usage, in agreement with the administration concerned;

- 173** f) assist in the resolution of cases of harmful interference, at the request of one or more of the interested administrations, and where necessary, make investigations and prepare, for consideration by the Board, a report including draft recommendations to the administrations concerned;
- 174** g) act as executive secretary to the Board;
- 175** 3) coordinate the work of the radiocommunication study groups and be responsible for the organization of that work;
- 175A PP-98** 3*bis*) provide the necessary support for the radiocommunication advisory group, and report each year to Member States and Sector Members and to the Council on the results of the work of the advisory group.
- 175B PP-98** 3*ter*) take practical measures to facilitate the participation of developing countries in the radiocommunication study groups.
- 176** 4) also undertake the following:
- 177 PP-98** a) carry out studies to furnish advice with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur, and with a view to the equitable, effective and economical use of the geostationary-satellite and other satellite orbits, taking into account the needs of Member States requiring assistance, the specific needs of developing countries, as well as the special geographical situation of particular countries;
- 178 PP-98** b) exchange with Member States and Sector Members data in machine-readable and other forms, prepare and keep up to date any documents and databases of the Radiocommunication Sector, and arrange, with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;
- 179** c) maintain such essential records as may be required;
- 180 PP-98** d) submit to the world radiocommunication conference a report on the activities of the Radiocommunication Sector since the last conference; if a world radiocommunication conference is not planned, a report on the activities of the Sector covering the two year period since the last conference shall

be submitted to the Council and, for information, to Member States and Sector Members;

- 181** e) prepare a cost-based budget estimate for the requirements of the Radiocommunication Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget.
- 181A PP-98** f) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the radiocommunication advisory group in accordance with Article 11A of this Convention and provided to the Council.
- 182** 3. The Director shall choose the technical and administrative personnel of the Bureau within the framework of the budget as approved by the Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.
- 183** 4. The Director shall provide technical support, as necessary, to the Telecommunication Development Sector within the framework of the Constitution and this Convention.

SECTION 6

TELECOMMUNICATION STANDARDIZATION SECTOR

Article 13

PP-98 World Telecommunication Standardization Assembly

- 184 PP-98** 1. In accordance with No. 104 of the Constitution, a world telecommunication standardization assembly shall be convened to consider specific matters related to telecommunication standardization.
- 185 PP-98** 2. The questions to be studied by a world telecommunication standardization assembly, on which recommendations shall be issued, shall be those adopted pursuant to its own procedures or referred to it by the Plenipotentiary Conference, any other conference, or the Council.
- 186 PP-98** 3. In accordance with No. 104 of the Constitution, the assembly shall:

- 187 PP-98** a) consider the reports of study groups prepared in accordance with No. 194 of this Convention and approve, modify or reject draft recommendations contained in those reports, and consider the reports of the telecommunication standardization advisory group in accordance with Nos. 197J and 197K of this Convention;
- 188** b) bearing in mind the need to keep the demands on the resources of the Union to a minimum, approve the programme of work arising from the review of existing questions and new questions and determine the priority, urgency, estimated financial implications and time-scale for the completion of their study;
- 189** c) decide, in the light of the approved programme of work derived from No. 188 above, on the need to maintain, terminate or establish study groups and allocate to each of them the questions to be studied;
- 190 PP-98** d) group, as far as practicable, questions of interest to the developing countries to facilitate their participation in these studies;
- 191** e) consider and approve the report of the Director on the activities of the Sector since the last conference.
- 191A PP-98** 4. A world telecommunication standardization assembly may assign specific matters within its competence to the telecommunication standardization advisory group indicating the action required on those matters.
- 191B PP-98** 5. A world telecommunication standardization assembly shall be presided over by a person designated by the government of the country in which the meeting is held or, in the case of a meeting held at the seat of the Union, by a person elected by the assembly itself. The Chairman shall be assisted by Vice-Chairmen elected by the assembly.

Article 14

Telecommunication Standardization Study Groups

- 192 PP-98** 1. 1) Telecommunication standardization study groups shall study questions adopted in accordance with a procedure

established by the world telecommunication standardization assembly and prepare draft recommendations to be adopted in accordance with the procedure set forth in Nos. 246A to 247 of this Convention.

- 193** 2) The study groups shall, subject to No. 195 below, study technical, operating and tariff questions and prepare recommendations on them with a view to standardizing telecommunications on a worldwide basis, including recommendations on interconnection of radio systems in public telecommunication networks and on the performance required for these interconnections. Technical or operating questions specifically related to radiocommunication as enumerated in Nos. 151 to 154 of this Convention shall be within the purview of the Radiocommunication Sector.
- 194 PP-98** 3) Each study group shall prepare for the world telecommunication standardization assembly a report indicating the progress of work, the recommendations adopted in accordance with the consultation procedure contained in No. 192 above, and any draft new or revised recommendations for consideration by the assembly.
- 195** 2. Taking into account No. 105 of the Constitution, the tasks enumerated in No. 193 above and those enumerated in Nos. 151 to 154 of this Convention in relation to the Radiocommunication Sector shall be kept under continuing review by the Telecommunication Standardization Sector and the Radiocommunication Sector with a view to reaching common agreement on changes in the distribution of matters under study. The two Sectors shall cooperate closely and adopt procedures to conduct such a review and reach agreements in a timely and effective manner. If agreement is not reached, the matter may be submitted through the Council to the Plenipotentiary Conference for decision.
- 196** 3. In the performance of their studies, the telecommunication standardization study groups shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunications in developing countries at both the regional and international levels. They shall conduct their work giving due consideration to the work of national, regional and other international standardization organizations, and cooperate with them, keeping in mind the need for the Union to maintain its pre-eminent position in the field of worldwide standardization for telecommunications.

197 PP-98 4. For the purpose of facilitating the review of activities in the Telecommunication Standardization Sector, measures should be taken to foster cooperation and coordination with other organizations concerned with telecommunication standardization and with the Radiocommunication Sector and the Telecommunication Development Sector. A world telecommunication standardization assembly shall determine the specific duties, conditions of participation and rules of procedure for these measures.

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Article 14A

Telecommunication Standardization Advisory Group

197A PP-98 1. The telecommunication standardization advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen of the study groups.

197B PP-98 2. The telecommunication standardization advisory group shall:

197C PP-98 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Standardization Sector;

197D PP-98 2) review progress in the implementation of the programme of work established under No. 188 of this Convention;

197E PP-98 3) provide guidelines for the work of study groups;

197F PP-98 4) recommend measures, inter alia, to foster cooperation and coordination with other relevant bodies, with the Radiocommunication Sector, the Telecommunication Development Sector and the General Secretariat;

197G PP-98 5) adopt its own working procedures compatible with those adopted by the world telecommunication standardization assembly;

197H PP-98 6) prepare a report for the Director of the Telecommunication Standardization Bureau indicating action in respect of the above items.

197I PP-98 7) prepare a report for the world telecommunication standardization assembly on the matters assigned to it in

accordance with No. 191A and transmit it to the Director for submission to the assembly.

Article 15

Telecommunication Standardization Bureau

- 198** 1. The Director of the Telecommunication Standardization Bureau shall organize and coordinate the work of the Telecommunication Standardization Sector.
- 199** 2. The Director shall, in particular:
- 200 PP-98** a) update annually the work programme approved by the world telecommunication standardization assembly, in consultation with the chairmen of the telecommunication standardization study groups;
- 201 PP-98** b) participate, as of right, but in an advisory capacity, in the deliberations of the world telecommunication standardization assemblies and of the telecommunication standardization study groups. The Director shall make all necessary preparations for assemblies and meetings of the Telecommunication Standardization Sector in consultation with the General Secretariat in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council concerning these preparations;
- 202 PP-98** c) process information received from administrations in application of the relevant provisions of the International Telecommunication Regulations or decisions of the world telecommunication standardization assembly and prepare it, where appropriate, in a suitable form for publication;
- 203 PP-98** d) exchange with Member States and Sector Members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Standardization Sector, and arrange with the Secretary-General, where appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;
- 204 PP-98** e) submit to the world telecommunication standardization assembly a report on the activities of the Sector since the last assembly; the Director shall also submit to the Council and to the Member States and Sector Members such a report

covering the two-year period since the last assembly, unless a second assembly is convened;

205 f) prepare a cost-based budget estimate for the requirements of the Telecommunication Standardization Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget.

205A PP-98 g) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication standardization advisory group and provided to the Council;

205B PP-98 h) provide the necessary support for the telecommunication standardization advisory group, and report each year to Member States and Sector Members and to the Council on the results of its work;

205C PP-98 i) provide assistance to developing countries in the preparatory work for world standardization assemblies, particularly with regard to matters of a priority nature for those countries.

206 3. The Director shall choose the technical and administrative personnel of the Telecommunication Standardization Bureau within the framework of the budget as approved by the Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision on appointment or dismissal rests with the Secretary-General.

207 4 The Director shall provide technical support, as necessary, to the Telecommunication Development Sector within the framework of the Constitution and this Convention.

SECTION 7

TELECOMMUNICATION DEVELOPMENT SECTOR

Article 16

Telecommunication Development Conferences

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

- 209** a) world telecommunication development conferences shall establish work programmes and guidelines for defining telecommunication development questions and priorities and shall provide direction and guidance for the work programme of the Telecommunication Development Sector. They may set up study groups, as necessary;
- 210** b) regional telecommunication development conferences may give advice to the Telecommunication Development Bureau concerning the specific telecommunication requirements and characteristics of the region concerned, and may also submit recommendations to world telecommunication development conferences;
- 211** c) the telecommunication development conferences should fix the objectives and strategies for the balanced worldwide and regional development of telecommunications, giving particular consideration to the expansion and modernization of the networks and services of the developing countries as well as the mobilization of the resources required for this purpose. They shall serve as a forum for the study of policy, organizational, operational, regulatory, technical and financial questions and related aspects, including the identification and implementation of new sources of funding;
- 212** d) world and regional telecommunication development conferences, within their respective sphere of competence, shall consider reports submitted to them and evaluate the activities of the Sector; they may also consider telecommunication development aspects related to the activities of the other Sectors of the Union.
- 213 PP-98** 2. The draft agenda of telecommunication development conferences shall be prepared by the Director of the Telecommunication Development Bureau and be submitted by the Secretary-General to the Council for approval with the concurrence of a majority of the Member States in the case of a world conference, or of a majority of the Member States belonging to the region concerned in the case of a regional conference, subject to the provisions of No. 47 of this Convention.
- 213A PP-98** 3. A world telecommunication development conference may refer specific matters within its competence to the telecommunication development advisory group for advice.

Article 17

Telecommunication Development Study Groups

- 214** 1. Telecommunication development study groups shall deal with specific telecommunication questions of general interest to developing countries, including the matters enumerated in No. 211 above. Such study groups shall be limited in number and created for a limited period of time, subject to the availability of resources, shall have specific terms of reference on questions and matters of priority to developing countries and shall be task-oriented.
- 215** 2. Taking into account No. 119 of the Constitution, the Radiocommunication, Telecommunication Standardization and Telecommunication Development Sectors shall keep the matters under study under continuing review with a view to reaching agreement on the distribution of work, avoiding duplication of effort and improving coordination. The Sectors shall adopt procedures to conduct such reviews and reach such agreement in a timely and effective manner.
- 215A PP-98** 3. Each telecommunication development study group shall prepare for the world telecommunication development conference a report indicating the progress of work and any draft new or revised recommendations for consideration by the conference.
- 2158 PP-98** 4. Telecommunication development study groups shall study questions and prepare draft recommendations to be adopted in accordance with the procedures set out in Nos. 246A to 247 of this Convention.

PP-98

Article 17A

Telecommunication Development Advisory Group

- 215C PP-98** 1. The telecommunication development advisory group shall be open to representatives of administrations of Member States and representatives of Sector Members and to chairmen and vice-chairmen of study groups.
- 215D PP-98** 2. The telecommunication development advisory group shall:

- 215E PP-98** 1) review priorities, programmes, operations, financial matters and strategies for activities in the Telecommunication Development Sector;
- 215F PP-98** 2) review progress in the implementation of the programme of work established under No. 209 of this Convention;
- 215G PP-98** 3) provide guidelines for the work of study groups:
- 215H PP-98** 4) recommend measures, inter alia, to foster cooperation and coordination with the Radiocommunication Sector, the Telecommunication Standardization Sector and the General Secretariat, as well as with other relevant development and financial institutions.
- 215I PP-98** 5) adopt its own working procedures compatible with those adopted by the world telecommunication development conference.
- 215J PP-98** 6) prepare a report for the Director of the Telecommunication Development Bureau indicating action in respect of the above items.
- 215K PP-98** 3. Representatives of bilateral cooperation and development aid agencies and multilateral development institutions may be invited by the Director to participate in the meetings of the advisory group.

Article 18

- PP-98** *Telecommunication Development Bureau*
- 216** 1. The Director of the Telecommunication Development Bureau shall organize and coordinate the work of the Telecommunication Development Sector.
- 217** 2. The Director shall, in particular:
- 218** a) participate as of right, but in an advisory capacity, in the deliberations of the telecommunication development conferences and of the telecommunication development study groups. The Director shall make all necessary preparations for conferences and meetings of the Telecommunication Development Sector in consultation with the General Secretariat

in accordance with No. 94 of this Convention and, as appropriate, with the other Sectors of the Union, and with due regard for the directives of the Council in carrying out these preparations;

- 219** b) process information received from administrations in application of the relevant resolutions and decisions of the Plenipotentiary Conference and telecommunication development conferences and prepare it, where appropriate, in a suitable form for publication;
- 220** c) exchange with members data in machine-readable and other forms, prepare and, as necessary, keep up to date any documents and databases of the Telecommunication Development Sector, and arrange with the Secretary-General, as appropriate, for their publication in the working languages of the Union in accordance with No. 172 of the Constitution;
- 221** d) assemble and prepare for publication, in cooperation with the General Secretariat and the other Sectors of the Union, both technical and administrative information that might be especially useful to developing countries in order to help them to improve their telecommunication networks. Their attention shall also be drawn to the possibilities offered by the international programmes under the auspices of the United Nations;
- 222 PP-98** e) submit to the world telecommunication development conference a report on the activities of the Sector since the last conference; the Director shall also submit to the Council and to the Member States and Sector Members such a report covering the two-year period since the last conference;
- 223 PP-98** f) prepare a cost-based budget estimate for the requirements of the Telecommunication Development Sector and transmit it to the Secretary-General for consideration by the Coordination Committee and inclusion in the Union's budget;
- 223A PP-98** g) prepare an annual operational plan and financial plan of activities to be undertaken by the Bureau in support of the Sector as a whole, to be reviewed by the telecommunication development advisory group and provided to the Council;
- 223B PP-98** h) provide the necessary support for the telecommunication development advisory group, and report each year to the Member States and Sector Members and to the Council on the results of its work.

- 224 PP-98** 3. The Director shall work collegially with the other elected officials in order to ensure that the Union's catalytic role in stimulating telecommunication development is strengthened and shall make the necessary arrangements with the Director of the Bureau concerned for initiating suitable action, including the convening of information meetings on the activities of the Sector concerned.
- 225 PP-98** 4. At the request of the Member States concerned, the Director, with the assistance of the Directors of the other Bureaux and, where appropriate, the Secretary-General, shall study and offer advice concerning their national telecommunication problems; where a comparison of technical alternatives is involved, economic factors may be taken into consideration.
- 226** 5. The Director shall choose the technical and administrative personnel of the Telecommunication Development Bureau within the framework of the budget as approved by the Council. The appointment of the personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.
- 227 PP-98** (SUP)

SECTION 8

PROVISIONS COMMON TO THE THREE SECTORS

Article 19

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

- 228** 1. The Secretary-General and the Directors of the Bureaux shall encourage the enhanced participation in the activities of the Union of the following entities and organizations:
- 229 PP-98** a) recognized operating agencies, scientific or industrial organizations and financial or development institutions which are approved by the Member State concerned;
- 230 PP-98** b) other entities dealing with telecommunication matters which are approved by the Member State concerned;
- 231** c) regional and other international telecommunication, standardization, financial or development organizations.

- 232** 2. The Directors of the Bureaux shall maintain close working relations with those entities and organizations which are authorized to participate in the activities of one or more of the Sectors of the Union.
- 233 PP-98** 3. Any request from an entity listed in No. 229 above to participate in the work of a Sector, in accordance with the relevant provisions of the Constitution and this Convention, approved by the Member State concerned shall be forwarded by the latter to the Secretary-General.
- 234 PP-98** 4. Any request from an entity referred to in No. 230 above submitted by the Member State concerned shall be handled in conformity with a procedure established by the Council. Such a request shall be reviewed by the Council with respect to its conformity with the above procedure.
- 234A PP-98** *4bis* Alternatively, a request from an entity listed in No. 229 or 230 above to become a Sector Member may be sent direct to the Secretary-General. Those Member States authorizing such entities to send a request directly to the Secretary-General shall inform the latter accordingly. Entities whose Member State has not provided such notice to the Secretary-General shall not have the option of direct application. The Secretary-General shall regularly update and publish a list of those Member States that have authorized entities under their jurisdiction or sovereignty to apply directly.
- 234B PP-98** *4ter* Upon receipt, directly from an entity, of a request under No. 234A above, the Secretary-General shall, on the basis of criteria defined by the Council, ensure that the function and purposes of the candidate are in conformity with the purposes of the Union. The Secretary-General shall then, without delay, inform the applicant's Member State inviting approval of the application. If the Secretary-General receives no objection from the Member State within four months, a reminder telegram shall be sent. If the Secretary-General receives no objection within four months after the date of dispatch of the reminder telegram, the application shall be regarded as approved. If an objection is received from the Member State by the Secretary-General, the applicant shall be invited by the Secretary-General to contact the Member State concerned.
- 234C PP-98** *4quater* When authorizing direct application, a Member State may notify the Secretary-General that it assigns author-

ity to the Secretary-General to approve any application by an entity under its jurisdiction or sovereignty.

- 235** 5. Any request from any entity or organization listed in No. 231 above (other than those referred to in Nos. 260 and 261 of this Convention) to participate in the work of a Sector shall be sent to the Secretary-General and acted upon in accordance with procedures established by the Council.
- 236** 6. Any request from an organization referred to in Nos. 260 to 262 of this Convention to participate in the work of a Sector shall be sent to the Secretary-General, and the organization concerned shall be included in the lists referred to in No. 237 below.
- 237 PP-98** 7. The Secretary-General shall compile and maintain lists of all entities and organizations referred to in Nos. 229 to 231 and Nos. 260 to 262 of this Convention that are authorized to participate in the work of each Sector and shall, at appropriate intervals, publish and distribute these lists to all Member States and Sector Members concerned and to the Director of the Bureau concerned. That Director shall advise such entities and organizations of the action taken on their requests, and shall inform the relevant Member States.
- 238 PP-98** 8. The conditions of participation in the Sectors by entities and organizations contained in the lists referred to in No. 237 above are specified in this Article, in Article 33 and in other relevant provisions of this Convention. The provisions of Nos. 25 to 28 of the Constitution do not apply to them.
- 239 PP-94** 9. A Sector Member may act on behalf of the Member **PP-98** State which has approved it, provided that the Member State informs the Director of the Bureau concerned that it is authorized to do so.
- 240 PP-98** 10. Any Sector Member has the right to denounce such participation by notifying the Secretary-General. Such participation may also be denounced, where appropriate, by the Member State concerned or, in case of the Sector Member approved pursuant to No. 234C above, in accordance with criteria and procedures determined by the Council. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.
- 241** 11. The Secretary-General shall delete from the list of entities and organizations any entity or organization that is no

longer authorized to participate in the work of a Sector, in accordance with criteria and procedures determined by the Council.

241A PP-98 12. The assembly or conference of a Sector may decide to admit entities or organizations to participate as Associates in the work of a given study group or subgroups thereof following the principles set out below:

241B PP-98 1) An entity or organization referred to in Nos. 229 to 231 above may apply to participate in the work of a given study group as an Associate.

241C PP-98 2) In cases where a Sector has decided to admit Associates, the Secretary-General shall apply to the applicants the relevant provisions of this Article, taking account of the size of the entity or organization and any other relevant criteria.

241D PP-98 3) Associates admitted to participate in a given study group are not entered in the list referred to in No. 237 above.

241E PP-98 4) The conditions governing participation in the work of a study group are specified in Nos. 248B and 483A of this Convention.

Article 20

Conduct of Business of Study Groups

242 PP-98 1. The radiocommunication assembly, the world telecommunication standardization assembly and the world telecommunication development conference shall appoint the chairman and one vice-chairman or more for each study group. In appointing chairmen and vice-chairmen, particular consideration shall be given to the requirements of competence and equitable geographical distribution, and to the need to promote more efficient participation by the developing countries.

243 PP-98 2. If the workload of any study group requires, the assembly or conference shall appoint such additional vice-chairmen as it deems necessary.

244 3. If, in the interval between two assemblies or conferences of the Sector concerned, a study group Chairman is unable to carry out his duties and only one Vice-Chairman has

been appointed, then that Vice-Chairman shall take the Chairman's place. In the case of a study group for which more than one Vice-Chairman has been appointed, the study group at its next meeting shall elect a new Chairman from among those Vice-Chairmen and, if necessary, a new Vice-Chairman from among the members of the study group. It shall likewise elect a new Vice-Chairman if one of the Vice-Chairmen is unable to carry out his duties during that period.

- 245** 4. Study groups shall conduct their work as far as possible by correspondence, using modern means of communication.
- 246** 5. The Director of the Bureau of each Sector, on the basis of the decisions of the competent conference or assembly, after consultation with the Secretary-General and coordination as required by the Constitution and Convention, shall draw up the general plan of study group meetings.
- 246A PP-98 5bis** 1) Member States and Sector Members shall adopt questions to be studied in accordance with procedures established by the relevant conference or assembly, as appropriate, including the indication whether or not a resulting recommendation shall be the subject of a formal consultation of Member States.
- 246B PP-98** 2) Recommendations resulting from the study of the above questions are adopted by a study group in accordance with procedures established by the relevant conference or assembly, as appropriate. Those recommendations which do not require formal consultation of Member States for their approval shall be considered as approved.
- 246C PP-98** 3) A recommendation requiring formal consultation of Member States shall be either treated in accordance with No. 247 below or transmitted to the relevant conference or assembly, as appropriate.
- 246D PP-98** 4) Nos. 246A and 246B above shall not be used for questions and recommendations having policy or regulatory implications such as:
- 246E PP-98** a) questions and recommendations approved by the Radio-communication Sector relevant to the work of radiocommunication conferences, and other categories of questions and recommendations that may be decided by the radiocommunication assembly;

- 246F PP-98** b) questions and recommendations approved by the Telecommunication Standardization Sector which relate to tariff and accounting issues, and relevant numbering and addressing plans:
- 246G PP-98** c) questions and recommendations approved by the Telecommunication Development Sector which relate to regulatory, policy and financial issues;
- 246H PP-98** d) questions and recommendations where there is any doubt about their scope.
- 247 PP-98** 6. Study groups may initiate action for obtaining approval from Member States for recommendations completed between two assemblies or conferences. The procedures to be applied for obtaining such approval shall be those approved by the competent assembly or conference, as appropriate.
- 247A PP-98** *6bis* Recommendations approved in application of Nos. 246B or 247 above shall have the same status as ones approved by the conference or assembly itself.
- 248** 7. Where necessary, joint working parties may be established for the study of questions requiring the participation of experts from several study groups.
- 248A PP-98** *7bis* Following a procedure developed by the Sector concerned, the Director of a Bureau may, in consultation with the chairman of the study group concerned, invite an organization which does not participate in the Sector to send representatives to take part in the study of a specific matter in the study group concerned or its subordinate groups.
- 248B PP-98** *7ter* An Associate, as referred to in No. 241A of this Convention, will be permitted to participate in the work of the selected study group without taking part in any decision-making or liaison activity of that study group.
- 249** 8. The Director of the relevant Bureau shall send the final reports of the study groups to the administrations, organizations and entities participating in the Sector. Such reports shall include a list of the recommendations approved in conformity with No. 247 above. These reports shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next session of the conference concerned.

Article 21

Recommendations from One Conference to Another

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

Article 22

Relations Between Sectors and with International Organizations

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

CHAPTER II

PP-98 GENERAL PROVISIONS REGARDING
CONFERENCES AND ASSEMBLIES

Article 23

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

- 255** 1. The precise place and the exact dates of the Conference shall be fixed in accordance with the provisions of Article 1 of this Convention, following consultations with the inviting government.
- 256 PP-98** 2. 1) One year before the date of opening of the conference, the inviting government shall send an invitation to the government of each Member State.
- 257** 2) These invitations may be sent directly or through the Secretary-General or through another government.
- 258 PP-94** 3. The Secretary-General shall invite the following to send observers:
- 259** a) the United Nations;
- 260** b) regional telecommunication organizations mentioned in Article 43 of the Constitution;
- 261** c) intergovernmental organizations operating satellite systems;
- 262** d) the specialized agencies of the United Nations and the International Atomic Energy Agency.
- 262A PP-94** e) Sector Members referred to in Nos. 229 and 231 of this
PP-98 Convention and organizations of an international character representing them.
- 263 PP-98** 4. 1) The replies of the Member States must reach the inviting government at least one month before the date of opening of the conference and should include whenever possible full information on the composition of the delegation.

- 264** 2) These replies may be sent directly to the inviting government or through the Secretary-General or through another government.
- 265 PP-98** 3) The replies of the organizations and agencies referred to in Nos. 259 to 262A above must reach the Secretary-General one month before the opening date of the conference.
- 266** 5. The General Secretariat and the three Bureaux of the Union shall be represented at the Conference in an advisory capacity.
- 267** 6. The following shall be admitted to Plenipotentiary Conferences:
- 268** a) delegations;
- 269 PP-94** b) observers of organizations and agencies invited in accordance with Nos. 259 to 262A.

Article 24

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

- 270** 1. The precise place and exact dates of the conference shall be fixed in accordance with the provisions of Article 3 of this Convention, following consultations with the inviting government.
- 271 PP-94** 2. 1) The provisions of Nos. 256 to 265 of this Convention shall apply to radiocommunication conferences.
- 272 PP-98** 2) Member States should inform the Sector Members of the invitation they have received to participate in a radiocommunication conference.
- 273** 3. 1) The inviting government, in agreement with or on a proposal by the Council, may notify the international organizations other than those referred to in Nos. 259 to 262 of this Convention which may be interested in sending observers to participate in the conference in an advisory capacity.
- 274** 2) The interested international organizations referred to in No. 273 above shall send an application for admission to the inviting government within a period of two months from the date of notification.

- 275 3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted.
- 276 4. The following shall be admitted to radiocommunication conferences:
- 277 a) delegations;
- 278 b) observers of organizations and agencies referred to in Nos. 259 to 262 of this Convention;
- 279 c) observers of international organizations admitted in accordance with Nos. 273 to 275 above;
- 280 PP-98 d) observers representing Sector Members of the Radiocommunication Sector duly authorized by the Member State concerned;
- 281 e) in an advisory capacity, the elected officials, when the conference is discussing matters coming within their competence, and the members of the Radio Regulations Board;
- 282 PP-98 f) observers of Member States participating in a non-voting capacity in a regional radiocommunication conference of a region other than that to which the said Member States belong.

Article 25

PP-98 *Invitation and Admission to Radiocommunication Assemblies, World Telecommunication Standardization Assemblies and Telecommunication Development Conferences when There is an Inviting Government*

- 283 1. The precise place and exact dates of each assembly or conference shall be fixed in accordance with the provisions of Article 3 of this Convention, following consultations with the inviting government.
- 284 2. One year before the date of the opening of the assembly or conference, the Secretary-General, after consultation with the Director of the Bureau concerned, shall send an invitation to:
- 285 PP-98 a) the administration of each Member State;

- 286 PP-98** b) the Sector Members concerned;
- 287** c) regional telecommunication organizations mentioned in Article 43 of the Constitution;
- 288** d) intergovernmental organizations operating satellite systems;
- 289** e) any other regional organization or other international organization dealing with matters of interest to the assembly or conference.
- 290** 3. The Secretary-General shall also invite the following organizations or agencies to send observers:
- 291** a) the United Nations;
- 292** b) the specialized agencies of the United Nations and the International Atomic Energy Agency.
- 293** 4. The replies must reach the Secretary-General at least one month before the date of opening of the assembly or conference and should, whenever possible, include full information on the composition of the delegation or representation.
- 294** 5. The General Secretariat and the elected officials of the Union shall be represented at the assembly or conference in an advisory capacity.
- 295** 6. The following shall be admitted to the assembly or conference:
- 296** a) delegations;
- 297** b) observers of organizations and agencies invited in accordance with Nos. 287 to 289 and 291 and 292 above;
- 298 PP-98** c) representatives of Sector Members concerned.

Article 26

- PP-98** *Procedure for Convening or Cancelling World Conferences or Assemblies at the Request of Member States or on a Proposal of the Council*
- 299 PP-98** 1. The procedures to be applied for convening a second world telecommunication standardization assembly in the in-

terval between successive plenipotentiary conferences and fixing its precise place and exact dates or for cancelling the second world radiocommunication conference or the second radiocommunication assembly are set forth in the following provisions.

300 PP-98 2. 1) Any Member State wishing to have a second world telecommunication standardization assembly convened shall so inform the Secretary-General, indicating the proposed place and dates of the assembly.

301 PP-98 2) On receipt of similar requests from at least one-quarter of the Member States, the Secretary-General shall inform immediately all Member States thereof by the most appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

302 PP-98 3) If a majority of the Member States, determined in accordance with No. 47 of this Convention, agree to the proposal as a whole, that is to say, if they accept the proposed place and dates, the Secretary-General shall so inform immediately all Member States by the most appropriate means of telecommunication.

303 PP-98 4) If the proposal accepted is for an assembly elsewhere than at the seat of the Union, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the assembly.

304 PP-98 5) If the proposal as a whole (place and dates) is not accepted by the majority of the Member States determined in accordance with No. 47 of this Convention, the Secretary-General shall inform the Member States of the replies received, requesting them to give a final reply on the point or points under dispute within six weeks of receipt.

305 PP-98 6) Such points shall be regarded as adopted when they have been approved by a majority of the Member States, determined in accordance with No. 47 of this Convention.

306 PP-98 3. 1) Any Member State wishing to have a second world radiocommunication conference or a second radiocommunication assembly cancelled shall so inform the Secretary-General. On receipt of similar requests from at least one-quarter of the Member States, the Secretary-General shall inform immediately all Member States thereof by the most

appropriate means of telecommunication, asking them to indicate, within six weeks, whether or not they agree to the proposal.

- 307 PP-98** 2) If a majority of the Member States, determined in accordance with No. 47 of this Convention, agrees to the proposal, the Secretary-General shall so inform immediately all Member States by the most appropriate means of telecommunication and the conference or assembly shall be cancelled.
- 308** 4. The procedures indicated in Nos. 301 to 307 above, with the exception of No. 306, shall also be applicable when the proposal to convene a second world telecommunication standardization conference* or to cancel a second world radiocommunication conference or a second radiocommunication assembly is initiated by the Council.
- 309 PP-98** 5. Any Member State wishing to have a world conference on international telecommunications convened shall propose it to the Plenipotentiary Conference; the agenda, precise place and exact dates of such a conference shall be determined in accordance with the provisions of Article 3 of this Convention.

Article 27

- PP-98** *Procedure for Convening Regional Conferences at the Request of Member States or on a Proposal of the Council*
- 310 PP-98** In the case of a regional conference, the procedure described in Nos. 300 to 305 of this Convention shall be applicable only to the Member States of the region concerned. If the conference is to be convened on the initiative of the Member States of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Member States in that region. The procedure described in Nos. 301 to 305 of this Convention shall also be applicable when the proposal to convene such a conference is initiated by the Council.

* Note by the General Secretariat: "conference" should read "assembly".

Article 28

PP-98 *Provisions for Conferences and Assemblies Meeting when There is no Inviting Government*

- 311 PP-98** When a conference or an assembly is to be held without an inviting government, the provisions of Articles 23, 24 and 25 of this Convention shall apply. The Secretary-General shall take the necessary steps to convene and organize the conference or assembly at the seat of the Union, after agreement with the Government of the Swiss Confederation.

Article 29

PP-98 *Change in the Place or Dates of a Conference or an Assembly*

- 312 PP-98** 1. The provisions of Articles 26 and 27 of this Convention for convening a conference or assembly shall apply, by analogy, when a change in the precise place and/or exact dates of a conference or assembly is requested by Member States or is proposed by the Council. However, such changes shall only be made if a majority of the Member States concerned, determined in accordance with No. 47 of this Convention, have pronounced in favour.
- 313 PP-98** 2. It shall be the responsibility of any Member State proposing a change in the precise place or exact dates of a conference or assembly to obtain for its proposal the support of the requisite number of other Member States.
- 314** 3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in No. 301 of this Convention, the probable financial consequences of a change in the place or dates, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

Article 30

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

- 315** 1. The provisions of this Article shall apply to the Plenipotentiary Conference, world and regional radiocommunication conferences and world conferences on international telecommunications.

- 316 PP-98** 2. Immediately after the invitations have been despatched, the Secretary-General shall ask Member States to submit, at least four months before the start of the conference, their proposals for the work of the conference.
- 317** 3. All proposals the adoption of which will involve amendment of the text of the Constitution or this Convention or revision of the Administrative Regulations must carry references identifying by their marginal numbers those parts of the text which will require such amendment or revision. The reasons for the proposal must be given, as briefly as possible, in each case.
- 318 PP-98** 4. Each proposal received from a Member State shall be annotated by the Secretary-General to indicate its origin by means of the symbol established by the Union for that Member State. Where a proposal is made jointly by more than one Member State the proposal shall, to the extent practicable, be annotated with the symbol of each Member State.
- 319 PP-98** 5. The Secretary-General shall communicate the proposals to all Member States as they are received.
- 320 PP-98** 6. The Secretary-General shall assemble and coordinate the proposals received from Member States and shall communicate them to Member States as they are received, but in any case at least two months before the opening of the conference. Elected officials and staff members of the Union, as well as those observers and representatives that may attend conferences in accordance with the relevant provisions of this Convention, shall not be entitled to submit proposals.
- 321 PP-98** 7. The Secretary-General shall also assemble reports received from Member States, the Council and the Sectors of the Union and recommendations by conferences and shall communicate them to Member States, along with any reports by the Secretary-General, at least four months before the opening of the conference.
- 322 PP-98** 8. Proposals received after the time-limit specified in No. 316 above shall be communicated to all Member States by the Secretary-General as soon as practicable.
- 323** 9. The provisions of the present Article shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

Article 31

Credentials for Conferences

- 324 PP-98** 1. The delegation sent by a Member State to a plenipotentiary conference, a radiocommunication conference or a world conference on international telecommunications shall be duly accredited in accordance with Nos. 325 to 331 below.
- 325** 2. 1) Accreditation of delegations to Plenipotentiary Conferences shall be by means of instruments signed by the Head of State, by the Head of Government or by the Minister for Foreign Affairs.
- 326** 2) Accreditation of delegations to the other conferences referred to in No. 324 above shall be by means of instruments signed by the Head of State, by the Head of Government, by the Minister for Foreign Affairs or by the Minister responsible for questions dealt with during the conference.
- 327 PP-98** 3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in Nos. 325 or 326 above, a delegation may be provisionally accredited by the head of the diplomatic mission of the Member State concerned to the host government. In the case of a conference held in the Swiss Confederation, a delegation may also be provisionally accredited by the head of the permanent delegation of the Member State concerned to the United Nations Office at Geneva.
- 328** 3. Credentials shall be accepted if they are signed by one of the competent authorities mentioned in Nos. 325 to 327 above, and fulfil one of the following criteria:
- 329** – they confer full powers on the delegation;
- 330** – they authorize the delegation to represent its government, without restrictions;
- 331** – they give the delegation, or certain members thereof, the right to sign the Final Acts.
- 332 PP-98** 4. 1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member State concerned, subject to the provisions of Nos. 169 and 210 of the Constitution, and to sign the final acts.

- 333 2) A delegation whose credentials are found not to be in order bij the Plenary Meeting shall not be entitled to exercise the right to vote or to sign the Final Acts until the situation has been rectified.
- 334 PP-98 5. Credentials shall be deposited with the secretariat of the conference as early as possible. The committee referred to in No. 23 of Rules of Procedure of conferences and other meetings* be entrusted with the verification thereof and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, any delegation shall be entitled to participate in the conference and to exercise the right to vote of the Member State concerned.
- 335 PP-98 6. As a general rule, Member States should endeavour to send their own delegations to conferences of the Union. However, if a Member State is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member States powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in Nos. 325 or 326 above.
- 336 7. A delegation with the right to vote may give to another delegation with the right to vote a mandate to exercise its vote at one or more meetings at which it is unable to be present. In such a case it shall, in good time, notify the Chairman of the conference in writing.
- 337 8. A delegation may not exercise more than one proxy vote.
- 338 9. Credentials and transfers of powers sent by telegram shall not be accepted. Nevertheless, replies sent by telegram to requests by the Chairman or the secretariat of the conference for clarification of credentials shall be accepted.
- 339 PP-98 10. A Member State or an authorized entity or organization intending to send a delegation or representatives to a telecommunication standardization assembly, a telecommunication development conference or a radiocommunication assembly shall so inform the Director of the Bureau of the Sec-

* Note bij the General Secretariat: the word "shall" should be inserted between the words "meetings" and "be".

tor concerned, indicating the names and functions of the members of the delegation or of the representatives.

PP-98 (SUP)

CHAPTER III

Article 32

Rules of Procedure of Conferences and Other Meetings

339A PP-98 1. The Rules of Procedure of conferences and other meetings are adopted by the Plenipotentiary Conference. The provisions governing the procedure for amending those Rules of Procedure and the entry into force of amendments are contained in the Rules themselves.

340 PP-98 2. The Rules of Procedure shall apply without prejudice to the amendment provisions contained in Article 55 of the Constitution and in Article 42 of this Convention.

PP-98 Article 32A

Right to Vote

340A PP-98 1. At all meetings of a conference, assembly or other meeting, the delegation of a Member State duly accredited by that Member State to take part in the work of the conference, assembly or other meeting shall be entitled to one vote in accordance with Article 3 of the Constitution.

340B PP-98 2. The delegation of a Member State shall exercise the right to vote under the conditions described in Article 31 of this Convention.

340C PP-98 3. When a Member State is not represented by an administration at a radiocommunication assembly, a world telecommunication standardization assembly or a telecommunication development conference, the representatives of the recognized operating agencies of the Member State concerned shall, as a whole, and regardless of their number, be entitled to a single vote, subject to the provisions of No. 239 of this Convention.

The provisions of Nos. 335 to 338 of this Convention concerning the transfer of powers shall apply to the above conferences and assemblies.

PP-98 Article 32B
Reservations

340D PP-98 1. As a general rule, any delegation whose views are not shared by the remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

340E PP-98 2. Any Member State that, during a plenipotentiary conference, reserves its right to make reservations as specified in its declaration when signing the final acts, may make reservations regarding an amendment to the Constitution or to this Convention until such time as its instrument of ratification, acceptance or approval of or accession to the amendment has been deposited with the Secretary-General.

340F PP-98 3. If any decision appears to a delegation to be such as to prevent its government from consenting to be bound by the revision of the Administrative Regulations, this delegation may make reservations, final or provisional, regarding that decision, at the end of the conference adopting that revision; any such reservations may be made by a delegation on behalf of a Member State which is not participating in the competent conference and which has given that delegation proxy powers to sign the final acts in accordance with the provisions of Article 31 of this Convention.

340G PP-98 4. A reservation made following a conference shall only be valid if the Member State which made it formally confirms it when notifying its consent to be bound by the amended or revised instrument adopted by the conference at the close of which it made the reservation in question.

341 to 467 (SUP)
PP-98

CHAPTER IV
OTHER PROVISIONS

Article 33
Finances

468 PP-98 1. 1) The scale from which each Member State, subject to

the provisions of No. 468A below, and Sector Member, subject to the provisions of No. 468B below, shall choose its class of contribution, in conformity with the relevant provisions of Article 28 of the Constitution, shall be as follows:

40 unit class	8 unit class
35 unit class	5 unit class
30 unit class	4 unit class
28 unit class	3 unit class
25 unit class	2 unit class
23 unit class	1 1/2 unit class
20 unit class	1 unit class
18 unit class	1/2 unit class
15 unit class	1/4 unit class
13 unit class	1/8 unit class
10 unit class	1/16 unit class

468A PP-98 *1bis*) Only Member States listed by the United Nations as least developed countries and those determined by the Council may select the 1/8 and 1/16 unit classes of contribution.

468B PP-98 *1ter*) Sector Members may not select a class of contribution lower than 1/2 unit, with the exception of Sector Members of the Telecommunication Development Sector, which may select the 1/4, 1/8 and 1/16 unit classes. However, the 1/16 unit class is reserved for Sector Members of developing countries as determined by the list established by the United Nations Development Programme (UNDP) to be reviewed by the ITU Council.

469 PP-98 2) In addition to the classes of contribution listed in No. 468 above, any Member State or Sector Member may choose a number of contributory units over 40.

470 PP-98 3) The Secretary-General shall communicate promptly to each Member State not represented at the Plenipotentiary Conference the decision of each Member State as to the class of contribution to be paid by it.

471 PP-98 (SUP)

472 PP-98 2. 1) Every new Member State and Sector Member shall, in respect of the year of its accession or admission, pay a contribution calculated as from the first day of the month of accession or admission, as the case may be.

- 473 PP-98** 2) Should a Member State denounce the Constitution and this Convention or a Sector Member denounce its participation in a Sector, its contribution shall be paid up to the last day of the month in which such denunciation takes effect in accordance with No. 237 of the Constitution or No. 240 of this Convention, respectively.
- 474 PP-98** 3. The amounts due shall bear interest from the beginning of the fourth month of each financial year of the Union at 3% (three per cent) per annum during the following three months, and at 6% (six per cent) per annum from the beginning of the seventh month.
- 475 PP-98** (SUP)
- 476 PP-94** 4. 1) The organizations referred to in Nos. 259 to 262A of this Convention and other organizations of an international character (unless they have been exempted by the Council, subject to reciprocity) and Sector Members (except when attending a conference or assembly of their respective Sector) which participate in a plenipotentiary conference, in a meeting of a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conferences and meetings in which they participate on the basis of the cost of these conferences and meetings and in accordance with the Financial Regulations.
- 477 PP-98** 2) Any Sector Member appearing in the lists mentioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 480 and 480A below.
- 478 and 479 (SUP)**
PP-98
- 480 PP-94** 5) The amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Member States. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.
- 480A PP-98** *5bis*) When a Sector Member contributes to defraying the expenses of the Union under No. 159 of the Constitution, the Sector for which the contribution is made should be identified.

481 to 483 (SUP)
PP-98

483A PP-98 4bis Associates as described in No. 241A of this Convention shall share in defraying the expenses of the Sector and the study group and subordinate groups in which they participate, as determined by the Council.

484 PP-94 5. The Council shall determine criteria for the application of cost recovery for some products and services of the Union.

485 PP-94 6. The Union shall maintain a reserve account in order to provide working capital to meet essential expenditures and to maintain sufficient cash reserves to avoid resorting to loans as far as possible. The amount of the reserve account shall be fixed annually by the Council on the basis of expected requirements. At the end of each biennial budgetary period all budget credits which have not been expended or encumbered will be placed in the reserve account. Other details of this account are described in the Financial Regulations.

486 PP-94 7. 1) The Secretary-General may, in agreement with the Coordination Committee, accept voluntary contributions in cash or kind, provided that the conditions attached to such voluntary contributions are consistent, as appropriate, with the purposes and programmes of the Union and with the programmes adopted by a conference and in conformity with the Financial Regulations, which shall contain special provisions for the acceptance and use of such voluntary contributions.

487 PP-94 2) Such voluntary contributions shall be reported by the Secretary-General to the Council in the financial operating report as well as in a summary indicating for each case the origin, proposed use and action taken with respect to each voluntary contribution.

Article 34

Financial Responsibilities of Conferences

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

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

Article 35

Languages

- 490 PP-98** 1. 1) Languages other than those mentioned in the relevant provisions of Article 29 of the Constitution may be used:

- 491 PP-98** a) if an application is made to the Secretary-General to provide for the use of an additional language or languages, oral or written, on a permanent or an ad hoc basis, provided that the additional cost so incurred shall be borne by those Member States which have made or supported the application;

- 492 PP-98** b) if, at conferences and meetings of the Union, after informing the Secretary-General or the Director of the Bureau concerned, any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in the relevant provision of Article 29 of the Constitution.

- 493 PP-98** 2) In the case provided for in No. 491 above, the Secretary-General shall comply to the extent practicable with the application, having first obtained from the Member States concerned an undertaking that the cost incurred will be duly repaid by them to the Union.

- 494** 3) In the case provided for in No. 492 above, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral translation into its own language from one of the languages referred to in the relevant provision of Article 29 of the Constitution.

- 495 PP-98** 2. Any of the documents referred to in the relevant provisions of Article 29 of the Constitution may be published in languages other than those specified therein, provided that the

Member States requesting such publication undertake to defray the whole of the cost of translation and publication involved.

CHAPTER V

VARIOUS PROVISIONS RELATED TO THE OPERATION OF TELECOMMUNICATION SERVICES

Article 36

Charges and Free Services

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

Article 37

Rendering and Settlement of Accounts

- 497 PP-98** 1. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the Member States and Sector Members concerned in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 42 of the Constitution, these settlements shall be effected in accordance with the Administrative Regulations.

- 498 PP-98** 2. Administrations of Member States and Sector Members which operate international telecommunication services shall come to an agreement with regard to the amount of their debits and credits.

- 499** 3. The statement of accounts with respect to debits and credits referred to in No. 498 above shall be drawn up in accordance with the provisions of the Administrative Regulations, unless special arrangements have been concluded between the parties concerned.

Article 38

Monetary Unit

- 500 PP-98** In the absence of special arrangements concluded between Member States, the monetary unit to be used in the compo-

sition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

- either the monetary unit of the International Monetary Fund
- or the gold franc,

both as defined in the Administrative Regulations. The provisions for application are contained in Appendix 1 to the International Telecommunication Regulations.

Article 39

Intercommunication

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

Article 40

Secret Language

- 504** 1. Government telegrams and service telegrams may be expressed in secret language in all relations.
- 505 PP-98** 2. Private telegrams in secret language may be admitted between all Member States with the exception of those which have previously notified, through the Secretary-General, that they do not admit this language for that category of correspondence.
- 506 PP-98** 3. Member States which do not admit private telegrams in secret language originating in or destined for their own terri-

tory must let them pass in transit, except in the case of suspension of service provided for in Article 35 of the Constitution.

CHAPTER VI

ARBITRATION AND AMENDMENT

Article 41

Arbitration: Procedure (see Article 56 of the Constitution)

- 507** 1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.
- 508** 2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.
- 509** 3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of a State party to the dispute, nor have their domicile in the States parties to the dispute, nor be employed in their service.
- 510 PP-98** 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Member States which are not involved in the dispute, but which are parties to the agreement, the application of which caused the dispute.
- 511** 5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.
- 512** 6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in Nos. 510 and 511 above, by each of the two groups of parties having a common position in the dispute.
- 513** 7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfil the conditions

indicated in No. 509 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General shall then draw lots in order to select the third arbitrator.

- 514** 8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General to draw lots to decide which of the persons so nominated is to act as the single arbitrator.
- 515** 9. The arbitrator or arbitrators shall be free to decide upon the venue and the rules of procedure to be applied to the arbitration.
- 516** 10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.
- 517** 11. Each party shall bear the expense it has incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.
- 518** 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need. If the parties to the dispute so agree, the decision of the arbitrator or arbitrators shall be communicated to the Secretary-General for future reference purposes.

Article 42

Provisions for Amending this Convention

- 519 PP-98** 1. Any Member State may propose any amendment to this Convention. Any such proposal shall, in order to ensure its timely transmission to, and consideration by, all the Member States, reach the Secretary-General not later than eight months prior to the opening date fixed for the Plenipotentiary Conference. The Secretary-General shall, as soon as possible, but

not later than six months prior to the latter date, forward any such proposal to all the Member States.

- 520 PP-98** 2. Any proposed modification to any amendment submitted in accordance with No. 519 above may, however, be submitted at any time by a Member State or by its delegation at the Plenipotentiary Conference.
- 521** 3. The quorum required at any Plenary Meeting of the Plenipotentiary Conference for consideration of any proposal for amending this Convention or modification thereto shall consist of more than one half of the delegations accredited to the Plenipotentiary Conference.
- 522** 4. To be adopted, any proposed modification to a proposed amendment as well as the proposal as a whole, whether or not modified, shall be approved, at a Plenary Meeting, by more than half of the delegations accredited to the Plenipotentiary Conference which have the right to vote.
- 523 PP-98** 5. Unless specified otherwise in the preceding paragraphs of the present Article, which shall prevail, the general provisions regarding conferences and assemblies contained in this Convention and the Rules of Procedure of conferences and other meetings shall apply.
- 524 PP-98** 6. Any amendments to this Convention adopted by a plenipotentiary conference shall, as a whole and in the form of one single amending instrument, enter into force at a date fixed by the conference between Member States having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, both this Convention and the amending instrument. Ratification, acceptance or approval of, or accession to, only a part of such an amending instrument shall be excluded.
- 525** 7. Notwithstanding No. 524 above, the Plenipotentiary Conference may decide that an amendment to this Convention is necessary for the proper implementation of an amendment to the Constitution. In that case, the amendment to this Convention shall not enter into force prior to the entry into force of the amendment to the Constitution.
- 526 PP-98** 8. The Secretary-General shall notify all Member States of the deposit of each instrument of ratification, acceptance, approval or accession.

- 527 9. After entry into force of any such amending instrument, ratification, acceptance, approval or accession in accordance with Articles 52 and 53 of the Constitution shall apply to this Convention as amended.
- 528 10. After the entry into force of any such amending instrument, the Secretary-General shall register it with the Secretariat of the United Nations, in accordance with the provisions of Article 102 of the Charter of the United Nations. No. 241 of the Constitution shall also apply to any such amending instrument.

Annex

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

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

- 1001 Expert: A person sent by either:
- a) the Government or the administration of his country, or
 - b) an entity or an organization authorized in accordance with Article 19 of this Convention, or
 - c) an international organization to participate in tasks of the Union relevant to his area of professional competence.
- 1002 PP-94 Observer: A person sent by:
- PP-98
- the United Nations, a specialized agency of the United Nations, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a plenipotentiary conference, a conference or a meeting of a Sector,
 - an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector,
 - the government of a Member State to participate, in a non-voting capacity, in a regional conference, or
 - a Sector Member referred to in Nos. 229 or 231 of the Convention or an organization of an international character representing such Sector Members, in accordance with the relevant provisions of this Convention.

- 1003** Mobile Service: A radiocommunication service between mobile and land stations, or between mobile stations.
- 1004** Scientific or Industrial Organisation: Any organization, other than a governmental establishment or agency, which is engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services.
- 1005** Radiocommunication: Telecommunication by means of radio waves.
Note 1: Radio waves are electromagnetic waves of frequencies arbitrarily lower than 3000 GHz, propagated in space without artificial guide.
Note 2: For the requirements of Nos. 149 to 154 of this Convention, the term “radiocommunication also includes telecommunications using electromagnetic waves of frequencies above 3000 GHz, propagated in space without artificial guide”.
- 1006** Service Telecommunication: A telecommunication that relates to public international telecommunications and that is exchanged among the following:
- administrations.
 - recognized operating agencies, and
 - the Chairman of the Council, the Secretary-General, the Deputy Secretary-General, the Directors of the Bureaux, the members of the Radio Regulations Board, and other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

Uitgegeven de *elfde* mei 2001.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN

INHOUD

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