

# United States Treaties and Other International Agreements



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IN THREE PARTS

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# CEYLON

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of March 13, 1959, as amended.*

*Effectuated by exchange of notes*

*Signed at Colombo August 24, 1961;*

*Entered into force August 24, 1961.*

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*The American Ambassador to the Prime Minister of Ceylon and  
Minister of Defense and External Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Colombo, August 24, 1961.

No. 84

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement of March 13, 1959, as amended,[<sup>2</sup>] between the Government of the United States of America and the Government of Ceylon and to recent conversations between representatives of our two Governments regarding the financing of additional quantities of wheat flour under that Agreement.

I have the honor to propose that Article I of the Agreement be amended by adding the following clause to the penultimate sentence of the Article: " , except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment." .

I also have the honor to propose that Article II of the Agreement be amended by increasing the amount in paragraph 1 from \$2.87 million to \$3.01 million; by reducing the amount in paragraph 2 from \$3.76 million to \$3.48 million; and by increasing the amount in paragraph 4 from \$5.86 million to \$6.0 million; and by deleting in its entirety the second subparagraph of paragraph 4, beginning "In the event the total of rupees accruing . . .", and substituting therefor the following: "In the event the total of rupees accruing to the Government of the United States of America as a consequence of sales made pursuant to the Agreement is greater or less than the rupee equivalent of \$14.7 million, the amount of the difference shall be either added to or subtracted from the amounts specified in paragraphs 1, 2, 3, and 4

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<sup>1</sup> Also TIAS 4839; *post*, p. 1220.

<sup>2</sup> TIAS 4211, 4242; 10 UST 749, 1046.

of this Article in the following proportion: Paragraph 1, 20 percent; paragraph 2, 25 percent; paragraph 3, 15 percent; and paragraph 4, 40 percent."

I also have the honor to state that, with respect to Article IV of the Agreement and to Paragraph V of the supplementary understanding contained in letter No. 324 of March 13, 1959,[<sup>1</sup>] from the Ambassador of the United States in Ceylon to the Minister of Finance of Ceylon, the understanding of the Government of the United States of America is as follows:

Imports of wheat flour under this Agreement shall be over and above usual commercial imports from free world sources of at least 150,000 metric tons during calendar year 1961, including any quantities Ceylon has agreed to import from Australia.

If the foregoing is acceptable to Your Excellency's Government, I have the honor to propose that this note together with Your Excellency's note in reply concurring therein shall constitute an agreement between our two Governments to enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

FRANCES E. WILLIS

Senator The Honorable

SIRIMAVO R. D. BANDARANAIKE,

*Prime Minister of Ceylon and*

*Minister of Defense and External Affairs,  
Colombo.*

*The Prime Minister of Ceylon and Minister of Defense and External Affairs to the American Ambassador*

PRIME MINISTER,  
CEYLON

24TH AUGUST, 1961.

EXCELLENCY,

I have the honour to acknowledge receipt of Your Excellency's note to me of 24th August, 1961, the text of which is as follows:

Excellency:

I have the honour to refer to the Agricultural Commodities Agreement of March 13, 1959, as amended, between the Government of the United States of America and the Government of Ceylon and to recent conversations between representatives of our two Gov-

<sup>1</sup> TIAS 4211; 10 UST 755.

ernments regarding the financing of additional quantities of wheat flour under that Agreement.

I have the honour to propose that Article I of the Agreement be amended by adding the following clause to the penultimate sentence of the Article: "except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment."

I also have the honour to propose that Article II of the Agreement be amended by increasing the amount in paragraph 1 from \$ 2.87 million to \$ 3.01 million; by reducing the amount in paragraph 2 from \$ 3.76 million to \$ 3.48 million; and by increasing the amount in paragraph 4 from \$ 5.86 million to \$ 6.0 million; and by deleting in its entirety the second sub paragraph of paragraph 4, beginning "In the event the total of rupees accruing . . .", and substituting therefor the following: "In the event the total of rupees accruing to the Government of the United States of America as a consequence of sales made pursuant to the Agreement is greater or less than the rupee equivalent of \$ 14.7 million, the amount of the difference shall be either added to or subtracted from the amounts specified in paragraphs 1, 2, 3, and 4 of this Article in the following proportion: Paragraph 1, 20 percent; paragraph 2, 25 percent; paragraph 3, 15 percent; and paragraph 4, 40 percent.

I also have the honour to state that, with respect to Article IV of the Agreement and to paragraph V of the supplementary understanding contained in letter No. 324 of March 13, 1959, from the Ambassador of the United States in Ceylon to the Minister of Finance of Ceylon, the understanding of the Government of the United States of America is as follows:

Imports of wheat flour under this Agreement shall be over and above usual commercial imports from free world sources of at least 150,000 metric tons during calendar year 1961, including any quantities Ceylon has agreed to import from Australia.

If the foregoing is acceptable to Your Excellency's Government, I have the honour to propose that this note together with Your Excellency's note in reply concurring therein shall constitute an agreement between our two Governments to enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

The proposals contained in Your Excellency's note are acceptable to my Government. I have noted that Your Excellency's note, together with this note in reply, concurring therein, shall constitute an agreement between our two Governments to enter into force on the date of this reply.

Accept, Excellency, the renewed assurances of my highest consideration.

SIRIMAVO R D BANDARANAIKE  
*Prime Minister*  
*and Minister of External Affairs.*

Her Excellency Miss FRANCES E. WILLIS,  
*Ambassador Extraordinary and Plenipotentiary,*  
*Embassy of the United States of America,*  
*Colombo.*

# GREECE

## Atomic Energy: Cooperation for Civil Uses

*Agreement amending the agreement of August 4, 1955.*

*Signed at Washington June 11, 1960;*

*Entered into force provisionally August 4, 1960;*

*Entered into force definitively September 13, 1961.*

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### AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF GREECE CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Kingdom of Greece,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning Civil Uses of Atomic Energy, signed at Washington on August 4, 1955 [<sup>1</sup>] (hereinafter referred to as the "Agreement for Cooperation"),

Agree as follows:

#### ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of Article V, the Parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this Agreement shall be the responsibility of the

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<sup>1</sup> TIAS 3310; 6 UST 2635.

Party which receives and uses such information or data, and it is understood that the other cooperating Party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

## ARTICLE II

The following new paragraph is added to Article VI of the Agreement for Cooperation:

"D. Some atomic energy materials which the Commission may provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Kingdom of Greece the Government of the Kingdom of Greece shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear materials or other reactor materials which the Commission may, pursuant to this Agreement, lease to the Government of the Kingdom of Greece or to any private individual or private organization under its jurisdiction, the Government of the Kingdom of Greece shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear materials or other reactor materials after delivery by the Commission to the Government of the Kingdom of Greece or to any authorized private organization under its jurisdiction."

## ARTICLE III

The following new article is added directly after Article VII of the Agreement for Cooperation:

### "ARTICLE VII(A)

"The Government of the United States of America and the Government of the Kingdom of Greece affirm their common interest in making mutually satisfactory arrangements to avail themselves, as soon as practicable, of the facilities and services of the International Atomic Energy Agency and to this end the Parties will consult with each other from time to time to determine in what respects, if any, they desire to modify the provisions of this Agreement for Cooperation."

## ARTICLE IV

Article VIII of the Agreement for Cooperation is amended by deleting the date "August 3, 1960" and substituting in lieu thereof the date "August 3, 1962".

**ARTICLE V**

This Amendment shall enter into force [<sup>1</sup>] on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

IN WITNESS WHEREOF, the undersigned, duly authorized, have signed this Amendment.

DONE at Washington, in duplicate, this eleventh day of June, 1960.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

PARKER T. HART

JOHN A McCONE

FOR THE GOVERNMENT OF THE KINGDOM OF GREECE:

A S LIATIS

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<sup>1</sup> Provisionally Aug. 4, 1960; definitively Sept. 13, 1961.

# EL SALVADOR

## Surplus Agricultural Commodities: Sales Under Title IV of the Act

*Agreement signed at San Salvador August 21, 1961;*

*Entered into force August 21, 1961.*

*With exchange of notes*

*Signed at San Salvador August 21 and 24, 1961.*

---

### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF EL SALVADOR UNDER TITLE IV OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of El Salvador:

Recognizing the desirability of expanding trade in agricultural commodities between their two countries in a manner which would utilize surplus agricultural commodities, including the products thereof, produced in the United States of America to assist economic development in El Salvador;

Recognizing that such expanded trade should be carried on in a manner which would not displace cash marketings of the United States of America in those commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Recognizing further that by providing such commodities to El Salvador under long-term supply and credit arrangements, the resources and manpower of El Salvador can be utilized more effectively for economic development without jeopardizing meanwhile adequate supplies of agricultural commodities for domestic use;

Desiring to set forth the understandings which will govern the sales, as specified below, of commodities to El Salvador pursuant to Title IV of the Agricultural Trade Development and Assistance Act, as amended,<sup>[1]</sup> (hereinafter referred to as the "Act");

Have agreed as follows:

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<sup>1</sup> 73 Stat. 610; 7 U.S.C. §§ 1731-1736.

ARTICLE I*COMMODITY SALES PROVISIONS*

1. Subject to the availability of commodities for programming under the Act and to issuance by the Government of the United States of America and acceptance by the Government of El Salvador of credit purchase authorizations, the Government of the United States of America undertakes to finance the sales for United States dollars to purchasers authorized by the Government of El Salvador of the following commodities:

<u>Commodity</u>	<u>Supply Period</u>	<u>Unit</u>	<u>Approximate Maximum Quantity</u>	<u>Maximum Export Market Value To Be Financed</u>
Wheat & Wheat Flour	July 1, 1961—June 30, 1962	Metric Tons	25,000	\$1,800,000
Ocean Transportation (estimated)				200,000
Total				\$2,000,000

The total amount of financing provided in the credit purchase authorizations shall not exceed the above-specified total maximum export market value to be financed. It is understood that the Government of the United States of America will, as price declines or other marketing factors may require, limit the amount of financing provided in the credit purchase authorizations so that the quantities of commodities financed will not substantially exceed the above specified approximate maximum quantities.

2. Credit purchase authorizations will include provisions relating to the sale and delivery of such commodities and other relevant matters.

ARTICLE II*CREDIT PROVISIONS*

1. The Government of El Salvador will pay or cause to be paid in United States dollars to the Government of the United States of America for the commodities specified in Article I and related ocean transportation (except excess ocean transportation costs resulting from the requirement that United States flag vessels be used), the amount financed by the Government of the United States of America together with interest thereon.

2. The principal amount due for commodities delivered in each calendar year under this Agreement, including the applicable ocean transportation costs related to such deliveries, shall be paid in five approximately equal annual payments. The first annual payment for commodities delivered in any calendar year shall become due on December 31, following the calendar year in which such deliveries were made. Subsequent annual payments shall become due at inter-

vals of one year thereafter. Any annual payment may be made prior to the due date thereof.

3. Interest on the unpaid balance of the principal amount due the Government of the United States of America for commodities delivered in each calendar year shall be computed at the rate of 3% per centum per annum and shall begin on the date of the last delivery of commodities in such calendar year. Interest on each such unpaid balance shall be paid annually not later than the date on which the annual payment of principal becomes due.

4. All payments shall be made in United States dollars and the Government of El Salvador shall deposit or cause to be deposited such payments in the United States Treasury unless another depository is agreed upon by the two Governments.

5. The two Governments will each establish appropriate procedures to facilitate the reconciliation of their respective records of the amounts financed with respect to the commodities delivered during each calendar year.

6. For the purpose of determining the date of the last delivery of commodities for each calendar year, delivery shall be deemed to have occurred as of the on-board date shown in the ocean bill of lading which has been signed or initialed on behalf of the carrier.

### ARTICLE III

#### *GENERAL PROVISIONS*

1. The Government of El Salvador will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic consumption of the commodities purchased pursuant to the provisions of this Agreement.

2. The two Governments will take reasonable precautions to assure that all sales or purchases of commodities pursuant to the Agreement will not displace cash marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade of countries friendly to the United States of America.

3. In carrying out the provisions of this Agreement, the two Governments will seek to assure, to the extent practicable, conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and extend continuous market demand for commodities.

4. The Government of El Salvador will furnish, upon request of the Government of the United States of America, information on the progress of the program, including the arrival and condition of commodities, imports of commodities which may be required under this agreement to be purchased from the United States of America or other countries friendly to the United States of America in addition to commodities financed under this Agreement, and any exports of the same or like commodities.

ARTICLE IV

CONSULTATION

The two Governments will, upon request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements entered into pursuant to this Agreement.

ARTICLE V

ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at San Salvador, El Salvador in duplicate in the English and Spanish languages this twenty-first day of August 1961

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

MURAT W. WILLIAMS

Murat W. Williams  
*Ambassador of the  
United States of America*

FOR THE GOVERNMENT  
OF EL SALVADOR:

EDUARDO MONTES UMAÑA

Eduardo Montes Umaña  
*Minister of Agriculture of the  
Republic of El Salvador*

[SEAL]

ACUERDO SOBRE PRODUCTOS AGRICOLAS ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y EL GOBIERNO DE EL SALVADOR, BAJO EL TITULO IV DE LA LEY ENMENDADA DE FOMENTO Y ASISTENCIA AL COMERCIO AGRICOLA.

El Gobierno de los Estados Unidos de América y el Gobierno de El Salvador:

RECONOCIENDO el deseo de expandir el comercio de productos agrícolas entre los dos países, en una manera que utilizaría los excedentes de productos agrícolas, incluyendo productos derivados, producidos en los Estados Unidos de América para ayudar al desarrollo económico de El Salvador;

RECONOCIENDO que tal expansión del comercio debiera mantenerse en tal manera que no desplace las compras al contado a los Estados Unidos de América en esos productos, o indebidamente perjudique los

precios mundiales de los productos agrícolas o los patrones normales de las relaciones comerciales con los países amigos;

RECONOCIENDO además, que al proveer de tales productos a El Salvador, mediante arreglos de abastecimiento y crédito a largo plazo, los recursos y el potencial humano de El Salvador, pueden ser utilizados más efectivamente en el desarrollo económico sin arriesgar, mientras tanto, los suministros adecuados de productos agrícolas para uso doméstico;

DESEANDO dejar sentados los entendimientos que regirán las ventas, tal como luego se especifican, de los productos para El Salvador, de conformidad con el Título IV de la Ley Enmendada de Fomento y Asistencia al Comercio Agrícola (que en adelante se llamará "La Ley");

Han acordado lo siguiente:

### ARTICULO I

#### *ESTIPULACIONES PARA LA VENTA DE LOS PRODUCTOS*

1. Sujeto a la disponibilidad de los productos para ser programados bajo la Ley y a la emisión por el Gobierno de los Estados Unidos de América y a la aceptación de las autorizaciones de compras al crédito por el Gobierno de El Salvador, el Gobierno de los Estados Unidos de América toma por su cuenta la financiación de las ventas en dólares de los Estados Unidos, a los compradores autorizados por el Gobierno de El Salvador, en los siguientes productos:

<u>Productos</u>	<u>Período de Suministro</u>	<u>Unidad</u>	<u>Cantidad Máxima Aprox.</u>	<u>Valor máximo de mercado de exportación a ser financiado.</u>
Trigo y harina de trigo	Julio 1º/61 Junio 30/62	Ton. Met.	25,000	\$ 1,800,000
Transporte marítimo (estimado)				\$ 200,000
<b>TOTAL</b>				<b>\$ 2,000,000</b>

La cantidad total de financiamiento provista en las autorizaciones de compra al crédito no debe exceder al total del valor máximo de mercado de exportación arriba especificado, a ser financiado. Se da por entendido que el Gobierno de los Estados Unidos de América, si lo exigen bajas de precios u otros factores de mercado, limitará la cantidad de financiamiento, provista en las autorizaciones de compras al crédito, de tal manera que las cantidades de productos financiados no excederán sustancialmente las cantidades máximas aproximadas especificadas anteriormente.

2. Las autorizaciones de compras al crédito incluirán provisiones relacionadas con la venta y la entrega de tales productos y otras materias pertinentes.

## ARTICULO II

### *ESTIPULACIONES DE CREDITO*

1. El Gobierno de El Salvador pagará o hará pagar en dólares de los Estados Unidos, al Gobierno de los Estados Unidos de América, por los productos especificados en el Artículo I y por el transporte marítimo respectivo (excepto por el exceso de costos de transporte marítimo que resulte del requerimiento que se usen los barcos de transporte con bandera estadunidense), la cantidad financiada por el Gobierno de los Estados Unidos de América, más el interés pertinente.
2. La cantidad principal adeudada por los productos entregados en cada año calendario bajo este Acuerdo, incluyendo los costos de transporte marítimo relacionados a tales entregas, se pagará en cinco pagos anuales, aproximadamente iguales. El primer pago anual por los productos entregados en cualquier año calendario, vencerá el 31 de diciembre, siguiendo al año calendario en el que se hizo la entrega. Los pagos anuales subsiguientes vencerán con intervalos de un año en lo sucesivo. Cualquier pago anual puede hacerse antes de la respectiva fecha de vencimiento.
3. El interés sobre el saldo de la cantidad principal adeudada al Gobierno de los Estados Unidos de América por los productos entregados en cada año calendario se calculará a un tipo de 3 $\frac{1}{2}$ % anual y empezará a contarse desde la fecha de la última entrega de productos en tal año calendario. El interés sobre cada saldo se pagará anualmente, no más tarde de la fecha de vencimiento del pago anual del principal.
4. Todos los pagos se harán en dólares de los Estados Unidos y el Gobierno de El Salvador depositará o hará depositar tales pagos en la Tesorería de los Estados Unidos, a menos que otro depositario sea convenido por los dos Gobiernos.
5. Los dos Gobiernos establecerán procedimientos apropiados para facilitar la reconciliación de sus respectivos registros de las cantidades financiadas, con respecto a los productos entregados durante cada año calendario.
6. Con el propósito de determinar la fecha de la última entrega de productos en cada año calendario, la entrega se determinará como tal, según la fecha de embarque que se registre en el conocimiento de embarque que se haya firmado o marcado con iniciales a favor del embarcador.

### ARTICULO III

#### *ESTIPULACIONES GENERALES*

1. El Gobierno de El Salvador dictará todas las medidas necesarias para impedir la re-venta o re-exportación a otros países o el uso de los productos comprados bajo las estipulaciones del presente Acuerdo, para otras actividades que no sean las del consumo doméstico.
2. Los dos Gobiernos tomarán precauciones razonables para asegurarse de que todas las ventas o compras productos convenidos en el presente Acuerdo no desplazarán las ventas al contado de los Estados Unidos de América en estos productos, o indebidamente perjudicarán los precios mundiales de los productos agrícolas o los patrones normales de las relaciones comerciales con los países amigos de los Estados Unidos.
3. Al llevar a cabo las estipulaciones de este Acuerdo, los dos Gobiernos tratarán de asegurar las condiciones comerciales que permitan, hasta donde sea posible, que los comerciantes particulares trabajen en forma efectiva, y que emplearán sus mejores esfuerzos para fomentar y extender la continua demanda del mercado por productos.
4. El Gobierno de El Salvador proveerá, si el Gobierno de los Estados Unidos lo solicita, información sobre el progreso del programa, incluyendo información sobre la llegada y condiciones de los productos, información sobre importación de productos que, bajo el presente Acuerdo, sean necesarios comprar de los Estados Unidos de América o de otros países amigos de los Estados Unidos de América, en adición a los productos financiados bajo el presente Acuerdo, y cualquier exportación de los mismos y/o productos parecidos.

### ARTICULO IV

#### *CONSULTA*

Los dos Gobiernos, a petición de uno de ellos, consultarán sobre cualquier asunto relacionado con la aplicación de este Acuerdo o con la operación de los arreglos que entrarán en vigor de conformidad con este Acuerdo.

### ARTICULO V

#### *ENTRADA EN VIGOR*

Este Acuerdo entrará en vigor al ser firmado.

EN TESTIMONIO DE LO CUAL, los representantes respectivos, debidamente autorizados para tal fin, han firmado el presente Acuerdo.

HECHO EN San Salvador, El Salvador en duplicado en inglés y en español, el dia veintiuno de Agosto de mil novecientos sesenta y uno.

Por el Gobierno de los  
Estados Unidos de América

MURAT W. WILLIAMS

Murat W. Williams  
*Embajador de los Estados Unidos  
de América.*

[SEAL]

Por el Gobierno de  
El Salvador

EDUARDO MONTES UMAÑA

Ing. Eduardo Montes Umaña  
*Ministro de Agricultura y  
Ganadería de la República  
de El Salvador.*

[SEAL]

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*The American Ambassador to the Salvadoran Minister of Foreign Affairs*

No. 104

SAN SALVADOR, August 21, 1961

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of El Salvador signed today.

I wish to confirm my Government's understanding of the agreement reached in conversations which have taken place between representatives of our two Governments with respect to the use by the Government of El Salvador of colones resulting from the sale of commodities financed under the Agreement. It is understood that these colones will be used for economic and social development projects or programs contemplated under the Act of Bogota [¹] as agreed to by designated representatives of our two Governments.

It is my Government's further understanding that in agreeing that the delivery of commodities pursuant to the above cited agreement should not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries, the Government of El Salvador agrees that El Salvador will import commercially from its usual suppliers at least 8,000 metric tons of wheat and wheat flour in wheat equivalent during the year ending June 30, 1962.

I should appreciate Your Excellency's confirmation of the above understandings.

Accept, Excellency, the renewed assurances of my highest consideration.

MURAT W. WILLIAMS

His Excellency

Dr. RAFAEL EGUIZABAL TOBIAS,  
*Minister of Foreign Affairs,  
San Salvador.*

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<sup>1</sup> *Department of State Bulletin*, Oct. 3, 1960, p. 537.

*The Salvadoran Minister of Foreign Affairs to the American Ambassador*

MINISTERIO DE RELACIONES EXTERIORES  
REPÚBLICA DE EL SALVADOR, C.A.

DEPARTAMENTO DEL SERVICIO  
DIPLOMÁTICO

A. 851 D. 3851

SAN SALVADOR, 24 de agosto de 1961.-

**SEÑOR EMBAJADOR:**

Tengo el honor de acusar recibo de la atenta nota de Vuestra Excelencia No. 104, de 21 del corriente mes, en la cual expresa su deseo de obtener una confirmación sobre el entendimiento a que se llegó entre los Gobiernos de El Salvador y de los Estados Unidos de América para la firma del Acuerdo sobre productos agrícolas, suscrito en esta capital en la fecha arriba indicada.

En respuesta me permito transcribir a Vuestra Excelencia la nota No. 4171, que con esta misma fecha he recibido, sobre el particular, del Señor Ministro de Agricultura y Ganadería, y que dice:

“Señor Ministro: Al propio tiempo de avisarle recibo de su apreciable nota No. 5341 del 23 de agosto en curso, por cuyo medio hace extensiva a este Despacho los conceptos de la comunicación dirigida a esa Cancillería por el Excelentísimo señor Embajador de los Estados Unidos de América en El Salvador, participando la aceptación de su Gobierno a los términos del Tratado sobre productos Agrícolas, me permito solicitar a usted confirmar por el mismo medio al Ilustrado Gobierno de los Estados Unidos de América, la aceptación oficial de nuestro país a los términos y condiciones del tratado en referencia, cuyo desarrollo estará a cargo de este Despacho.— Quedo enterado asimismo del entendimiento adicional habido al respecto, en cuanto al uso de las divisas provenientes de las ventas que propicie el mencionado Acuerdo, así como de las obligaciones relativas al precio internacional de los productos y a las importaciones comerciales señaladas para el año que termina el 30 de Junio de 1962.— Ruego a usted aceptar en esta oportunidad mis reiteradas demostraciones de aprecio y consideración.— DIOS, UNION Y LIBERTAD, (f) Eduardo Montes Umaña, Ministro de Agricultura y Ganadería.”

Renuevo a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

R. EGUIZABAL T

Rafael Eguzabal Tobias  
*Ministro de Relaciones Exteriores*

Excmo. Señor Doctor Don  
MURAT WILLIS WILLIAMS,  
*Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América,  
Presente.-*

RHT/gr.-

TIAS 4838

*Translation*

MINISTRY OF FOREIGN AFFAIRS  
REPUBLIC OF EL SALVADOR

BUREAU OF DIPLOMATIC SERVICE

A. 851 D. 3851

SAN SALVADOR, *August 24, 1961*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's courteous note No. 104 of the 21st of this month, in which you express your desire to obtain a confirmation of the understanding reached between the Governments of El Salvador and of the United States of America for the signing of the agreement on agricultural products concluded in this capital on the above-indicated date.

In reply I am taking the liberty of transcribing for Your Excellency Note No. 4171, concerning this matter, which I received on this same date from the Minister of Agriculture and Animal Husbandry, which reads as follows:

"Mr. Minister: While acknowledging receipt of your courteous note No. 5341 of August 23, in which you inform this Office of the contents of the communication addressed to your Foreign Office by His Excellency the Ambassador of the United States of America in El Salvador, communicating the acceptance by his Government of the terms of the treaty on agricultural products, I am taking the liberty of requesting you to confirm by the same means to the Government of the United States of America the official acceptance by our country of the terms and conditions of the treaty in question, the implementation of which will be in charge of this Office.

"I am likewise informed of the additional understanding reached on the matter with regard to the use of the foreign exchange derived from the sales under the aforementioned agreement, as well as the obligations relating to the international price of the products and to the commercial imports specified for the year ending June 30, 1962.

"Accept on this occasion my renewed assurances of esteem and consideration.

"GOD, UNION, AND FREEDOM

[Signed] "Eduardo Montes Umaña  
*"Minister of Agriculture and Animal Husbandry."*"

I renew to Your Excellency the assurances of my highest and most distinguished consideration.

R. EGUIZABAL T

Rafael Eguzabal Tobias  
*Minister of Foreign Affairs*

His Excellency

MURAT WILLIS WILLIAMS,

*Ambassador Extraordinary and Plenipotentiary of the  
United States of America,  
City.*

RHT/gr.

# CEYLON

## Surplus Agricultural Commodities: Arrangements in Connection with Shipment of Cargo of Rice

*Agreement relating to the agreement of March 13, 1959, as amended May 28, 1959.*

*Effectuated by exchange of notes*

*Signed at Washington December 1 and 8, 1959;*

*Entered into force December 8, 1959;*

*Operative retroactively November 10, 1959.*

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*The Secretary of State to the Ambassador of Ceylon*

DEPARTMENT OF STATE  
WASHINGTON  
December 1 1959

**EXCELLENCY:**

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments regarding the cargo of rice procured under Purchase Authorization 44-05 delivered to the S.S. "Pacific Thunder" chartered under Purchase Authorization 44-05-OT. The above-described purchase authorizations were issued under the Agricultural Commodities Agreement of March 13, 1959,[<sup>1</sup>] as amended May 28, 1959.[<sup>2</sup>]

In view of the difficulties that have arisen in connection with the shipment of this cargo, it is urgently requested that the following arrangements be agreed to for handling this matter:

1. The Government of the United States of America through Commodity Credit Corporation (hereinafter referred to as "CCC") shall take possession of the cargo of rice, unload it, and, if re-exportation is determined feasible by CCC, recondition and arrange for reloading and ocean transportation of the rice to Ceylon, including all other action related thereto, or sell it with or without reconditioning as CCC may determine feasible, and take all action deemed reasonable and appropriate by the Government of the United States to pursue, defend, settle, and adjust any claims arising in connection with the cargo of rice and the ocean freight paid with respect thereto.

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<sup>1</sup> TIAS 4211; 10 UST 749.

<sup>2</sup> TIAS 4242; 10 UST 1046.

2. In the event CCC determines that it is feasible to recondition the rice or any part thereof for exportation, the Government of the United States of America shall finance the additional costs incurred in connection with unloading, reconditioning, handling, reloading, and ocean transportation.

3. In the event CCC sells the rice or the quantity of reconditioned rice is insufficient to make up a cargo, the Government of the United States of America shall finance the sale and exportation, including ocean transportation to Ceylon, for Ceylon rupees of an additional quantity of rice sufficient to make a cargo of the approximate quantity of the rice delivered to the S.S. "Pacific Thunder". In view of the difficulties in connection with the S.S. "Pacific Thunder" and the delays occasioned thereby, any additional quantity of rice financed hereunder shall be purchased from CCC, at a price not to exceed the price of the rice delivered to the S.S. "Pacific Thunder", and shall be subject to the provisions of the Agreement of March 13, 1959, as amended.

4. It is understood that the Government of Ceylon remains obligated to deposit Ceylon rupees to the account of the Government of the United States of America, in accordance with the Agreement of March 13, 1959, as amended, and Purchase Authorizations 44-05 and 44-OT, for the dollar disbursement, including ocean transportation, paid with respect to the cargo originally delivered to the S.S. "Pacific Thunder".

5. Any recoveries effected by CCC from the sale of the rice or any part thereof, and from any claims arising with respect thereto or with respect to the ocean freight paid on the S.S. "Pacific Thunder" shall be retained by the CCC, and the Ceylon rupee equivalent of the net recoveries (i.e., gross recoveries less all costs incurred by CCC) shall be refunded to the Government of Ceylon from the rupees deposited for the cargo originally delivered to the S.S. "Pacific Thunder".

6. All financing by the Government of the United States of America provided hereunder shall be pursuant to Title I of the Agricultural Trade Development and Assistance Act,<sup>[1]</sup> as amended. Ceylon rupees shall be deposited to the account of the Government of the United States of America for all amounts financed hereunder in the same manner as provided in the Agreement of March 13, 1959, as amended. The two Governments agree that the rupees accruing to the Government of the United States of America as a consequence of the additional amounts financed pursuant to this Agreement shall, unless otherwise agreed, be prorated among the uses set forth in Article II of the Agreement of March 13, 1959, as amended.

<sup>[1]</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

7. The two Governments agree to execute such assignments, purchase authorizations, contracts, and other instruments as may be necessary or appropriate to implement this Agreement.

I have the honor to propose that this note and Your Excellency's reply shall constitute an agreement between our Governments to enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:  
CLARENCE W. NICHOLS

His Excellency

R. S. S. GUNEWARDENE,  
*Ambassador of Ceylon.*

*The Ambassador of Ceylon to the Secretary of State*

EMBASSY OF CEYLON  
WASHINGTON, D.C.

No. 1718(iv) (vii)

December 8, 1959.

MY DEAR MR. SECRETARY,

I have the honour to refer to the Note dated December 1, 1959 regarding the cargo of rice procured under Purchase Authorization 44-05 delivered to the S.S. "PACIFIC THUNDER" chartered under Purchase Authorization 44-05-OT.

The Government of Ceylon agrees to the arrangements proposed for handling the matter as indicated in paragraph 2, sub-paragraphs 1 to 7 of the Note referred to above. Further, it is proposed that this Note together with your Note dated December 1, 1959 shall constitute an agreement between the Government of Ceylon and the Government of the United States of America to enter into force as of November 10, 1959.

Accept, Mr. Secretary, the renewed assurances of my highest consideration.

For the Ambassador of Ceylon:

ANNESLEY DE SILVA.  
*Counsellor.*

The Honorable

THE SECRETARY OF STATE,  
*Department of State,*  
*Washington 25, D.C.*

# UNITED KINGDOM

## Space Research Program

*Agreement effected by exchange of notes  
Signed at Washington September 8, 1961;  
Entered into force September 8, 1961.*

*The Secretary of State to the British Ambassador*

DEPARTMENT OF STATE  
WASHINGTON  
*September 8, 1961*

EXCELLENCY:

I have the honor to refer to the discussions on space research held in Washington between representatives of the Government of the United States of America and of the Government of the United Kingdom of Great Britain and Northern Ireland and to propose that the two Governments should now conclude an agreement to join together in a mutually beneficial program of cooperation in space research to expand human knowledge of phenomena in space through the use of space vehicles.

This program, which would form part of a world-wide scientific effort to study extra-terrestrial conditions, would consist of a series of experiments cooperatively planned and conducted by designated agencies of the two Governments and would be carried out in accordance with the following provisions:

(1) Each Government shall designate a Cooperating Agency or Agencies which shall be responsible for carrying out the program of space research. For the Government of the United States, the Cooperating Agency shall be the National Aeronautics and Space Administration; and for the Government of the United Kingdom the Cooperating Agencies shall be such agencies as that Government may from time to time designate through the normal diplomatic channels.

(2) The specific number and type of the scientific experiments to be performed under this program, as well as the time-table for putting such experiments into effect, and the allocation of technical, operational and financial responsibilities for each such experiment, shall be as agreed between the Cooperating Agencies of the two Governments.

(3) (a) The Government of the United States and the Government of the United Kingdom shall accord to each other complete cooperation in the planning and conduct of this program and to this end, under specific arrangements to be determined by the Cooperating Agencies of the two Governments, shall:

- (i) exchange reports, data, and other information connected with the program; and
- (ii) arrange for exchanges of visits by scientific and technical personnel to the laboratories and other installations connected with the program which are under their respective control; in this connection, the two Governments shall, subject to the provisions of sub-paragraphs (b) and (c) below, facilitate the admission into the United States and into the United Kingdom of personnel connected with the program and of materials, equipment, instruments and goods required for the purpose of the program.

(b) The admission into the receiving State of personnel of the sending State for the purposes of this program shall be subject to the laws and regulations for the time being in effect governing the admission of foreign nationals and to any policy of the Government of the receiving State restricting the admission for the purpose of employment of foreign personnel not employed by the Government of the sending State.

(c) Subject to the laws and regulations for the time being in effect, no customs duties shall be charged on the importation by or on behalf of the Cooperating Agency or Agencies of the sending State into the territory of the receiving State of materials, equipment, instruments, and goods in connection with this program provided that such materials, equipment, instruments, and goods are for official use under the program and are imported under a certificate to this effect.

(4) Each Government shall make available to the other Government data received by tracking stations under its control from space vehicles launched under the program. Such data shall be made available in a form to be agreed upon between the Cooperating Agencies of the two Governments.

(5) The scientific results of the experiments conducted under this program shall be made available to the international scientific community under arrangements which shall be agreed upon between the Cooperating Agencies of the two Governments.

(6) Subject to the availability of the necessary financial resources, this program shall remain in effect for a period of five years, and thereafter may be extended for such periods and on such terms as may be agreed upon in writing between the two Governments. Nevertheless, either Government may terminate this Agreement by giving ninety days' notice in writing to the other Government.

If the above proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the

honor to propose that this note and Your Excellency's reply to that effect shall constitute an Agreement between the two Governments in this matter which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM C. BURDETT, Jr.

His Excellency

The Right Honorable

Sir HAROLD CACCIA, G.C.M.G., K.C.V.O,  
*British Ambassador.*

*The British Ambassador to the Secretary of State*

BRITISH EMBASSY,  
WASHINGTON, D.C.

September 8, 1961

No. 362

SIR,

I have the honour to acknowledge receipt of your Note of today's date proposing that the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America should conclude an agreement on a joint programme of space research, which Note reads as follows:

"I have the honor to refer to the discussions on space research held in Washington between representatives of the Government of the United States of America and of the Government of the United Kingdom of Great Britain and Northern Ireland and to propose that the two Governments should now conclude an agreement to join together in a mutually beneficial program of cooperation in space research to expand human knowledge of phenomena in space through the use of space vehicles.

This program, which would form part of a world-wide scientific effort to study extra-terrestrial conditions, would consist of a series of experiments cooperatively planned and conducted by designated agencies of the two Governments and would be carried out in accordance with the following provisions:

- (1) Each Government shall designate a Cooperating Agency or Agencies which shall be responsible for carrying out the program of space research. For the Government of the United States, the Cooperating Agency shall be the National Aeronautics and Space Administration; and for the Government of the United Kingdom the Cooperating Agencies shall be such

agencies as that Government may from time to time designate through the normal diplomatic channels.

- (2) The specific number and type of the scientific experiments to be performed under this program, as well as the time-table for putting such experiments into effect, and the allocation of technical, operational and financial responsibilities for each such experiment, shall be as agreed between the Cooperating Agencies of the two Governments.
- (3) (a) The Government of the United States and the Government of the United Kingdom shall accord to each other complete cooperation in the planning and conduct of this program and to this end, under specific arrangements to be determined by the Cooperating Agencies of the two Governments, shall:
  - (i) exchange reports, data, and other information connected with the program; and
  - (ii) arrange for exchanges of visits by scientific and technical personnel to the laboratories and other installations connected with the program which are under their respective control; in this connection, the two Governments shall, subject to the provisions of sub-paragraphs (b) and (c) below, facilitate the admission into the United States and into the United Kingdom of personnel connected with the program and of materials, equipment, instruments and goods required for the purpose of the program.
- (b) The admission into the receiving State of personnel of the sending State for the purposes of this program shall be subject to the laws and regulations for the time being in effect governing the admission of foreign nationals and to any policy of the Government of the receiving State restricting the admission for the purpose of employment of foreign personnel not employed by the Government of the sending State.
- (c) Subject to the laws and regulations for the time being in effect, no customs duties shall be charged on the importation by or on behalf of the Cooperating Agency or Agencies of the sending State into the territory of the receiving State of materials, equipment, instruments, and goods in connection with this program provided that such materials, equipment, instruments, and goods are for official use under the program and are imported under a certificate to this effect.
- (4) Each Government shall make available to the other Government data received by tracking stations under its control from space vehicles launched under the program. Such data shall be made available in a form to be agreed upon between the Cooperating Agencies of the two Governments.

- (5) The scientific results of the experiments conducted under this program shall be made available to the international scientific community under arrangements which shall be agreed upon between the Cooperating Agencies of the two Governments.
- (6) Subject to the availability of the necessary financial resources, this program shall remain in effect for a period of five years, and thereafter may be extended for such periods and on such terms as may be agreed upon in writing between the two Governments. Nevertheless, either Government may terminate this Agreement by giving ninety days' notice in writing to the other Government.

If the above proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honor to propose that this note and Your Excellency's reply to that effect shall constitute an Agreement between the two Governments in this matter which shall enter into force on the date of Your Excellency's reply "

2. I have the honour to inform you that the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note, together with the present reply, shall constitute an Agreement between the two Governments which shall enter into force on today's date.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

HAROLD CACCIA.

The Honourable

DEAN RUSK,

*Secretary of State of the United States of America,  
Washington, D.C.*

TIAS 4840

# CANADA

## Disposal of United States Excess Property in Canada

*Agreement replacing the agreement of April 11 and 18, 1951.*

*Effectuated by exchange of notes*

*Signed at Ottawa August 28 and September 1, 1961;*

*Entered into force September 1, 1961.*

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*The Canadian Secretary of State for External Affairs to the American Ambassador*

DEPARTMENT OF  
EXTERNAL AFFAIRS  
CANADA

No. 140

EXCELLENCY,

I have the honour to refer to discussions between officials of our two Governments concerning the disposal of United States excess property in Canada as provided for in the exchange of Notes of April 11 and April 18, 1951.<sup>1</sup> In accordance with Article V thereof, my Government terminated the Agreement as of December 7, 1960. It is mutually desirable that new arrangements be established for the orderly disposal of such property.

Pursuant to these discussions, I have the honour to make the following proposals for the disposal of such United States property in Canada as has been or may be determined to be excess by United States Government agencies, and has been or may be so reported, as provided hereinafter:

1. The Government of the United States may remove from Canada all of its property which it desires to retain to the extent that it is not precluded from doing so by other agreements or arrangements governing defence facilities in Canada.
2. The Government of Canada may arrange through its appropriate governmental agencies for the purchase from the Government of the United States of any remaining property which the Government of Canada may wish to obtain for its own use and disposition, such purchases being made directly by the Canadian Government agencies concerned, and not through Crown Assets Disposal Corporation.

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<sup>1</sup> TIAS 2298; 2 UST 1566.

3. All other excess property shall be sold or disposed of by Crown Assets Disposal Corporation (CADC), an agency of the Canadian Government, in accordance with the following procedure;
  - (a) The United States reporting agencies shall provide reports of excess property on CADC designated forms. These reports of excess shall contain details of condition and age of equipment, information in accordance with CADC Equipment and Material Codes, and such other information as may be mutually agreed.
  - (b) The United States reporting agencies will on the report of excess transfer all right, title and interest in the property to CADC, which will accept the transfer of such right, title and interest subject to physical inspection. The CADC may, at any time and at its discretion, refuse or defer the sale of any article or any class or kind of article of excess property reported to it if the sale thereof is deemed by it not to be in the Canadian public interest or is in a condition which would make economic disposal impracticable. Prior to exercising this right, CADC shall consult with the United States reporting agency or agencies concerned. Due consideration shall be given by CADC to sale or disposal of the property in question on the condition that it will be exported from Canada. If, after such consultation, it is decided by the CADC not to proceed with the sale, right, title and interest in the article or articles in question shall be returned to the United States reporting agency or agencies concerned which may dispose of such property by abandonment under conditions to be mutually agreed upon, return to the United States, or under arrangements to be agreed upon between CADC and the United States reporting agency or agencies concerned.
  - (c) After the property has been accepted for sale by CADC and subject to the provisions of sub-paragraph (b) above, reports of excess shall not be modified, cancelled or withdrawn except by mutual consent of the United States reporting agency and CADC.
  - (d) The United States reporting agency shall at its expense assemble excess property at locations to be decided by mutual agreement.
  - (e) The United States reporting agencies shall advise CADC of the names of the signing officers entitled to issue reports of excess.
  - (f) The United States Government agencies shall retain and be responsible for excess property until they surrender the custody and control thereof to purchasers pursuant to the

release order of CADC. In the event that excess property should be lost, stolen, destroyed or become deteriorated after being reported to CADC and prior to its being sold by CADC or being removed by a purchaser under CADC, the United States waives all claims to compensation from CADC for any resulting loss and CADC agrees, through its contracting arrangements with its purchasers, to hold the United States free from liability arising from such eventualities.

- (g) Sales prices shall be determined by CADC after calling for bids and shall normally be deemed to include duties and taxes payable by the purchaser to the Canadian Government. The Canadian Government, however, reserves the right to apply the normal provisions of the Customs Tariff, the Customs Act and the Excise Tax Act to the sale of any article.
  - (h) The acceptability of sales prices and the modification of the Equipment and Material Codes under which excess property has been declared by the United States, shall be at the discretion of CADC.
  - (i) The manner of accounting for the receipts from sales shall be as follows:
    - CADC shall retain and be accountable to the Canadian Government for that amount of the receipts collected on behalf of the Canadian Government as duties and taxes and the amount equal to the remainder of the receipts, less
      - (a) appropriate deductions for operational costs, and
      - (b) ten percent of the remainder after the above deductions, to cover costs of administration,
    - shall be paid to the Treasurer of the United States of America through the appropriate United States reporting agency as proceeds to the United States from sales of property hereunder.
  - (j) Settlement between the CADC and each reporting agency of the United States shall be made at such times as may be mutually agreed upon, but at least once every three months. Settlement shall be calculated in Canadian funds, which shall be converted into United States funds at the rate of exchange prevailing at the time of settlement.
- 4. In the case of excess property arising in remote locations, or involving special difficulties in disposal by CADC, modifications in the arrangements set out above may be made by mutual agreement between the agencies concerned.
  - 5. The terms of the arrangements contained in this Note are not applicable to the disposal of excess contract material originating

in Canada arising from the performance or termination of contracts placed in Canada by the United States Government, its contractors or sub-contractors, to the extent that such material is disposed of pursuant to normal contractual provisions contained in such contracts.

6. The terms of the arrangements contained in this Note extend to all United States Government-owned property now or hereafter located in Canada except alcoholic beverages and tobacco products, excess property resulting from the joint exercises of Canadian and United States forces taking place on Canadian territory, property utilized in connection with the Atomic Energy Programme, land or any interest in land, or property of the Government of the United States used in connection with diplomatic or consular functions, or excess property referred to in Paragraph 5 above.
7. All references to the Exchange of Notes of April 11 and 18, 1951, in other agreements between our two Governments shall be deemed to be to the present agreement.
8. This agreement shall be terminable by either Government on thirty days' written notice to the other, with the understanding that in the event of such termination, CADC will continue with the sale or disposal of the property to which it may then have accepted transfer of right, title and interest.

If the foregoing proposals are acceptable to the United States Government, I have the honour to propose that this Note and your reply thereto shall constitute an Agreement between our two Governments on this matter to replace the agreement embodied in the Exchange of Notes of April 11 and 18, 1951, which will take effect upon receipt [ ] of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

H C GREEN  
*Secretary of State  
for External Affairs*

OTTAWA, 28 August 1961

His Excellency LIVINGSTON T. MERCHANT,  
*Ambassador of the United States of America,*  
100 Wellington Street,  
Ottawa.

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<sup>1</sup>Sept. 1, 1961.

*The American Ambassador to the Canadian Secretary of State for  
External Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Ottawa, September 1, 1961*

No. 52

Sir.

I have the honor to acknowledge receipt of your Note No. 140 dated August 28, 1961, outlining provisions for the disposal of excess United States Government property in Canada through the agency of the Crown Assets Disposal Corporation.

The terms of the arrangements are acceptable to my Government and it is agreed that your note under reference and this reply shall be regarded as placing on record the understanding arrived at between our two Governments on this matter. In accepting this note, it is the understanding of my Government that the final phrase of paragraph 3(b) of your note reading "or under arrangements to be agreed upon \_\_\_\_\_" is not intended to alter the meaning and intent of the wording "or other arrangements to be agreed upon \_\_\_\_\_", which was originally suggested by my Government.

Accept, Sir, the renewed assurances of my most distinguished consideration.

LIVINGSTON T. MERCHANT

The Honorable  
THE SECRETARY OF STATE  
FOR EXTERNAL AFFAIRS,  
*Ottawa.*

# CHILE

## Weather Stations: Weather Facility at Punta Arenas

*Agreement effected by exchange of notes  
Dated at Santiago March 29 and August 12, 1961;  
Entered into force August 12, 1961.*

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*The American Embassy to the Chilean Ministry of Foreign Relations*

No. 283

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations and has the honor to request permission to establish a weather facility in the vicinity of Punta Arenas, similar to the mission now operating near Puerto Montt.<sup>[1]</sup> The purpose of these missions is to conduct meteorological research, especially in connection with the movements of air masses between the northern and southern hemispheres, and the operations are carried out by unarmed personnel of the United States Air Force.

The new weather facility unit in Punta Arenas will require the use of two sites of approximately thirty acres (about twelve hectares) and will involve the admission of approximately sixty technicians and necessary technical equipment. In order to select appropriate sites, it is requested that permission be granted for a preliminary visual survey, which will be undertaken as soon as possible by Major Harold Mills, who is currently in charge of the facility at Puerto Montt, and two assistants. A subsequent survey is planned for November 1961, and it is hoped that the Punta Arenas weather facility may commence operations sometime between January and March 1962.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest and most distinguished consideration.

WK

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Santiago, March 29, 1961.*

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<sup>1</sup> See TIAS 4585; 11 UST 2176.

*The Chilean Ministry of Foreign Relations to the American Embassy*

REPÚBLICA DE CHILE  
MINISTERIO DE RELACIONES EXTERIORES

DP  
ap

Nº 11061

El Ministerio de Relaciones Exteriores saluda muy atentamente a la Embajada de los Estados Unidos de América y tiene el honor de referirse a su atenta nota nº 283, de 19 de mayo, mediante la cual se sirve manifestar lo siguiente:

“La Embajada de Estados Unidos de América saluda muy atentamente al Ministerio de Relaciones Exteriores y tiene el honor de solicitar permiso para establecer un observatorio meteorológico (weather facility) en la vecindad de Punta Arenas, similar a la misión que ahora se encuentra operando cerca de Puerto Montt. El objetivo de estas misiones es el de realizar investigaciones meteorológicas, especialmente relacionadas con movimientos de masas de aire entre el hemisferio norte y sur y las operaciones son realizadas por personal sin armas de la Fuerza Aérea de los Estados Unidos.

La nueva unidad meteorológica en Punta Arenas requerirá el uso de dos sitios de aproximadamente treinta acres (alrededor de doce hectáreas) y envuelve la admisión de aproximadamente sesenta técnicos y el necesario equipo técnico. Con el fin de elegir sitios apropiados, se solicita que se otorgue permiso para una investigación visual preliminar que será emprendida tan pronto como sea posible por el Mayor Harold Mills, corrientemente a cargo a cargo de la estación de Puerto Montt, y por dos asistentes. Una investigación posterior se proyecta para Noviembre de 1961 y se abriga la esperanza de que la estación meteorológica de Punta Arenas pueda comenzar sus operaciones entre enero y marzo de 1962.”

Sobre este particular, el Ministerio de Relaciones Exteriores tiene el agrado de manifestar a la Embajada de los Estados Unidos de América que no existe inconveniente alguno para que se materialice dicho proyecto de la Fuerza Aérea de su país, para lo cual sería necesario que miembros de esa Embajada tomen contacto previo con la Oficina Meteorológica de la Fuerza Aérea de Chile, a fin de coordinar los planes de trabajo a desarrollar y finiquitar el estudio de los detalles de instalación.

El Ministerio de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Embajada de los Estados Unidos de América las seguridades de su más alta y distinguida consideración.

SANTIAGO, 12 Ago 1961

*Translation*

REPUBLIC OF CHILE  
MINISTRY OF FOREIGN RELATIONS

DP  
ap

No. 11061

The Ministry of Foreign Relations presents its compliments to the Embassy of the United States of America and has the honor to refer to the Embassy's courteous note No. 283 of May 19,[<sup>1</sup>] whereby it is good enough to state the following:

[For the English language text of the note, see *ante*, p. 1233.]

In this connection, the Ministry of Foreign Relations is happy to inform the Embassy of the United States of America that there is no objection to the aforesaid United States Air Force project being carried out, for which purpose it would be necessary that members of the Embassy communicate in advance with the Weather Bureau of the Chilean Air Force in order to coordinate the work plans to be drawn up and to complete the study of the installation details.

The Ministry of Foreign Relations avails itself of the opportunity to renew to the Embassy of the United States of America the assurances of its highest and most distinguished consideration.

[Initialed]

SANTIAGO, August 12, 1961

<sup>1</sup> Should read "March 29."

# MALAYA

## Peace Corps Program

*Agreement effected by exchange of notes  
Signed at Kuala Lumpur September 4, 1961;  
Entered into force September 4, 1961.*

*The American Ambassador to the Malayan Permanent Secretary for  
External Affairs*

No. 58

**EXCELLENCY.**

I have the honor to refer to recent conversations between representatives of our two Governments concerning appropriate arrangements with respect to the men and women of the United States of America who volunteer to serve in the Peace Corps and who, at the request of your Government, would live and work for periods of time in the Federation of Malaya. In these conversations your Government has indicated that it would welcome Peace Corps volunteers and volunteer leaders.

I have the honor to propose the following understanding with respect to the Peace Corps

1. The Government of the Federation of Malaya will accord equitable treatment to Peace Corps volunteers and volunteer leaders, both as to their persons and their property, afford them, particularly in case of need, full aid and protection, and fully inform and consult and cooperate with representatives of the Government of the United States of America with respect to all matters concerning them.
2. The Government of the Federation of Malaya will receive a Peace Corps representative and such staff and other personnel as are acceptable to the Government of the Federation of Malaya who will discharge functions with respect to Peace Corps programs.
3. The Government of the Federation of Malaya will exempt funds, equipment, materials and supplies furnished or financed by the Government of the United States and used in connection with Peace Corps programs from taxes, investment or deposit requirements, currency controls, and from customs duties, charges or other fees.

4. The Government of the Federation of Malaya will exempt Peace Corps volunteers, volunteer leaders, the Peace Corps representative and staff, and other personnel, accepted hereunder from immigration fees, from income tax on all income derived from their Peace Corps work and from sources outside the Federation of Malaya, from social security taxes and from all other taxes, charges and fees except (a) sales taxes or other charges or fees included in the price of goods and services, and (b) license fees, and will exempt volunteers, volunteer leaders, Peace Corps representative and staff, and other personnel accepted hereunder from all custom duties, fees and charges on their personal property introduced into the Federation of Malaya at or about the time of their arrival.

5. Appropriate representatives of the Government of the United States of America and the Government of the Federation of Malaya may make from time to time such arrangements with respect to Peace Corps volunteers and volunteer leaders and Peace Corps programs in the Federation of Malaya as appear necessary or desirable for purposes of implementing this agreement.

Finally, I have the honor to propose that, if these understandings are acceptable to the Government of the Federation of Malaya, this note and your Excellency's reply note concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of your Excellency's reply note and which shall remain in force until ninety days after the date of written notification from either Government to the other of intention to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration.

CHARLES F BALDWIN

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Kuala Lumpur, September 4, 1961.*

His Excellency  
Enche Muhammad GHAZALI BIN SHAFIE,  
Permanent Secretary,  
Ministry of External Affairs,  
Federation of Malaya.

*The Malayan Permanent Secretary for External Affairs to the  
American Ambassador*

TELE<sup>GRAPHIC</sup> "EXTERNAL KUALA LUMPUR"  
PHONE

KEMENTERIAN LUAR NEGRI  
PERSEKUTUAN TANAH MELAYU

MINISTRY OF EXTERNAL AFFAIRS  
FEDERATION OF MALAYA

Ref. No. SR(480)10-2

*Kuala Lumpur 4th September, 1961*

YOUR EXCELLENCY,

I have the honour to refer to Your Excellency's letter No. 58 dated 4th September, 1961, which reads as follows -

"Excellency

I have the honour to refer to recent conversations between representatives of our two governments concerning appropriate arrangements with respect to the men and women of the United States of America who volunteer to serve in the Peace Corps and who, at the request of your government, would live and work for periods of time in the Federation of Malaya. In these conversations your government has indicated that it would welcome Peace Corps volunteers and volunteer leaders.

I have the honour to propose the following understanding with respect to the Peace Corps

1. The Government of the Federation of Malaya will accord equitable treatment to Peace Corps volunteers and volunteer leaders, both as to their persons and their property, afford them, particularly in case of need, full aid and protection, and fully inform and consult and co-operate with representatives of the Government of the United States of America with respect to all matters concerning them.
2. The Government of the Federation of Malaya will receive a Peace Corps representative and such staff and other personnel as are acceptable to the Government of the Federation of Malaya who will discharge functions with respect to Peace Corps programmes.
3. The Government of the Federation of Malaya will exempt funds, equipment, materials and supplies furnished or financed by the Government of the United States and used in connection with Peace Corps programmes from taxes, investment or deposit requirements, currency controls, and from customs duties, charges or other fees.
4. The Government of the Federation of Malaya will exempt Peace Corps volunteers, volunteer leaders, the Peace Corps representative and staff, and other personnel, accepted hereunder from

immigration fees, from income tax on all income derived from their Peace Corps work and from sources outside the Federation of Malaya, from social security taxes and from all other taxes, charges and fees except (a) sales taxes or other charges or fees included in the price of goods and services, and (b) licence fees, and will exempt volunteers, volunteer leaders, Peace Corps representative and staff, and other personnel accepted hereunder from all custom duties, fees and charges on their personal property introduced into the Federation of Malaya at or about the time of their arrival.

5. Appropriate representatives of the Government of the United States of America and the Government of the Federation of Malaya may make from time to time such arrangements with respect to Peace Corps volunteers and volunteer leaders and Peace Corps programmes in the Federation of Malaya as appear necessary or desirable for purposes of implementing this agreement.

Finally, I have the honour to propose that, if these understandings are acceptable to the Government of the Federation of Malaya, this note and Your Excellency's reply note concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply note and which shall remain in force until ninety days after the date of written notification from either government to the other of intention to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration."

In reply, I have further the honour to state that the proposals contained in your letter are acceptable to the Government of the Federation of Malaya and will regard that letter and this reply as constituting an Agreement between the Governments of the Federation of Malaya and of the United States of America, the Agreement to enter into force on the date of this reply.

Accept, Your Excellency, the renewed assurances of my highest consideration.

GHAZALI SHAFIE.

(M. Ghazali bin Shafie)  
*Permanent Secretary for External Affairs.*

His Excellency

THE AMBASSADOR OF THE UNITED STATES OF AMERICA,  
*Magnet House,*  
*Kuala Lumpur*

# UNITED ARAB REPUBLIC

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement signed at Cairo September 2, 1961;  
Entered into force September 2, 1961.  
With exchanges of notes.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED ARAB REPUBLIC UN- DER TITLE I OF THE AGRICULTURAL TRADE DEVELOP- MENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of the United Arab Republic:

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for Egyptian pounds of agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the Egyptian pounds accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of agricultural commodities to the United Arab Republic (Southern Region) pursuant to Title I of the Agricultural Trade Development and Assistance Act, [<sup>2</sup>] as amended (hereinafter referred to as the Act), and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

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<sup>1</sup> Also TIAS 4868, 4881; *post*, pp. 1434, 1661.

<sup>2</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

ARTICLE I*SALES FOR EGYPTIAN POUNDS*

1. Subject to the availability of commodities for programming under the Act and to issuance by the Government of the United States of America and acceptance by the Government of the United Arab Republic of purchase authorizations, the Government of the United States of America undertakes to finance the sales for Egyptian pounds, to purchasers authorized by the Government of the United Arab Republic, of the following agricultural commodities in the amounts indicated:

<i>Commodity</i>	<i>Export Market Value (millions)</i>
Wheat and wheat flour	\$51. 5
Yellow corn	5. 0
Ocean transportation (estimated)	7. 6
Total	<u>\$64. 1</u>

2. Applications for purchase authorizations will be made within 90 calendar days of the effective date of this Agreement, except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days of the effective date of such amendment. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the Egyptian pounds accruing from such sale, and other relevant matters.

ARTICLE II*USES OF EGYPTIAN POUNDS*

1. The Egyptian pounds accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes, in the amounts shown:

(A) For United States expenditures under subsections (a), (b), (f), and (h) through (r) of Section 104 of the Act or under any of such subsections, 20 percent of the Egyptian pounds accruing pursuant to this Agreement.

(B) For loans to be made by the Export-Import Bank of Washington under Section 104(e) of the Act for administrative expenses of the Export-Import Bank of Washington in the United Arab Republic incident thereto, 10 percent of the Egyptian pounds accruing pursuant to this Agreement. It is understood that:

- (1) Such loans under Section 104(e) of the Act will be made to United States business firms and branches, subsidiaries, or affiliates of such firms in the United Arab Republic for business development and trade expansion in the United Arab Republic, and to United States firms and United Arab Republic firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of and markets for United States agricultural products.
- (2) Loans will be mutually agreeable to the Export-Import Bank of Washington and the Government of the United Arab Republic, acting through the National Bank of Egypt. The Governor of the National Bank of Egypt, or his designate, will act for the Government of the United Arab Republic, and the President of the Export-Import Bank of Washington, or his designate, will act for the Export-Import Bank of Washington.
- (3) Upon receipt of an application which the Export-Import Bank is prepared to consider, the Export-Import Bank will inform the National Bank of Egypt of the identity of the applicant, the nature of the proposed business, the amount of the proposed loan, and the general purpose for which the loan proceeds would be expended.
- (4) When the Export-Import Bank is prepared to act favorably upon an application, it will so notify the National Bank of Egypt and will indicate the interest rate and the repayment period which would be used under the proposed loan. The interest rate will be similar to that prevailing in the United Arab Republic on comparable loans, and the maturities will be consistent with the purposes of the financing.
- (5) Within sixty days after the receipt of the notice that the Export-Import Bank is prepared to act favorably upon an application, the National Bank of Egypt will indicate to the Export-Import Bank whether or not the National Bank of Egypt has any objection to the proposed loan. Unless within the sixty-day period the Export-Import Bank has received such a communication from the National Bank of Egypt, it shall be understood that the National Bank of Egypt has no objection to the proposed loan. When the Export-Import Bank approves or declines the proposed loan, it will notify the National Bank of Egypt.
- (6) In the event the Egyptian pounds set aside for loans under Section 104(e) of the Act are not advanced within three years from the date of this Agreement because the Export-Import Bank of Washington has not approved loans or be-

cause proposed loans have not been mutually agreeable to the Export-Import Bank of Washington and the National Bank of Egypt, the Government of the United States of America may use the Egyptian pounds for any purpose authorized by Section 104 of the Act.

(C) For a loan to the Government of the United Arab Republic under Section 104(g) of the Act for financing such projects to promote economic development as may be mutually agreed, including projects not heretofore included in plans of the Government of the United Arab Republic, 55 percent of the Egyptian pounds accruing pursuant to this Agreement. The terms and conditions of the loan and other provisions will be set forth in a separate loan agreement.

(D) For a grant to the Government of the United Arab Republic under Section 104(e) of the Act for financing such projects to promote balanced economic development as may from time to time be mutually agreed, 15 percent of the Egyptian pounds accruing pursuant to this Agreement.

2. In the event that agreement is not reached on the use of the Egyptian pounds for loan or grant purposes within three years from the date of this Agreement, the Government of the United States of America may use the Egyptian pounds for any purpose authorized by Section 104 of the Act.

### ARTICLE III

#### *DEPOSIT OF EGYPTIAN POUNDS*

1. The amount of Egyptian pounds to be deposited to the account of the United States of America shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) converted into Egyptian pounds as follows:

(A) At the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States of America provided a unitary exchange rate applying to all foreign exchange transactions is maintained by the Government of the United Arab Republic, or

(B) If more than one legal rate for foreign exchange transactions exist, the rate of exchange shall be mutually agreed upon from time to time between the Government of the United States of America and the Government of the United Arab Republic.

## [EXCHANGES OF NOTES]

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Cairo, September 2, 1961*

EXCELLENCY:

With reference to Article I of the Agricultural Commodities Agreement signed today between our two Governments under which the Government of the United States of America undertakes to finance the delivery to the United Arab Republic (Southern Region) of wheat and/or wheat flour as well as yellow corn, I have the honor to confirm my Government's understanding of the agreement reached in conversations between representatives of this Embassy and the Government of the United Arab Republic with regard to marketings, as follows:

1. The sale of wheat, wheat flour and corn pursuant to the terms of this Agreement is not intended to increase the availability of these or like commodities for export and is made on the condition that no exports of wheat, corn or products derived therefrom will be made from the Southern Region of the United Arab Republic during the period that the commodities provided under the Agreement are being imported and utilized. Also, the sale of wheat and wheat flour under this Agreement will not in itself result in a reduction of the quantity of rice normally available, from domestic production and imports, for consumption within the United Arab Republic.

2. In addition to the wheat and wheat flour provided under this agreement, the United Arab Republic (Southern Region) will procure as a usual marketing with its own resources from free world sources including the United States and import between July 1, 1961 and June 30, 1962, 300,000 MT of wheat and/or wheat flour in wheat equivalent. These quantities will be additional to any quantities chargeable to the import requirement of wheat and/or wheat flour in the August 1, 1960 Agreement, as amended.<sup>[1]</sup>

3. Finally, it is understood that the wheat and wheat flour included under this Agreement is provided by the Government of the United States of America on the basis of renewed assurances that the Government of the United Arab Republic will continue its announced intention not to increase the total area devoted to cotton production in the Southern Region of the United Arab Republic.

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<sup>[1]</sup> TIAS 4542, 4674, 4684, 4762, 4790; 11 UST 1931; *ante*, pp. 56, 127, 628, 883.

## ARTICLE IV

### GENERAL UNDERTAKINGS

1. The Government of the United Arab Republic agrees that it will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America) of the agricultural commodities purchased pursuant to the provisions of this Agreement and to assure that the purchase of such commodities does not result in increased availability of these or like commodities to nations unfriendly to the United States of America.

2. The two Governments agree that they will take reasonable precautions to assure that all sales or purchases of agricultural commodities made pursuant to this Agreement will not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement the two Governments will seek to assure conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

4. The Government of the United Arab Republic agrees to furnish, upon request of the Government of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

## ARTICLE V

### CONSULTATION

The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

## ARTICLE VI

### ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Cairo in duplicate this second day of September 1961.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JOHN S. BADEAU

FOR THE GOVERNMENT OF THE UNITED ARAB REPUBLIC:

A. KAISSOUNI

TIAS 4844

I shall appreciate receiving Your Excellency's confirmation that the foregoing also represents the understanding of the Government of the United Arab Republic.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN S. BADEAU

His Excellency

ABDEL MONEIM EL-KAISOUNI,  
*Minister of Economy and Treasury  
of the United Arab Republic,  
Cairo.*

UNITED ARAB REPUBLIC  
CENTRAL MINISTRY OF ECONOMY

OFFICE OF THE MINISTER

SEPTEMBER 2, 1961

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note of September 2, 1961, which reads as follows:

"With reference to Article I of the Agricultural Commodities Agreement signed today between our two Governments under which the Goverment of the United States of America undertakes to finance the delivery to the United Arab Republic (Southern Region) of wheat and/or wheat flour as well as yellow corn, I have the honor to confirm my Government's understanding of the agreement reached in conversations between representatives of this Embassy and the Government of the United Arab Republic with regard to marketings, as follows:

1. The sale of wheat, wheat flour and corn pursuant to the terms of this Agreement is not intended to increase the availability of these or like commodities for export and is made on the condition that no exports of wheat, corn or products derived therefrom will be made from the Southern Region of the United Arab Republic during the period that the commodities provided under the Agreement are being imported and utilized. Also, the sale of wheat and wheat flour under this Agreement will not in itself result in a reduction of the quantity of rice normally available, from domestic production and imports, for consumption within the United Arab Republic.

2. In addition to the wheat and wheat flour provided under this agreement, the United Arab Republic (Southern Region) will procure as a usual marketing with its own resources from free world sources including the United States and import between July 1, 1961 and June 30, 1962, 300,000 MT of wheat and/or wheat flour in wheat

equivalent. These quantities will be additional to any quantities chargeable to the import requirement of wheat and/or wheat flour in the August 1, 1960 Agreement, as amended.

3. Finally, it is understood that the wheat and wheat flour included under this Agreement is provided by the Government of the United States of America on the basis of renewed assurances that the Government of the United Arab Republic will continue its announced intention not to increase the total area devoted to cotton production in the Southern Region of the United Arab Republic.

"I shall appreciate receiving Your Excellency's confirmation that the foregoing also represents the understanding of the Government of the United Arab Republic."

I have the honor to confirm on behalf of the Government of the United Arab Republic the understanding set forth in the foregoing note.

Accept, Excellency, the renewed assurances of my highest consideration.

A KAISOUNI

His Excellency

JOHN S. BADEAU,

*Ambassador of the  
United States of America,  
Cairo.*

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EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Cairo, September 2, 1961*

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement signed today between our two Governments and to confirm my Government's understanding of the Agreement reached in conversations between representatives of this Embassy and the Government of the United Arab Republic with respect to the use by the Government of the United States of America of Egyptian pounds accruing under the subject Agreement, as follows:

(1) For purposes of Sections 104(a) and 104(h) of the Agricultural Trade Development and Assistance Act, as amended, the Government of the United Arab Republic will provide, upon request of the Government of the United States of America, facilities for the conversion into other non-dollar currencies of the following amounts

of Egyptian pounds: for subsection 104(a) purposes, two percent of the Egyptian pounds accruing under the subject Agreement; for subsection 104(h) purposes, up to \$1,000,000 worth of Egyptian pounds. Currencies obtained through these provisions will be utilized, in the case of subsection 104(a), to finance agricultural market development activities in other countries and, in the case of subsection 104(h), to finance educational exchange programs in other countries.

(2) The Government of the United States of America may utilize Egyptian pounds to pay for international travel originating in the United Arab Republic, or originating outside the United Arab Republic when involving travel to or through the United Arab Republic, including connecting travel, and air travel within the United States or other areas outside the United Arab Republic when it is part of a trip in which the traveler journeys from, to or through the United Arab Republic. It is understood that these funds are intended to cover only travel by persons engaged in activities financed under Section 104 of the Agricultural Trade Development and Assistance Act, as amended. It is further understood that this travel is not limited to services provided by the United Arab Republic's airlines.

I shall appreciate receiving Your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN S. BADEAU

His Excellency

ABDEL MONEIM EL-KAISOUNI,  
Minister of Economy and Treasury  
of the United Arab Republic,  
Cairo.

UNITED ARAB REPUBLIC  
CENTRAL MINISTRY OF ECONOMY  
OFFICE OF THE MINISTER

SEPTEMBER 2, 1961

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note of September 2, 1961, which reads as follows:

"I have the honor to refer to the Agricultural Commodities Agreement signed today between our two Governments and to confirm my Government's understanding of the Agreement reached in conversations between representatives of this Embassy and the Government of the United Arab Republic with respect to the use by the Govern-

ment of the United States of America of Egyptian pounds accruing under the subject Agreement, as follows:

(1) For purposes of Sections 104(a) and 104(h) of the Agricultural Trade Development and Assistance Act, as amended, the Government of the United Arab Republic will provide, upon request of the Government of the United States of America, facilities for the conversion into other non-dollar currencies of the following amounts of Egyptian pounds: for subsection 104(a) purposes, two percent of the Egyptian pounds accruing under the subject Agreement; for subsection 104(h) purposes, up to \$1,000,000 worth of Egyptian pounds. Currencies obtained through these provisions will be utilized, in the case of subsection 104(a), to finance agricultural market development activities in other countries and, in the case of subsection 104(h), to finance educational exchange programs in other countries.

(2) The Government of the United States of America may utilize Egyptian pounds to pay for international travel originating in the United Arab Republic, or originating outside the United Arab Republic when involving travel to or through the United Arab Republic, including connecting travel, and air travel within the United States or other areas outside the United Arab Republic when it is part of a trip in which the traveler journeys from, to or through the United Arab Republic. It is understood that these funds are intended to cover only travel by persons engaged in activities financed under Section 104 of the Agricultural Trade Development and Assistance Act, as amended. It is further understood that this travel is not limited to services provided by the United Arab Republic's airlines.

"I shall appreciate receiving Your Excellency's confirmation of the above understanding."

I have the honor to confirm on behalf of the Government of the United Arab Republic the understanding set forth in the foregoing note.

Accept, Excellency, the renewed assurances of my highest consideration.

A KAISSOUNI

His Excellency

JOHN S. BADEAU,  
*Ambassador of the*  
*United States of America,*  
*Cairo.*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Cairo, September 2, 1961*

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of the United Arab Republic of September 2, 1961 and, in particular, to Article III, paragraph (1) concerning the exchange rate applicable to the deposit of Egyptian pounds equivalent to the dollar sales value of commodities to be purchased under this Agreement and to ocean transportation costs financed by the Government of the United States of America. It is the understanding of the Government of the United States of America that, under the current Egyptian exchange system, the amount of Egyptian pounds to be deposited against dollar disbursement by the Government of the United States of America shall be computed at the commercial banks rate plus a premium of 27.5 percent, yielding an effective rate of 0.444864 Egyptian pounds to one (1) dollar.

In the event that the exchange system of the Southern Region of the United Arab Republic is changed to establish a unitary rate for all foreign exchange transactions, deposits of Egyptian pounds against dollar disbursements which take place on or after the effective date of such change shall be made at the exchange rate specified in Article III(1)(A) of the Agreement. It is further understood that if there should be any other change in the exchange system of the Southern Region of the United Arab Republic, the amount of Egyptian pounds to be deposited under this Agreement shall be mutually agreed as provided in Article III(1)(B) of the Agreement.

I shall appreciate receiving your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN S. BADEAU

His Excellency

ABDEL MONEIM EL-KAISOUNI,  
*Minister of Economy and Treasury  
of the United Arab Republic,  
Cairo.*

UNITED ARAB REPUBLIC  
CENTRAL MINISTRY OF ECONOMY  
OFFICE OF THE MINISTER

SEPTEMBER 2, 1961

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note of September 2, 1961, which reads as follows:

TIAS 4844

"I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of the United Arab Republic of September 2, 1961 and, in particular, to Article III, paragraph (1) concerning the exchange rate applicable to the deposit of Egyptian pounds equivalent to the dollar sales value of commodities to be purchased under this Agreement and to ocean transportation costs financed by the Government of the United States of America. It is the understanding of the Government of the United States of America that, under the current Egyptian exchange system, the amount of Egyptian pounds to be deposited against dollar disbursement by the Government of the United States of America shall be computed at the commercial banks rate plus a premium of 27.5 percent, yielding an effective rate of 0.444864 Egyptian pounds to one (1) dollar.

"In the event that the exchange system of the Southern Region of the United Arab Republic is changed to establish a unitary rate for all foreign exchange transactions, deposits of Egyptian pounds against dollar disbursements which take place on or after the effective date of such change shall be made at the exchange rate specified in Article III(1)(A) of the Agreement. It is further understood that if there should be any other change in the exchange system of the Southern Region of the United Arab Republic, the amount of Egyptian pounds to be deposited under this Agreement shall be mutually agreed as provided in Article III(1)(B) of the Agreement.

"I shall appreciate receiving your Excellency's confirmation of the above understanding."

I have the honor to confirm on behalf of the Government of the United Arab Republic the understanding set forth in the foregoing note.

Accept, Excellency, the renewed assurances of my highest consideration.

A KAISSOUNI

His Excellency

JOHN S. BADEAU,

*Ambassador of the  
United States of America,  
Cairo.*



# **NEPAL**

**Commission for Educational Exchange**

*Agreement signed at Kathmandu June 9, 1961;  
Entered into force June 9, 1961.*

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**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA  
AND HIS MAJESTY'S GOVERNMENT OF NEPAL  
FOR FINANCING CERTAIN  
EDUCATIONAL EXCHANGE PROGRAMS**

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND HIS MAJESTY'S GOVERNMENT OF NEPAL FOR FINANCING CERTAIN EDUCATIONAL EX-CHANGE PROGRAMS**

The Government of the United States of America and His Majesty's Government of Nepal:

Desiring to promote further mutual understanding between the peoples of the United States of America and Nepal by a wider exchange of knowledge and professional talents through educational activities:

Considering that the Secretary of State of the United States of America may enter into an agreement for financing certain educational exchange programs from currencies of Nepal and India held or available for expenditure by the United States for such purposes:

Have agreed as follows:

**ARTICLE 1.**

There shall be established a commission to be known as the Commission for Educational Exchange between the United States of America and Nepal (hereinafter designated "the Commission"), which shall be recognized by the Government of the United States of America and His Majesty's Government of Nepal as an organization created and established to facilitate the administration of an educational program to be financed by funds made available to the Commission by the Government of the United States of America from funds held or available for expenditure by the United States for such purpose.

Except as provided in Article 3 hereof the Commission shall be exempt from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present Agreement. Such funds as well as the office equipment and supplies acquired for the furtherance of the Agreement shall be regarded in Nepal as property of a foreign government.

The funds made available under the present Agreement, within the conditions and limitations hereinafter set forth, shall be used by the Commission or such other instrumentality as may be agreed upon by the Government of the United States of America and His Majesty's Government of Nepal for the purposes of:

ब्रो ५ को सरकार नेपाल र संयुक्त राज्य अमेरिकाको  
सरकारले बीच ऐक्षिक आदान प्रदानका केही कार्यक्रममा  
आपेक्षित सहायता गर्ने वारेले सम्झौता

ब्रो ५ ले सरकार, नेपाल र संयुक्त राज्य अमेरिकाको सरकारले संयुक्त राज्य  
अमेरिका र नेपालो जनताको बीच ऐक्षिक कार्यक्रम अन्तरगत जान र व्यवसायिक  
योग्यताको विस्तृत आदान प्रदान ब्दारा पारस्परिक सम्भावनालाई अफ विस्तार  
गर्ने हच्छा भएकोले  
संयुक्त राज्य अमेरिकाका विदेश मंत्रोले ऐक्षिक आदान प्रदान का कार्यक्रमहरूमा, यस्ता  
कामिका निर्मित संयुक्त राज्य अमेरिकालाट सर्वको लागो कुट्टिहाँडको वा प्राप्त हुन  
सक्ने नेपाली वा भारतीय मुद्रामा खर्च गर्ने सक्ति गरी रुपारा सम्झौता गर्ने सक्ति  
कुरालाई ध्यानमा राखि, तिन्हि तिथि वर्षीजिम गर्ने नन्हुर गरेका छनः—

### धारा १

नेपाल र संयुक्त राज्य अमेरिकाको बीच ऐक्षिक आदान प्रदानको आयोग,  
। जसलाई यसपछि आयोग मात्र भनिएको छ। भन्ने नाम भएको रुपारा आयोग  
गठन गरीने छ। यस आयोगलाई श्री ५ को सरकार, नेपाल र संयुक्त राज्य  
अमेरिकाको सरकारले संयुक्त राज्य अमेरिकाको सरकारलाई प्राप्त भएको अव्वा प्राप्त  
हुने रकमहरूलाट बाटु गरीने ऐक्षिक कार्यक्रमहरूको प्राप्ति बताउनका निर्मित खडा  
गरिएको आयोगको रूपमा घोषित भएको दिने छ।

यस सम्झौताको धारा ३ मा उल्लेख भए वाचेक अरु कुराना यस सम्झौताको  
उद्देश्य प्रतिको निर्मित वाचने मुद्रा उपायी गरी प्रयोग तथा खर्च गरीने हुनाने  
यस आयोग संयुक्त राज्य अमेरिकाको घेरेलु वा स्थानेय ऐनलाट मुर्का हुने छ र यस  
दिसिमका रकमहरू तथा यो सम्झौताको विस्तारले निर्मित प्रकान गरिएको वा  
प्राप्त गरीने अफिसका पालसापानहरू वैदेशिक सरकारको नेपालमा रहेको सम्पर्क  
मानिने छन्।

यस सम्झौता अन्तरगत प्राप्त गरिएको रूपम यस सम्झौताको खर्च र सेवा  
भित्र रहो आयोगले अव्वा श्री ५ को सरकार, नेपाल र संयुक्त राज्य अमेरिका  
सरकारको स्वीकृतीमा अन्य राख्न ब्दारा तिन्हि प्रकार प्रयोग गरीने छ।

२.....

- (1) Financing studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in Nepal or of the citizens of Nepal in United States schools and institutions of higher learning located outside the United States, Puerto Rico, and the Virgin Islands, including payment of transportation, tuition, maintenance, and other expenses incident to scholastic activities; or
- (2) Furnishing transportation for citizens of Nepal who desire to attend United States schools and institutions of higher learning in the United States, Puerto Rico, and the Virgin Islands, and whose attendance will not deprive citizens of the United States of an opportunity to attend such schools and institutions.

#### ARTICLE 2.

In furtherance of the aforementioned purposes, the Commission may, subject to the provisions of the present agreement, exercise all powers necessary to the carrying out of the purposes of the present agreement, including the following:

- (1) Plan, adopt and carry out programs in accordance with the purposes of the present agreement.
- (2) Recommend to the Board of Foreign Scholarships, provided for in Section 1641 (B), Title 50, appendix of the United States Code,[<sup>1</sup>] students, professors, research scholars, teachers, residents in Nepal, and institutions of Nepal qualified to participate in the program in accordance with the aforesaid Section.
- (3) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the program as it may deem necessary for achieving the purposes and objectives of the present agreement.
- (4) Acquire, hold, and dispose of property (other than real estate) in the name of the Commission as the Commission may consider necessary or desirable, provided, however, that the leasing of adequate housing and facilities for the activities of the Commission will be assured.

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<sup>1</sup> 60 Stat. 755.

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- १। नेपाल अधिकार्यमित्र रैका विज्ञालय वा उच्च विज्ञासंस्थाहरूमा संयुक्त राज्य अमेरिकाका नागरिकलाह र संयुक्त राज्य अमेरिकाका र त्यस वाईक पोटोरिको भजिन आहलान्डका विज्ञालय वा उच्च विज्ञासंस्थाहरूमा नेपाली नागरिकहरूको निमित्त अध्ययन अनुसन्धान विज्ञा वा अ॒ विज्ञा सञ्चालनिक्षण गतिविधि हासिल गर्ने आर्थिक मदत का साथे यातायात सर्वे विज्ञा तुल्खाना सर्वे र अ॒ भृपरो आउने सर्वे वैज्ञानिके । अथवा
- २। संयुक्त राज्य अमेरिका, पोटोरिको भजिन आहलान्डका विज्ञालय, उच्च विज्ञासंस्थाहरूमा संयुक्त राज्य अमेरिकाका नागरिकहरूको अध्ययन सुविधामा वाधा नपुङ्गाह उपर्युक्त विज्ञालय वा उच्च विज्ञासंस्थाहरूमा अध्ययन गर्ने हज्जुक नेपाली नागरिकलाह वाटो सर्वे दिहनै हा

थारा २

उपर्युक्त उद्देश्यलाह अ॒ वढी मात्रामा विस्तार गर्ने आयोगले यस संफौटाका दफाहरूको अधिनमा रहो यस संफौटाको देहास्था लैखिका काम सनेत गर्ने सर्वे अ॒क्रिया अ॒प्रयोग गर्ने हा ।

- १। यस संफौटाका उद्देश्य अनुसार कार्यक्रमहरूको तजुमा गर्ने, स्वीकृत गर्ने र कार्यनिक्षित गर्ने ।
- २। संयुक्त राज्य अमेरिकाको ईनको अनुसूचिको दफा १६४१ वटी परिच्छेद ५० पा उल्लेखित नेपालमा वसेका नेपाली विधायिका, प्राच्याधिकारी, अनुसन्धानकर्ता हरू, अध्यापकहरू र नेपालका विज्ञासंस्थाहरूमा उपर्युक्त दफा अनुसार कार्यक्रममा भाग लिन विदेशी शाक्त्रबूषि सनितिलाई योग्य हा भनो सिफारीस गर्ने ।
- ३। यस संफौटाको उद्देश्य र लक्ष पुरा गर्नेले लाग्ने आवश्यक ठानेमा यस कार्यक्रममा भाग लिने उभैदता रक्खको छौट गर्नेले लाग्ने चाहिने योग्यता वारे उक्त विदेशी शाक्त्रबूषि समिति द्वारा सिफारीस गर्ने ।
- ४। आयोगले आवश्यक वा वान्यनीय ठज्रारूपमा आयोगका नाममा भरका सम्पर्क जिग्गा जमिन वाईका प्राप्त गर्ने अपनाउन र वैचविस्त इत्यादि गर्ने तर समै गर्दा आयोगका काल्पी लाग्ने वस्तु पुग्दौ ठाउलो ठैक्का र सुविधा निरिचत द्वनु पर्ने ।

- (5) Authorize the Treasurer of the Commission or such other person as the Commission may designate to receive funds to be deposited in bank accounts in the name of the Treasurer of the Commission or such other person as may be designated. The appointment of the Treasurer or such designee shall be approved by the Secretary of State of the United States of America. The Treasurer shall deposit funds received in a depository or depositories designated by the Secretary of State of the United States of America.
- (6) Authorize the disbursement of funds and the making of grants and advances of funds for the authorized purposes of the present agreement.
- (7) Provide for periodic audits of the accounts of the Treasurer of the Commission as directed by auditors selected by the Secretary of State of the United States of America.
- (8) Incur administrative expenses as may be deemed necessary out of funds made available under the present agreement.

#### ARTICLE 3.

All commitments, obligations, and expenditures authorized by the Commission shall be made in accordance with an annual budget, to be approved by the Secretary of State of the United States of America, provided, however, that in no case shall a total amount of the currencies of Nepal and India in excess of the equivalent of the statutory limitation of \$1,000,000.00 (One Million Dollars) be expended under the terms of this Agreement during any single calendar year.

#### ARTICLE 4.

The Commission shall consist of eight members, four of whom shall be citizens of the United States of America and four of whom shall be citizens of Nepal. In addition, the principal officer in charge of the Diplomatic Mission of the United States of America to Nepal (hereinafter designated "Chief of Mission") shall be Honorary Chairman of the Commission. He shall cast the deciding vote in the event of a tie vote by the Commission and shall appoint the Chairman of the Commission. The Chairman as a regular member of the Commission shall have the right to vote. The citizens of the United States of America on the Commission, at least two of whom shall be officers of the United States Foreign Service establishment in Nepal, shall be appointed and removed by the Chief of Mission, and one of them shall serve as Treasurer of the Commission. The Nepali members shall be appointed and removed by His Majesty's Government of Nepal.

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- ५। आयोगको कोषाधक्ष अथवा आयोगले नियुक्त गरेको जन्म हुने सानिसहार्ह आयोगको कोषाधक्ष अथवा अन्य नियुक्त व्यक्तिको नाममा रैमो बातामा जम्मा गर्ने नियमि रूप प्राप्त गर्ने अधिकार दिने ह । लौपाधाव वा अन्य नियुक्त पदाधिकारीको नियुक्ति संयुक्त राज्य अमेरिकाको विदेश पंचोत्तमो स्थिवृति हुनु पर्छ । कोषाधक्षले संयुक्त राज्य अमेरिकाको विदेश पंचोत्तमो तोकेतो एक अथवा अनेक दोषमा रूपमा जम्मा गर्ने ह ।
- ६। यस सम्झौताको अधिकृत उद्देश्यको नियमि अनुकूल गर्ने, अनुदान प्रदान गर्ने र ऐस्टिक दिन अधिकार प्राप्त गर्ने ह ।
- ७। संयुक्त राज्य अमेरिकाको विदेश पंचोत्तमो कानेका स्थाव जाचकोले निर्देश गरिए मुताविक आयोगको कोषाधक्षको हिसाव वितावको जात सम्य नम्यमा गराउन व्यवस्था गराउने ह ।
- ८। यस संकौता अन्तर्गत प्राप्त भएको रूपमाट आवश्यकता अनुसार प्राप्तिक्य व्यवहारीने ह ।

धारा ३

संयुक्त राज्य अमेरिकाका विदेश पंचोत्तम स्थिवृति गरिने वार्तीक वैजेट अनुसार, आयोगले अधिकार दिइको बताएँ, निकासा र खालीहरू हुने जन । तर हुने जातामा पनि नियमले तोकेको १,०००,००० दस लाख लद्दर अनुरूप नैपाली तथा भारतीय नुद्राको नियमित सिमामा बढाह कुनै एक वषेमा सम्झौताको सतीहरू अन्तर्गत सर्वे गरिने हैन ।

धारा ४

आयोगमा जना आठ सदस्यहरू रहने हल जम्मा चार जना संयुक्त राज्य अमेरिकाका नागरिकहरू र चार जना नैपाली नागरिकहरू रहने हैन । त्यसको अतिरिक्त नैपाल स्थित संयुक्त राज्य अमेरिकाको कुटनैतिक नियोगका प्रधान अधिकारी । यस परिक्रमा नियोगका प्रधान पनिने । आयोगका अतिरिक्त अथवा हुनु हुनेका सदस्यहरूको वीच वरावर पत वालिहरूको लह्नमा अतिरिक्त अधिकारी आफ्नो नियमितात्मक पत प्राप्तान गर्ने ह । आयोगको अथवा पनीनित गर्ने ह । आयोगको अथवालाई नियमित सदस्यको हसियतले पत दिने अधिकार ह । आयोगमा रहने संयुक्त राज्य अमेरिकाका नागरिकहरूमध्य कमसेकम दुइ जना नैपाल स्थित संयुक्त राज्य अमेरिकाका वैदेशिक सेवा संस्थापनका अधिकारीहरू हुने हैन । आयोगमा संयुक्त राज्य अमेरिकाको नागरिकहरू नियोगको प्रधान अधिकारी ब्दारा पनीनित र निस्कासित गरिने ह । त्यस मध्य एक जना

The members shall serve from the time of their appointment until the following December 31, and shall be eligible for reappointment. Vacancies by reason of resignation, transfer or residence outside of Nepal, expiration of service, or otherwise, shall be filled in accordance with the appointment procedure set forth in this article.

The members shall serve without compensation but the Commission may authorize the payment of the necessary expenses of the members in attending the meetings of the Commission and in performing other official duties assigned by the Commission.

#### **ARTICLE 5.**

The Commission shall adopt such by-laws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Commission.

#### **ARTICLE 6.**

Reports acceptable in form and content to the Secretary of State of the United States of America shall be made annually on the activities of the Commission to the Secretary of State of the United States of America and His Majesty's Government of Nepal.

#### **ARTICLE 7.**

The principal office of the Commission shall be in the capital city of Nepal but meetings of the Commission and any of its committees may be held in such other places as the Commission may from time to time determine, and the activities of any of the Commission's officers or staff may be carried on at such places as may be approved by the Commission.

#### **ARTICLE 8.**

The Government of the United States of America and His Majesty's Government of Nepal agree that currencies of Nepal and India held or available for expenditure by the Government of the United States

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सौ आयोगको कोषाद्यां भर्त्र काम गर्ने छन् । नेपाली सदस्यहरूको हक्का श्री ५ को सरकारलाई नियुक्त वा हटाउन सकिने छन् । सदस्यहरू नियुक्ति भएको समय देखि आगामी डिसेम्बर ३१, तदनुसार २०१८ सालपौँच १७ गते । सभी काम गर्ने छन् र पुनर्नियुक्तिको निमित्त पनि योग्य ठहरिने छन् । राजिनामा गरेमा नेपाललाई वा हिर सखा भएमा, नौकरो टुटेपा अथवा अह कुनै काण्ड परे लालो हुन आएर एक स्थानमा यहो धारामा उत्सेषित नियुक्ति प्रशाली अनुसार खाली पद पूर्ति गरिने छ ।

सदस्यहरूले विना पारिश्रमिक काम गर्ने छन् तर आयोगको बैठकमा उपस्थित हुँदा वा आयोगले अडाइको कार्यालय सम्बन्धी अन्य काम गर्दै लाग्ने सबै आयोगले निकासा दिन सज्जने छ ।

#### धारा ५

आयोगले आवश्यक ठारैमा आयोगको काम कारबाह बलाउनको निमित्त चाहिएको समितिहरू गठन गर्ने र उप नियमहरू बनाउन सज्जने छन् ।

#### धारा ६

वैनो आयोगको गतिविधि वा र संयुक्त राज्य अमेरिकाका विदेश मंत्रीले स्वीकार गर्ने ढावा र व्यहोरामा लेखिएको रिपोर्टको श्री ५ को सरकार, नेपाल र संयुक्त राज्य अमेरिकाको विदेश मंत्रो ले ऐ प्रेसित गरिए छ ।

#### धारा ७

आयोगको प्रधान कार्यालय नेपाल अधिराज्यका राजधानीमा रहने छ तर आयोगको अथवा यसका कुनै सनितिको बैठक आयोगले समय समयमा निर्धारित गरेको अह ठाउमा बस्न सज्जने छ । आयोगका अधिकारो मध्ये कुनै अथवा आयोगको कमीमारोहरू मध्ये क्षेत्रका कार्यालय आयोगले स्विकृति दिएको जुन मुल ठाउलेका पनि गरिने छन् ।

#### धारा ८

श्री ५ को सरकार, नेपाल र संयुक्त राज्य अमेरिकाको सरकार यस कुराना सहभत अर्क गदैजन को १३ नोभेम्बर १९५६ मा भारत र संयुक्त राज्य अमेरिका बीच सम्पन्न पश्चो दृष्टिका बतत वस्तु वारे भएको संकैता ११ सरप्लस इग्निकल्बरल

TIAS 4845

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of America, up to the equivalent of approximately \$500,000.00 (Five Hundred Thousand Dollars), as a consequence of sales made pursuant to the Surplus Agricultural Commodities Agreement between the United States and India dated November 13, 1959, [1] may be used for the purposes of this Agreement.

In addition to the funds provided in the first paragraph of this Article, the Government of the United States of America and His Majesty's Government of Nepal agree that any other currency of Nepal or of India held or available for expenditure by the Government of the United States of America may also be used for the purposes of this Agreement.

The performance of this Agreement shall be subject to the availability of appropriations to the Secretary of State of the United States of America when required by the laws of the United States for reimbursement to the Treasury of the United States for currency of Nepal or of India held or available for expenditure by the United States.

The Secretary of State of the United States of America will make available for expenditure as authorized by the Commission currencies of Nepal and India in such amounts as may be required for the purposes of this Agreement but in no event may amounts in excess of the budgetary limitations established pursuant to Article 3 of the present Agreement be expended by the Commission.

#### **ARTICLE 9.**

United States citizens employed by the Commission and United States grantees engaged in educational activities under the auspices of the Commission, and accompanying members of their families, shall be exempt in Nepal from taxation of every kind, including customs duties, excises and other forms of taxation on personal property intended for their own use.

#### **ARTICLE 10.**

The Government of the United States of America and His Majesty's Government of Nepal shall make every effort to facilitate the exchange of persons programs authorized in this Agreement and to resolve problems which may arise in the operations thereof.

<sup>1</sup> TIAS 4354; 10 UST 1882.

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कमोडिटिज र ऐमेन्ट अनुसार गरे विक्रीवाट प्राप्तभएको लाग ५००,००० पाच लाख लार अनुरूप संयुक्त राज्य अमेरिकाको सरकारले सबै गर्न जस्ता न भएको क्षमा प्राप्त हुने नैपाली र भारतीय मुद्राङ्क यस संकौताको उद्देश्यको निमित्त प्रयोग गरेन्हो ह ।

यस धाराको पहिलो दफामा उल्लेखित धनरा गोको अतिरिक्त श्री प॑ को सरकार, नेपाल रे संयुक्त राज्य अमेरिकाको वरकार यसमा पनि सहमत तत्त्व को संयुक्त राज्य अमेरिकाको सरकारले सबै गर्न जस्ता गरिएको वा प्राप्त हुने नैपाली भारतीय हुने अमुद्राङ्क यस संकौताको उद्देश्यको निमित्त प्रयोग गर्न सकिन्ते ।

संयुक्त राज्य अमेरिकालाई सबै गर्ना निमित्त प्राप्त भएको क्षमाङ्क हुने दिसिमलाट प्राप्त हुने नैपाली वा भारतीय मुद्राङ्क पनि संयुक्त राज्य अमेरिकाको कानून अनुसार संयुक्त राज्य अमेरिकाको राष्ट्रिय कोषमा तौषुध भर्ना गर्नुपर्ने भर्ना संयुक्त राज्य अमेरिकाको विदेश मंत्रोलाई प्राप्त भएको विनियोजन रकम अनुसार नात्र यो संकौता कार्य सम्पादन हुने ह ।

यस संकौताको उद्देश्यको निमित्त बाहिने जर्ति मात्रामा भारतीय तथा नैपाली मुद्राङ्क आयोगले अभिकार दिइ अनुसार संयुक्त राज्य अमेरिकाको विदेश मंत्रो प्राप्त गराउने ह । तर यस संकौताको धारा ३ मा उल्लेखित वजेटको सिपालाई बढाउन आयोगले हुने चातुरमा पनि सबै गर्न सन्तुष्ट हैन ।

### धारा ६

आयोग ज्वारा नियुक्त गरेका संयुक्त राज्यका नागरिकहरू र आयोग का निरक्षका त्रिभुवन जायोगले अनुदान संयुक्त राज्यका अनुदान पाउनेको र निमोङ्गला साथा आश्वासनिको विवरारका सदस्याङ्कालाई आकर्ता निमित्त प्रयोग गरीने ज्ञाक्रियात संपत्तिमा नियार नक्षल, अनुसुल्लक्षण लाग्न द्वारा प्रकारको कर लाईने छन् ।

### धारा ७

श्री प॑ को वरकोट्रिपाले र संयुक्त राज्य अमेरिकाको सरकारले यस संकौताले दिइ अनुसारको व्यानिक्लहलो आदन प्रदाने गर्ने कार्यक्रम गर्ने र उपरोक्त कार्यसम्पादन गर्नी आह एको समस्याङ्क सुलकाउन हैल प्रकारको कोकिस गर्ने छन् ।

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**ARTICLE 11.**

Wherever, in the present Agreement, the term "Secretary of State of the United States of America" is used, it shall be understood to mean the Secretary of State of the United States of America or any officer or employee of the Government of the United States of America designated by him to act in his behalf.

**ARTICLE 12.**

The present agreement may be amended by the exchange of diplomatic notes between the Government of the United States of America and His Majesty's Government of Nepal.

The present agreement shall come into force upon the date of signature.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

Done at Kathmandu in duplicate, in the English and Nepali languages, each of which shall be of equal authenticity, this 9th day of June, 1961.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA

HENRY E STEBBINS

[SEAL]

FOR HIS MAJESTY'S  
GOVERNMENT OF NEPAL

*1929 Aug 9/61*

[<sup>1</sup>]

[SEAL]

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<sup>1</sup> Bishwa Bhandu Thapa.

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धारा ११

यस संकौतामा संयुक्त राज्य अमेरिकाको विदेश मंत्री भन्नाले संयुक्त राज्य अमेरिकाको परराष्ट्र मंत्री अथवा वहाले आफ्नानु निपित्र नियुक्त गरिएका हुने अधिकारी वा अधिकारी पन्नै संभीहने हुँ।

धारा १२

श्री ५ को सरकार, नेपाल र संयुक्त राज्य अमेरिकाको सरकारले कुट्टनैतिक पत्रको आदान प्रदान ब्दारा यस संकौतामा संसौख गर्ने सही हुँ। यो संकौता हस्ताक्षर भएको मिति दैले लागु हुने हुँ।

शिक्षाको रूपमा आफ्ना आफ्ना सरकारका तफेलाट अधिकार प्राप्त खल हस्ताक्षर गर्ने व्यक्तिलाट यो वर्तमान संकौतामा हस्ताक्षर भयो।

काठमाडौंमा विक्रम सम्बत २०१८ साल जेष्ठ २७ गते रोज ६ तदअनुयार हस्ती सन १९६१ जुन महिनाको ६ तारिखका दिनमा वरावर प्रापालिक मानिनै श्रीजो र नेपालो भाषाको दुवै प्रतिमा हस्ताक्षर भयो। हुम्।

[SEAL]

१९६१.६.२७. ५/५/१

श्री ५ को सरकार, नेपालको  
तफेलाट



संयुक्त राज्य अमेरिकाको सरकारको  
तफेलाट

[SEAL]

# INDONESIA

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of November 5, 1960, as amended.*

*Effectuated by exchange of notes*

*Signed at Djakarta September 8, 1961;  
Entered into force September 8, 1961.*

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*The American Chargé d'Affaires ad interim to the Indonesian Acting Head of the Directorate for International Economic Relations, Department of Foreign Affairs*

No. 170

DJAKARTA, September 8, 1961.

Sir:

I have the honor to refer to the Agricultural Commodities Agreement entered into by our two Governments on November 5, 1960, [<sup>2</sup>] as amended March 2, 1961, [<sup>3</sup>] and to the accompanying exchange of notes, [<sup>2</sup>] as amended, [<sup>3</sup>] and, in response to the request of the Government of the Republic of Indonesia, to propose that this agreement be further amended as follows:

1. To provide for additional financing by the Government of the United States of America of the following commodity and ocean transportation:

<i>Commodity</i>	<i>Export Market Value</i>
Wheat flour	\$4,600,000
Ocean transportation (Est.)	800,000
Total	\$5,400,000

2. To provide that Indonesian rupiah accruing to the Government of the United States of America as a consequence of sales made pursuant to this amendment will be used by the Government of the United States of America as follows:

- (a) For loans to be made by the Export-Import Bank of Washington under subsection 104(e) of the Agricultural Trade Develop-

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<sup>1</sup> Also TIAS 4897; *post*, 2955.

<sup>2</sup> TIAS 4616; 11 UST 2357, 2361.

<sup>3</sup> TIAS 4709; *ante* p. 263.

ment and Assistance Act, [1] as amended, (hereinafter referred to as the Act) and for administrative expenses of the Export-Import Bank of Washington in the Republic of Indonesia incident thereto, the Indonesian rupiah equivalent of \$270,000. This increases the total amount indicated in paragraph 1 of Article II of the Agreement to the Indonesian rupiah equivalent of \$1,255,000.

(b) For a loan to the Government of the Republic of Indonesia under subsection 104(g) of the Act, the Indonesian rupiah equivalent of \$2,025,000. This increases the total amount indicated in paragraph 2 of Article II of the Agreement to the Indonesian rupiah equivalent of \$9,412,500.

(c) For a grant to the Government of the Republic of Indonesia under subsection 104(e) of the Act, the Indonesian rupiah equivalent of \$2,025,000. This increases the total amount indicated in paragraph 3 of Article II to the Indonesian rupiah equivalent of \$9,412,500.

(d) For payment of United States expenditures in the Republic of Indonesia under subsections (a), (b), (f), and (h) through (r) of Section 104 of the Act, or under any of such subsections and for other mutually agreed uses under Section 104 of the Act, the Indonesian rupiah equivalent of \$1,080,000. This increases the total amount indicated in paragraph 4 of Article II of the Agreement to the Indonesian rupiah equivalent of \$5,020,000.

It is understood that in the event the total of Indonesian rupiah accruing to the Government of the United States of America as a consequence of sales made pursuant to the Agreement and this amendment is less than the Indonesian rupiah equivalent of \$25,100,000, the amount available for expenditures under subsection 104(g) loans and subsection 104(e) grants to the Government of the Republic of Indonesia will be reduced by an equivalent amount and proportionately between 104(g) loans and 104(e) grants; to the extent that the total exceeds the rupiah equivalent of \$25,100,000, 20 percent of the excess will be available for the use of the Government of the United States of America, 75 percent for loans and grants to the Government of the Republic of Indonesia under subsections 104(g) and 104(e), and 5 percent for loans under subsection 104(e).

3. In order that the delivery of wheat flour under this amendment not unduly disrupt world prices of agricultural commodities, or impair trade relations among friendly nations, the Government of the Republic of Indonesia shall import between January 1, 1961 and March 31, 1962 with its own foreign exchange resources 105,000 metric tons of wheat flour from free world sources. This quantity shall be purchased in addition to those quantities to be obtained pursuant to this amendment.

4. It is further understood that in the notes of November 5, 1960, relating to the conversion of the Indonesian rupiah into other currencies "\$394,000" is deleted and "\$502,000" is substituted therefor.

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<sup>1</sup> 68 Stat. 456; 7 U.S.C. § 1704(e).

5. Application for purchase authorizations will be made within 90 calendar days of the effective date of this amendment.

6. Except as otherwise provided herein, the pertinent provisions of the Agreement of November 5, 1960 and the accompanying exchanges of notes, as amended, shall apply to this amendment.

I have the honor to propose that this note and your reply concurring therein shall constitute an Agreement between our two Governments on this matter to enter into force on the date of your note in reply.

Accept, Sir, the renewed assurances of my highest consideration.

JOHN W. HENDERSON  
*Charge d'Affaires ad interim*

Mr. ACHMAD PONSEN,  
*Acting Head of the Directorate  
for International Economic Relations,  
Department of Foreign Affairs,  
Djakarta.*

*The Indonesian Acting Head of the Directorate for International Economic Relations, Department of Foreign Affairs, to the American Chargé d'Affaires ad interim*

DEPARTMENT OF FOREIGN AFFAIRS  
REPUBLIC OF INDONESIA

No. 1026/61/06

DJAKARTA, September 8, 1961.-

SIR:

I have the honour to acknowledge receipt of your note No. 170 dated September 8, 1961, which reads as follows:

"I have the honor to refer to the Agricultural Commodities Agreement entered into by our two Governments on November 5, 1960, as amended March 2, 1961, and to the accompanying exchange of notes, as amended, and, in response to the request of the Government of the Republic of Indonesia, to propose that this agreement be further amended as follows:

1. To provide for additional financing by the Government of the United States of America of the following commodity and ocean transportation:

<i>Commodity</i>	<i>Export Market Value</i>
Wheat flour	\$4,600,000
Ocean transportation (Est.)	800,000
<b>Total</b>	<b>\$5,400,000</b>

2. To provide that Indonesian rupiah accruing to the Government of the United States of America as a consequence of sales made pursuant to this amendment will be used by the Government of the United States of America as follows:

(a) For loan to be made by the Export-Import Bank of Washington under subsection 104(e) of the Agricultural Trade Development and Assistance Act, as amended, (hereinafter referred to as the Act) and for administrative expenses of the Export-Import Bank of Washington in the Republic of Indonesia incident thereto, the Indonesian rupiah equivalent of \$270,000. This increases the total amount indicated in paragraph 1 of Article II of the Agreement to the Indonesian rupiah equivalent of \$1,255,000.

(b) For a loan to the Government of the Republic of Indonesia under subsection 104(g) of the Act, the Indonesian rupiah equivalent of \$2,025,000. This increases the total amount indicated in paragraph 2 of Article II of the Agreement to the Indonesian rupiah equivalent of \$9,412,500.

(c) For a grant to the Government of the Republic of Indonesia under subsection 104(e) of the Act, the Indonesian rupiah equivalent of \$2,025,000. This increases the total amount indicated in paragraph 3 of Article II to the Indonesian rupiah equivalent of \$9,412,500.

(d) For payment of United States expenditures in the Republic of Indonesia under subsections (a), (b), (f), and (h) through (r) of Section 104 of the Act, or under any of such subsections and for other mutually agreed uses under Section 104 of the Act, the Indonesian rupiah equivalent of \$1,080,000. This increases the total amount indicated in paragraph 4 of Article II of the Agreement to the Indonesian rupiah equivalent of \$5,020,000.

It is understood that in the event the total of Indonesian rupiah accruing to the Government of the United States of America as a consequence of sales made pursuant to the Agreement and this amendment is less than the Indonesian rupiah equivalent of \$25,100,000, the amount available for expenditures under subsection 104(g) loans and subsection 104(e) grants to the Government of the Republic of Indonesia will be reduced by an equivalent amount and proportionately between 104(g) loans and 104(e) grants; to the extent that the total exceeds the rupiah equivalent of \$25,100,000, 20 percent of the excess will be available for the use of the Government of the United States of America, 75 percent for loans and grants to the Government of the Republic of Indonesia under subsections 104(g) and 104(e), and 5 percent for loans under subsection 104(e).

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tons of wheat flour from free world sources. This quantity shall be purchased in addition to those quantities to be obtained pursuant to this amendment.

4. It is further understood that in the notes of November 5, 1960, relating to the conversion of the Indonesian rupiah into other currencies "\$394,000" is deleted and "\$502,000" is substituted therefor.

5. Application for purchase authorizations will be made within 90 calendar days of the effective date of this amendment.

6. Except as otherwise provided herein, the pertinent provisions of the Agreement of November 5, 1960 and the accompanying exchanges of notes, as amended, shall apply to this amendment."

I have the honour to confirm, on behalf of my Government, that your note and this note in reply concurring therein, constitute an Agreement between our two Governments on this matter, to enter into force on this date.

I avail myself of this opportunity to renew the assurance of my high consideration.—

A. PONSEN

[SEAL] Achmad Ponsen,  
*Acting Head, Directorate for  
International Economic Relations.*—

Mr. JOHN W HENDERSON

*Charge d'Affaires a.i.*

*Embassy of the United States of America,*

*Djakarta.*—

# SWEDEN

**Trade: Agreement Supplementary to the General Agreement on Tariffs and Trade**

*Signed at Washington September 15, 1961;  
Entered into force September 15, 1961.  
With exchange of notes.*

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## AGREEMENT SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Government of the United States of America and the Government of Sweden;

Considering the reciprocal concessions and advantages for the promotion of trade provided for in their respective Schedules annexed to the General Agreement on Tariffs and Trade [¹] (hereinafter referred to as the General Agreement);

Taking cognizance of Proclamation No. 3211, issued by the President of the United States of America on November 9, 1957,[²] under Article XIX of the General Agreement, with respect to the concession provided for in the first item 412 in Part I of Schedule XX to the Annecy Protocol of Terms of Accession [³] to the General Agreement (hereinafter referred to as "Schedule XX (Annecy-1949)");

Taking cognizance of the authorization by the Contracting Parties to the United States to proceed with negotiations to modify or withdraw such concessions under the terms of Article XXVIII:4;

Recognizing the desirability of maintaining the general level of reciprocal and mutually advantageous concessions in the General Agreement;

Agree as follows:

(1) As a result of Article XXVIII negotiations, the concession provided for in the first item 412 in Part I of Schedule XX (Annecy-1949) may be withdrawn from said Schedule.

(2) As complete compensatory adjustment for such action by the United States of America under Article XIX of the General Agreement, on and after October 18, 1961, and so long as such treatment

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<sup>¹</sup> TIAS 1700; 61 Stat., pt. 5, p. A1157. TIAS 2100; 64 Stat., pt. 3, p. B643.

<sup>²</sup> 72 Stat. c14; 3 CFR, 1954-1958 Comp., p. 136.

<sup>³</sup> TIAS 2100; 64 Stat., pt. 3, p. B322.

under Article XIX continues, the United States, notwithstanding the second general note to Schedule XX to the Torquay Protocol of Terms of Accession [¹] to the General Agreement, shall apply to the products described in the attached Schedule treatment indicated therein, as though such treatment were provided for in the corresponding items in Part I of Schedule XX (Annecy-1949) and subject to the provisions of the Schedule attached hereto and of the General Agreement.

(3) Upon completion of such Article XXVIII negotiations with all contracting parties participating therein regarding compensatory adjustment for the withdrawal provided for in paragraph 1, the United States of America shall apply to the products described in the attached Schedule treatment no less favorable than the treatment indicated therein, as though such treatment were provided for in the corresponding items in Part I of Schedule XX (Annecy-1949) and subject to the provisions of the Schedule attached hereto and of the General Agreement, with the understanding that as soon as practicable such treatment will be specifically included in Schedule XX (Annecy-1949).

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this agreement.

DONE at Washington, in duplicate, this fifteenth day of September, 1961.

FOR THE UNITED STATES OF AMERICA:

LEONARD WEISS

FOR SWEDEN:

GUNNAR JARRING

### SCHEDULE

Tariff Act of 1930, paragraph	Description of Products	Rates of Duty	
		A	B
1405	Boxes of paper or papier mache or wood provided for in paragraph 1405, [²] Tariff Act of 1930:  Covered or lined with paper but not covered or lined with cotton or other vegetable fiber . . . . .	2-½¢ per lb. and 4-½% ad val.	2¢ per lb. and 4% ad val.

<sup>¹</sup> TIAS 2420; 3 UST, pt. 1, p. 1215.

<sup>²</sup> 46 Stat. 654.

**NOTE**

Subject to the provisions of this agreement, to the pertinent provisions of the General Agreement on Tariffs and Trade, and to the provisions of Section 350(a)(4) (B) and (C) of the Tariff Act of 1930, as now amended,[<sup>1</sup>] the rates specified in the rate-columns in this Schedule will become effective as follows:

(a) Rates in Column A will become initially effective on October 18, 1961, and rates in Column B will become initially effective in each case upon the expiration of a full period of one year after the related rate in Column A became initially effective.

(b) For the purposes of subparagraph (a) above, the phrase "full period of one year" means a period or periods aggregating one year exclusive of the time, after a rate becomes initially effective, when, by reason of legislation of the United States or action thereunder, a higher rate of duty is being applied.

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*The Secretary of State to the Swedish Ambassador*

DEPARTMENT OF STATE  
WASHINGTON  
September 15, 1961

**EXCELLENCY:**

I have the honor to refer to the supplementary trade agreement signed this date regarding compensation for the escape clause action on spring clothespins. During the interim period between the time the compensatory concession described in the said agreement is placed in effect by the United States and the time the Article XXVIII negotiations recited in said agreement are completed, the following condition will be effective as to the said compensatory concession:

In the event that the action by the President of the United States of America, by Proclamation No. 3211 of November 9, 1957, is modified or terminated so as to result in lower rates of duty for any of the products described in the first item 412 in Part I of Schedule XX to the Annecy Protocol of Terms of Accession to the General Agreement on Tariffs and Trade with respect to which the said action of November 9, 1957 was taken, the Government of the United States will consult promptly with the Government of Sweden regarding any appropriate measures to be taken with respect to the concessions in the Schedule attached to the agreement of this date between said parties. If agreement is not reached,

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<sup>1</sup>72 Stat. 673; 19 U.S.C. § 1351(a)(4) (B) and (C).

the Government of the United States of America, on 90 days' written notice to the CONTRACTING PARTIES to the General Agreement, may increase rates provided for in the aforesaid Schedule to the agreement of this date to such extent as may be appropriate in the circumstances but in no case to a higher rate than the rate provided for the product involved in Schedule XX to the Torquay Protocol of Terms of Accession to the General Agreement on Tariffs and Trade on the date of the signature of the aforesaid agreement.

I propose that the present note, and a note from you in reply confirming and accepting the foregoing proposal, be considered as an agreement between our two Governments concerning the aforementioned supplementary trade agreement signed this date.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

LEONARD WEISS

Leonard Weiss  
Acting Director  
Office of International Trade

His Excellency  
GUNNAR JARRING,  
*Ambassador of Sweden.*

*The Swedish Ambassador to the Secretary of State*

ROYAL  
SWEDISH EMBASSY

No. 273

WASHINGTON, D.C., September 15, 1961.

SIR,

I have the honour to refer to your note of today's date which reads as follows:

I have the honor to refer to the supplementary trade agreement signed this date regarding compensation for the escape clause action on spring clothespins. During the interim period between the time the compensatory concession described in the said agreement is placed in effect by the United States and the time the Article XXVIII negotiations recited in said agreement are completed, the following condition will be effective as to the said compensatory concession:

In the event that the action by the President of the United States of America, by Proclamation No. 3211 of November 9, 1957, is modified or terminated so as to result in lower rates of duty for any of the products described in the first item 412 in Part I of

Schedule XX to the Annecy Protocol of Terms of Accession to the General Agreement on Tariffs and Trade with respect to which the said action of November 9, 1957 was taken, the Government of the United States will consult promptly with the Government of Sweden regarding any appropriate measures to be taken with respect to the concessions in the Schedule attached to the agreement of this date between said parties. If agreement is not reached, the Government of the United States of America, on 90 days' written notice to the CONTRACTING PARTIES to the General Agreement, may increase rates provided for in the aforesaid Schedule to the agreement of this date to such extent as may be appropriate in the circumstances but in no case to a higher rate than the rate provided for the product involved in Schedule XX to the Torquay Protocol of Terms of Accession to the General Agreement on Tariffs and Trade on the date of the signature of the aforesaid agreement.

I propose that the present note, and a note from you in reply confirming and accepting the foregoing proposal, be considered as an agreement between our two Governments concerning the aforementioned supplementary trade agreement signed this date.

I have the honour to confirm and accept the proposal as set forth in the above-quoted note. Accordingly your note and the present note is considered an agreement between our two Governments concerning the aforementioned supplementary trade agreement signed this date.

Accept, Sir, the renewed assurances of my highest consideration.

GUNNAR JARRING

Gunnar Jarring

The Honourable  
DEAN RUSK,  
*Secretary of State,*  
*Washington, D.C.*

TIAS 4847

# FEDERAL REPUBLIC OF GERMANY

## Surplus Agricultural Commodities: Closing of Accounts in Connection with the Agreement of December 23, 1955, and Payment of Adjustment Refunds

*Agreement effected by exchange of notes  
Dated at Bonn May 19 and August 24, 1961;  
Entered into force August 24, 1961.*

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*The American Ambassador to the German Minister for Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Bonn, May 19, 1961.

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of the Federal Republic of Germany signed on December 23, 1955.<sup>[1]</sup>

Article I of the Agreement provided that the Government of the United States of America would finance sales for Deutsche Marks of surplus agricultural commodities with a total value of up to \$1,200,000.00, including estimated ocean transportation costs to be financed by the Government of the United States of America. Disbursements for which deposits of Deutsche Marks were required totaled \$1,196,558.83. It has been determined that deposits of 5,025,547.08 Deutsche Marks pursuant to Article III of the Agreement are equal to the value for which deposits were required and that such deposits have been made to the account of the Government of the United States of America. As Your Excellency's Government has already been informed by the United States Department of Agriculture, no further disbursements will be made by the Government of the United States of America pursuant to this Agreement and dollar funds not disbursed are not available for financing any additional purchases under this Agreement.

To facilitate the closing out of the accounts in connection with the above-mentioned Agreement, I have the honor to propose that, in the event that any refunds may be due or may become due under

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<sup>1</sup> TIAS 3445; 6 UST 6008.

this Agreement, such refunds would continue to be made by the seller direct to the buyer according to the pertinent regulations but the quarterly exchange of currencies between our two Governments would not be made.

Accordingly, I have the honor to propose that this note and Your Excellency's reply concurring herein shall constitute an Agreement between our two Governments to enter into force upon the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

WALTER DOWLING

His Excellency

Dr. HEINRICH VON BRENTANO,  
*Minister for Foreign Affairs,*  
*Bonn.*

*The German Ministry of Foreign Affairs to the American Embassy*

AUSWÄRTIGES AMT

402-88.202/61

Verbalnote

Das Auswärtige Amt beeht sich, auf die Note der Vereinigten Staaten von Amerika vom 19. Mai 1961 und auf seinen Zwischenbescheid durch Verbalnote vom 6. Juni 1961 zurückzukommen.

Das Auswärtige Amt erlaubt sich mitzuteilen, daß die Bundesregierung dem Vorschlag der Regierung der Vereinigten Staaten von Amerika zustimmt, wonach eventuell noch fällig werdende Rück erstattungen aus dem "Übereinkommen über Agrarprodukte" zwischen der Regierung der Vereinigten Staaten von Amerika und der Regierung der Bundesrepublik Deutschland vom 23. Dezember 1955 in Zukunft ausschließlich zwischen Käufer und Verkäufer der nach dem Übereinkommen zu liefernden Waren nach den hierfür maßgeblichen Bestimmungen abgewickelt werden.

Ferner beeht das Auswärtige Amt sich mitzuteilen, daß die Regierung der Bundesrepublik Deutschland damit einverstanden ist, daß die Verbalnote der Botschaft der Vereinigten Staaten von Amerika vom 19. Mai 1961 und diese Antwortnote eine Vereinbarung zwischen der Regierung der Vereinigten Staaten von Amerika und der Regierung der Bundesrepublik Deutschland bilden sollen, die mit dem Datum dieser Antwort in Kraft tritt.

Das Auswärtige Amt benutzt diesen Anlaß, um die Botschaft der Vereinigten Staaten von Amerika erneut seiner ausgezeichneten Hochachtung zu versichern.

BONN, den 24. August 1961

[SEAL]

AN DIE BOTSCHAFT  
DER VEREINIGTEN STAATEN  
VON AMERIKA  
*Bad Godesberg*

*Translation*

MINISTRY OF FOREIGN AFFAIRS  
402-88.202/61

Note Verbale

The Foreign Ministry has the honor to refer to the note of the United States of America, of May 19, 1961, and to its interim reply by the note verbale of June 6, 1961.<sup>[1]</sup>

The Foreign Ministry wishes to state that the Federal Government assents to the proposal of the Government of the United States of America according to which any refunds which may still become due under the Agricultural Commodities Agreement between the Government of the United States of America and the Government of the Federal Republic of Germany, dated December 23, 1955, will be handled exclusively between the purchasers and the sellers of the commodities supplied under this Agreement, in accordance with the provisions applicable thereto.

The Foreign Ministry further has the honor to state that the Government of the Federal Republic of Germany agrees that the note verbale from the Embassy of the United States of America, dated May 19, 1961, and this note in reply shall constitute an agreement between the Government of the United States of America and the Government of the Federal Republic of Germany, to take effect on the date of this reply.

The Foreign Ministry avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its high consideration.

BONN, August 24, 1961

[SEAL]

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Bad Godesberg.*

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<sup>1</sup> Not printed.

# NORWAY

## Mutual Defense Assistance

*Agreement amending Annex C to the agreement of January 27,  
1950.*

*Effectuated by exchange of notes*

*Dated at Oslo August 17 and 30, 1961,  
Entered into force August 30, 1961.*

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*The American Ambassador to the Norwegian Minister of Foreign  
Affairs*

No. 3

The Ambassador of the United States of America presents his compliments to His Excellency the Royal Norwegian Minister of Foreign Affairs and, with reference to paragraph (1) of Article IV of the Mutual Defense Assistance Agreement between the United States and Norway, signed at Washington on January 27, 1950,[<sup>1</sup>] has the honor, upon instruction from his Government, to state for the information of the Minister that the minimum amount of Norwegian kroner necessary during the United States fiscal year 1962 for the administrative expenditures of the United States Embassy at Oslo in connection with the carrying out of the Agreement, including those of related training in Norway, has been estimated to be 3,192,900 Norwegian kroner. It is understood that the balance of 544,873.35 kroner remaining as of the close of business June 30, 1961, will operate to reduce the total amount required for deposit during the fiscal year 1962.

The Ambassador proposes that, in accordance with the previous practice, Annex C of the Bilateral Agreement be amended to read as follows

"In implementation of paragraph (1) of Article IV of the Mutual Defense Agreement between the Governments of the United States of America and Norway, the Government of Norway will deposit Norwegian kroner at such times as requested in an account designated by the United States Embassy at Oslo, not to exceed in total 3,192,900 Norwegian kroner for its use on behalf of the Government of the United States of America for administrative

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<sup>1</sup> TIAS 2016, 1 UST 108.

expenditures within Norway in connection with carrying out that Agreement for the period ending June 30, 1962."

It is suggested that, if acceptable to the Norwegian Government, this Note and the Minister's reply together shall constitute an amendment to Annex C of the Mutual Defense Agreement between the United States of America and Norway, signed at Washington, D.C. on January 27, 1950.

CRW

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Oslo, August 17, 1961*

*The Norwegian Minister of Foreign Affairs to the American Ambassador*

MINISTÈRE ROYAL  
DES  
AFFAIRES ETRANGÈRES

The Minister of Foreign Affairs presents his compliments to His Excellency the Ambassador of the United States of America and has the honour to acknowledge receipt of the Ambassador's Note of August 17, 1961, regarding the payment of administrative expenditures of the Embassy in connection with the carrying out of the Mutual Defence Assistance Agreement between Norway and the United States, signed at Washington on January 27, 1950.

The Minister has the honour to state that the Norwegian Government agrees to the proposal made in the Ambassador's Note to the effect that Annex C of the Bilateral Agreement be amended to read as follows

"In implementation of paragraph (1) of Article IV of the Mutual Defense Agreement between the Governments of the United States of America and Norway, the Government of Norway will deposit Norwegian kroner at such times as requested in an account designated by the United States Embassy at Oslo, not to exceed in total 3,192,900 Norwegian kroner for its use on behalf of the Government of the United States of America for administrative expenditures within Norway in connection with carrying out that Agreement for the period ending June 30, 1962."

It is understood that the balance of 544,873.35 kroner remaining as of the close of business June 30, 1961, will operate to reduce the total amount required for deposit during the fiscal year 1962.

As the fiscal year in Norway now corresponds to the calendar year, the acceptance of the proposal set out above will, as far as the granting of the funds for the period after January 1, 1962 is concerned, be subject to confirmation by our authorities.

The Minister agrees that the Ambassador's Note of August 17, 1961, together with this reply, constitute an amendment to Annex C of the Mutual Defence Assistance Agreement between Norway and the United States of America, signed at Washington D.C. on January 27, 1950.

Oslo, 30<sup>th</sup> August 1961.

B K

[SEAL]

His Excellency,

Mr. CLIFTON R. WHARTON,

*Ambassador of the United States of America,  
Oslo.*

# YUGOSLAVIA

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of June 3, 1960.*

*Effectuated by exchange of notes*

*Signed at Belgrade July 1, 1961;*

*Entered into force July 1, 1961.*

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*The American Ambassador to the Yugoslav Assistant Secretary of State for Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Belgrade, July 1, 1961

No. 914

### EXCELLENCY

I have the honor to refer to the Agricultural Commodities Agreement of June 3, 1960 [<sup>2</sup>] between the Government of the United States of America and the Government of the Federal People's Republic of Yugoslavia and to propose that the Agreement be amended as follows in the interest of simplifying administrative procedures involved in the use of funds accruing from sales of the agricultural commodities provided under the terms of the Agreement.

1. In Article II, paragraph 1(a), change "the dinar equivalent of \$2.26 million" to "12 percent of the dinars accruing pursuant to this Agreement"
2. In Article II, paragraphs 1(b) and 1(c), change "the dinar equivalent of \$8.27 million" to "44 percent of the dinars accruing pursuant to this Agreement"
3. Delete paragraph 3 of Article II.

I have the honor to propose that this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two countries on this matter to enter into force on the date of Your Excellency's note in reply

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<sup>1</sup> Also TIAS 4923, post, 3185.

<sup>2</sup> TIAS 4497, 11 UST 1524.

Accept, Excellency, the renewed assurances of my highest consideration.

GEORGE F. KENNAN

His Excellency

JOZE BRILEJ,

*Assistant Secretary of State  
for Foreign Affairs,  
Belgrade*

*The Yugoslav Assistant Secretary of State for Foreign Affairs to  
the American Ambassador*

JULY 1, 1961.

EXCELLENCY:

I have the honor to acknowledge receipt of your letter dated July 1, 1961 which reads as Follows:

"I have the honor to refer to the Agricultural Commodities Agreement of June 3, 1960 between the Government of the United States of America and the Government of the Federal People's Republic of Yugoslavia and to propose that the Agreement be amended as follows in the interest of simplifying administrative procedures involved in the use of funds accruing from sales of the agricultural commodities provided under the terms of the Agreement.

1. In Article II, paragraph 1/a/, change "the dinar equivalent of \$ 2.26 million" to "12 percent of the dinars accruing pursuant to this Agreement".
2. In Article II, paragraph 1(b) and 1(c), change "the dinar equivalent of \$ 8.27 million" to "44 percent of the dinars accruing pursuant to this Agreement".
3. Delete paragraph 3 of Article II.

I have the honor to propose that this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two countries on this matter to enter into force on the date of Your Excellency's note in reply."

I have the honor to inform you that the Government of the Federal People's Republic of Yugoslavia is in agreement with the above text.

Accept, Excellency, the renewed assurances of my highest consideration.

J BRILEJ

H. E. Mr. GEORGE F. KENNAN

*Ambassador of the United States  
of America  
Beograd*

# CANADA

## [<sup>1</sup>] Saint Lawrence Seaway: Dredging of Wolfe Island Cut in the St. Lawrence River

*Agreement effected by exchange of notes*

*Dated at Ottawa October 17, 1961;*

*Entered into force October 17, 1961.*

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*The Canadian Secretary of State for External Affairs to the  
American Ambassador*

DEPARTMENT OF  
EXTERNAL AFFAIRS  
CANADA

No. 166

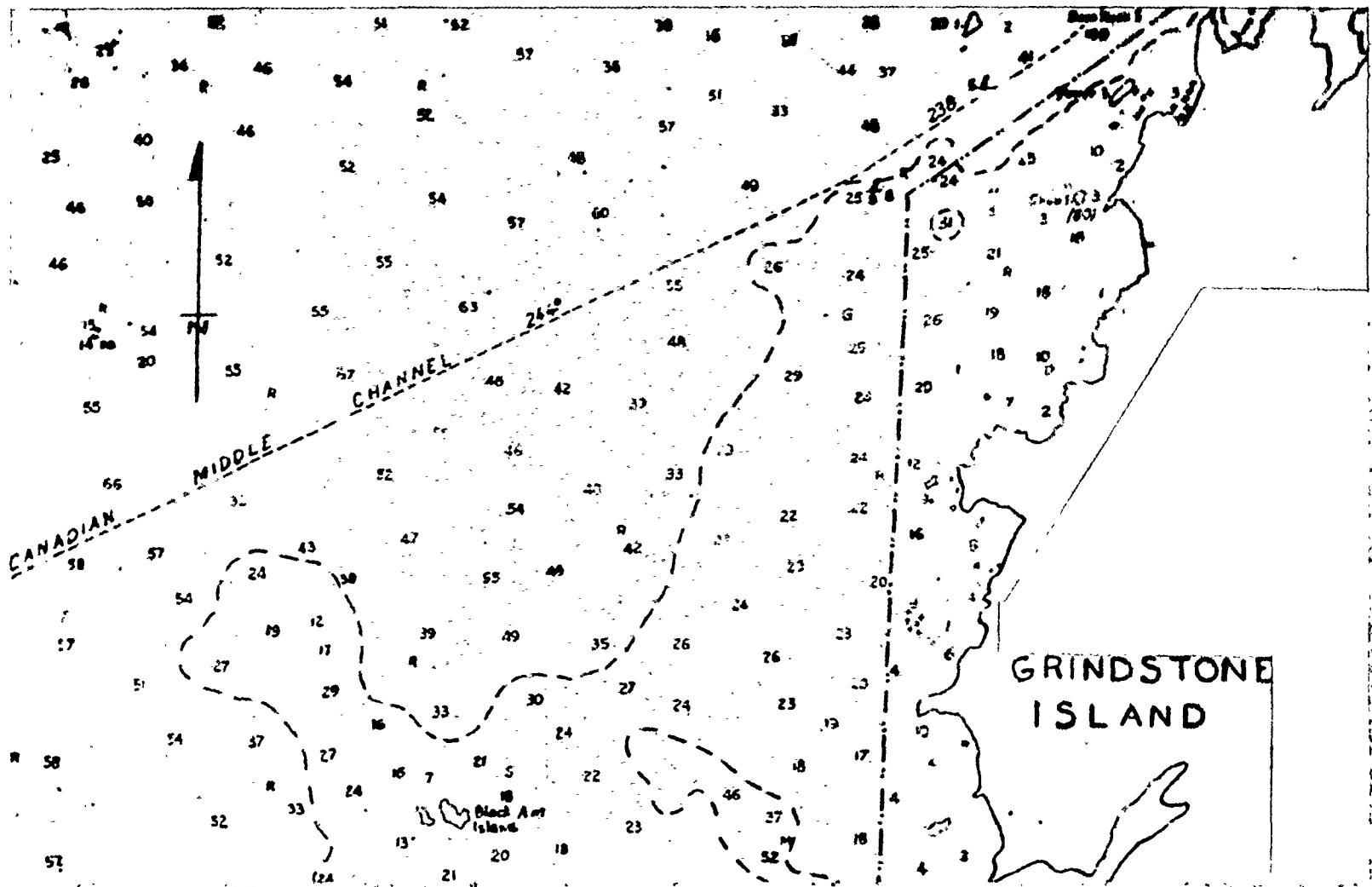
The Secretary of State for External Affairs presents his compliments to his Excellency the Ambassador of the United States of America and has the honour to refer to recent discussions between Canadian and United States officials concerning the Canadian Government's proposal to dredge Wolfe Island Cut, an existing shipping channel at the east end of Wolfe Island in the St. Lawrence River, to a grade depth of 23 feet below Lake Ontario Low Water Datum of elevation 243.00. This deepened channel would provide a shorter route than is available at present for all vessels entering and leaving Kingston Harbour to and from the St. Lawrence Seaway Shipping Channel. In order to be entirely effective, it is desirable that this channel, which would be 5,000 feet long by 450 feet wide, project into United States waters for distances varying between 200 and 330 feet across the width of the cut. The quantity of material to be dredged on the United States side of the International Boundary Line would be approximately 10,000 cubic yards or slightly less than 3% of the total dredging quantity of the project. A plan showing the dredging area in relation to the International Boundary Line is attached.

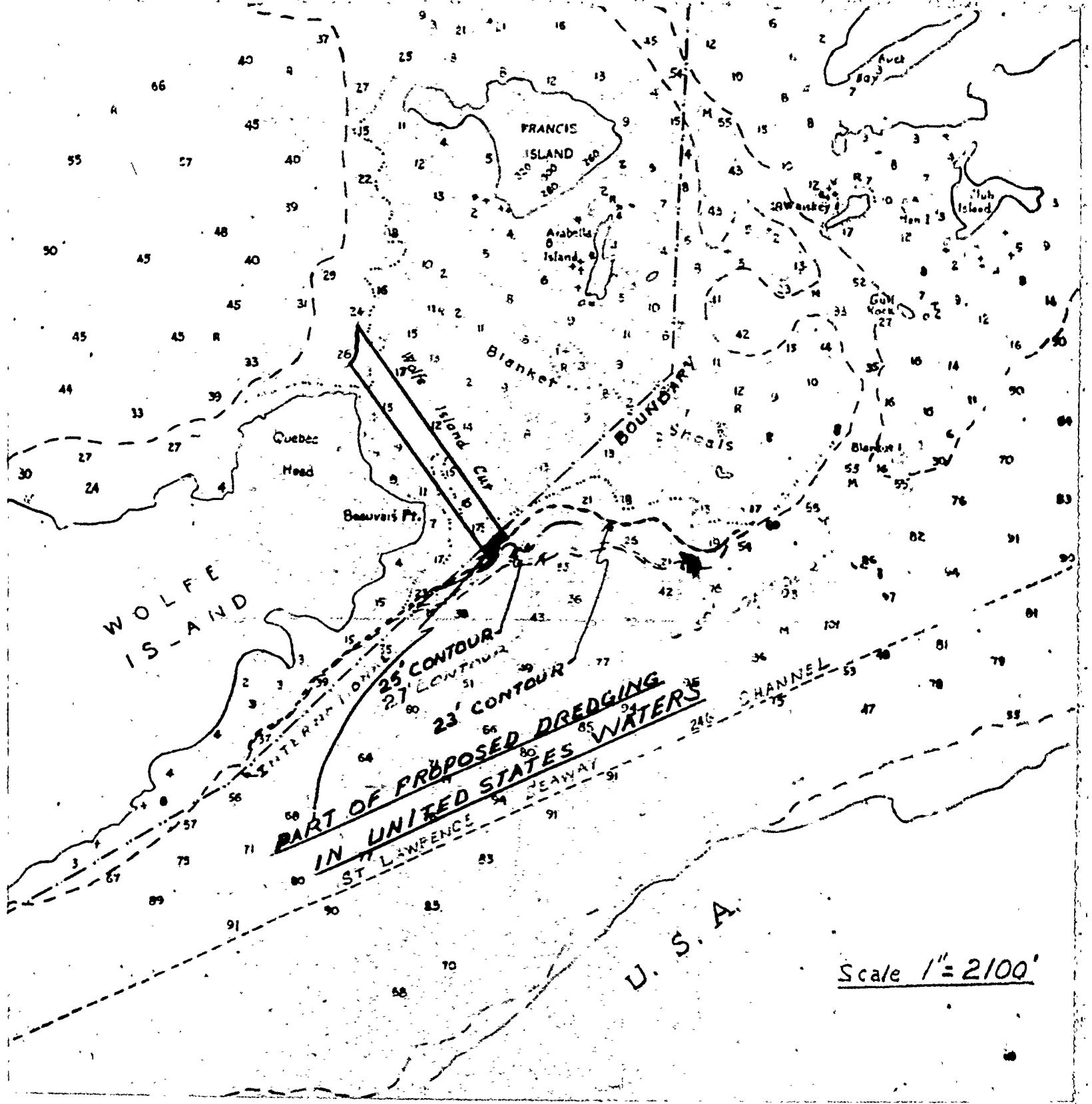
It is proposed that the above-mentioned proposal be undertaken, subject to the following terms and conditions:

- a) That the disposal areas for the dredged material will be located entirely within Canadian territory, and the costs of all the work on both sides of the International Boundary Line will be borne by the Government of Canada.
- b) That the proposed dredging in United States waters will not involve either the removal or placing of material from or on upland areas; nor will it affect the water levels of either Lake Ontario or the upper St. Lawrence River.

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<sup>1</sup> Also TIAS 4883; *post*, p. 1669.





- c) That the Canadian Government will ensure that the contractor or contractors for the dredging operations to be performed on the United States side of the International Boundary Line will as a matter of contract responsibility be required to (i) perform and complete the work on the United States side of the International Boundary Line in accordance with the terms of this Note; (ii) be responsible for all injuries to persons and damages to property that occur as a result of fault or negligence in connection with work performed on the United States side of the International Boundary Line; and (iii) carry adequate insurance commensurate with their responsibility under (ii).
- d) That a dredging permit will be required for work in United States waters.
- e) That a temporary importation bond entry under the United States Tariff Act will be required for the period of time that the dredge or dredges will be operating in United States waters.
- f) That no special rights or privileges beyond the permission to dredge in the area of United States territory described in this Note shall be acquired by the Canadian Government and no obligations or commitments shall be assumed by the United States Government by virtue of this Note, except as expressly set out herein.
- g) That permission to perform any future maintenance of that part of the channel dredged in United States waters by the Canadian Government will require the issuance of a new dredging permit.
- h) That each party to this agreement undertakes that all requests received by its supervisory personnel connected with the project from authorities within its jurisdiction for information concerning personnel employed upon the project, when such information is not related to the employment of such personnel upon the project, shall be brought to the attention of the other party. The party from whom the information is requested will give due consideration to the position which the other party may take with regard to the provision of such information.

If the conditions and terms outlined above for dredging in United States waters are acceptable to the Government of the United States of America, it is proposed that this Note and the Ambassador's reply shall constitute a special agreement between our two Governments under Article III of the Boundary Waters Treaty of January 11, 1909. [1]

H. C. G.

OTTAWA,  
October 17, 1961

<sup>1</sup> TS 548; 36 Stat. 2449.

*The American Chargé d'Affaires ad interim to the Canadian Secretary  
of State for External Affairs*

No. 89

The Charge d'Affaires ad interim of the United States of America presents his compliments to the Secretary of State for External Affairs and has the honor to refer to Note No. 166 of October 17, 1961 from the Secretary of State for External Affairs proposing a special agreement by exchange of notes between our two Governments which would permit the Government of Canada to dredge that part of Wolfe Island Cut in the St. Lawrence River located on the United States side of the International Boundary Line.

The Charge d'Affaires ad interim has the honor to confirm the acceptance by the Government of the United States of America of the terms and conditions set forth in Note No. 166. That note and this reply thereto shall constitute a special agreement between the two Governments under Article III of the Boundary Waters Treaty of January 11, 1909.

FL

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Ottawa, October 17, 1961.*

# PAKISTAN

## Surplus Agricultural Commodities

*Agreement signed at Karachi October 14, 1961;  
Entered into force October 14, 1961.  
With exchange of notes.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PAKISTAN UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Pakistan;

Recognizing the unique opportunity that now exists for a sustained cooperative effort undertaken by both Governments to ensure the continuing development and progress of the agricultural sector of Pakistan's economy;

Recognizing that the United States of America, by undertaking a four-year program of sharing its abundance of agricultural commodities while the Government of Pakistan devotes its energies and resources toward achieving agricultural self-sufficiency can make a significant contribution to Pakistan's second five-year plan and to her efforts to meet current food requirements, establish food reserves, increase agricultural production and stabilize food prices;

Considering that the Pakistan rupees accruing from such purchase will be utilized in a manner beneficial to both countries;

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of trade with friendly countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of surplus agricultural commodities to the Government of Pakistan pursuant to Title I of the Agricultural Trade Development and Assistance Act,<sup>[1]</sup> as amended (hereinafter referred to as the Act), and the measures which the two Governments will take

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<sup>[1]</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

individually and collectively in furthering the expansion of such trade in such commodities;

Have agreed as follows:

## ARTICLE I

### SALES FOR PAKISTAN RUPEES

1. Subject to issuance by the Government of the United States of America and acceptance by the Government of Pakistan of purchase authorizations and to the availability of commodities under the Act at the time of exportation, the Government of the United States of America undertakes to finance the sales for Pakistan rupees to purchasers authorized by the Government of Pakistan of the following agricultural commodities in the amounts indicated:

<u>Commodity</u>	<u>Export Market Value (Millions)</u>
Wheat and wheat products	\$ 341.1
Feedgrains	23.6
Cotton (extra long staple)	9.6
Cotton (upland)	6.3
Tobacco	8.0
Cottonseed and/or soybean oil	127.65
Nonfat dry skim milk	1.8
Dried eggs	0.6
Poultry (frozen)	0.4
Tallow (inedible)	16.0
Ocean transportation	86.5
Total:	\$ 621.55

2. Applications for purchase authorizations for \$108.0 million of wheat, \$ 5.9 million of feedgrains, \$ 6.3 million of upland cotton, \$ 2.4 million of tobacco, \$ 28.7 million of cottonseed and/or soybean oil, \$ 450 thousand of nonfat dry milk, \$ 125 thousand of dried eggs, \$ 400 thousand of poultry, \$ 4.0 million of tallow and certain ocean transportation, will be made within 90 calendar days after the effective date of this Agreement for procurement during United States fiscal year 1962. The amount for subsequent years will be determined on the basis of annual review to be made by the two Governments prior to the beginning of each United States fiscal year 1962-64. The reviews shall take into account United States stocks position, changes in Pakistan's production, consumption, and stocks of food grains, other imports from the United States and countries friendly to the United States, storage facilities, the extent to which agreement has been reached on the use of grant and loan funds, and other related matters. Purchase authorizations will include provisions relating to the sale and delivery of commodities, including the classes, types

and/or varieties of food grain, the time and circumstances of deposit of the rupees accruing from such sale, and other relevant matters.

3. The two Governments agree that the issuance of purchase authorizations for agricultural commodities providing for purchase after June 30, 1962, shall be dependent upon the determination by the United States Government that these commodities are available under Title I of the Act at that time. The United States Government shall have the right to terminate the financing of further sales under this Agreement of any commodity if it determines at any time after June 30, 1962, that such action is necessitated by the existence of an international emergency.

## ARTICLE II

### USES OF PAKISTAN RUPEES

The rupees accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes in the amounts shown:

1. For United States expenditures under subsections (a), (b), (c), (d), (f), (h) through (r) of Section 104 of the Act or under any of such subsections, six percent of the rupees received under the agreement.

2. For loans to be made by the Export-Import Bank of Washington under Section 104(e) of said Act and for administrative expenses of the Export-Import Bank of Washington in Pakistan incident thereto, five percent of the currencies received under the agreement. It is understood that:

- (a) Such loans under Section 104(e) of the Act will be made to United States business firms and branches, subsidiaries, or affiliates of such firms in Pakistan for business development and trade expansion in Pakistan and to United States firms and Pakistan firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of and markets for United States agricultural products. In the event the rupees set aside for loans under Section 104(e) of the Act, as amended, are not advanced within seven years from the date of this Agreement because the Export-Import Bank of Washington has not approved loans or because proposed loans have not been mutually agreeable to the Export-Import Bank of Washington and the State Bank of Pakistan, the Government of the United States of America may use the rupees for any purpose authorized by Section 104 of the Act, as amended.

- (b) Loans will be mutually agreeable to the Export-Import Bank of Washington and the Government of Pakistan acting through the State Bank of Pakistan. The Governor of the State Bank of Pakistan, or his designate, will act for the Government of Pakistan, and the President of the Export-Import Bank of Washington, or his designate, will act for the Export-Import Bank of Washington.
- (c) Upon receipt of an application which the Export-Import Bank is prepared to consider, the Export-Import Bank will inform the State Bank of Pakistan of the identity of the applicant, the nature of the proposed business, the amount of the proposed loan and the general purposes for which the loan proceeds would be expended.
- (d) When the Export-Import Bank is prepared to act favourably upon an application, it will so notify the State Bank of Pakistan and will indicate the interest rate and the repayment period which would be used under the proposed loan. The interest rate will be similar to those prevailing in Pakistan on comparable loans and the maturities will be consistent with the purposes of the financing.
- (e) Within sixty days after the receipt of notice that the Export-Import Bank is prepared to act favorably upon an application, the State Bank of Pakistan will indicate to the Export-Import Bank whether or not the State Bank of Pakistan has any objection to the proposed loan. Unless within the sixty-day period the Export-Import Bank has received such a communication from the State Bank of Pakistan, it shall be understood that the State Bank of Pakistan has no objection to the proposed loan. When the Export-Import Bank approves or declines the proposed loan, it will notify the State Bank of Pakistan.

3. For grants to the International Bank for Reconstruction and Development under subsection (e) of Section 104 of the Act, in partial payment of the United States obligation under the Indus Basin Development Fund Agreement, [1] 19% of the rupees accruing pursuant to the agreement.

4. For grants to the Government of Pakistan under subsection (e) of Section 104 of the Act, 50 percent of the rupees accruing pursuant to this agreement for financing such projects to promote balanced economic development as may from time to time be mutually agreed.

5. For loan to the Government of Pakistan under subsection (g) of Section 104 of the Act, for financing such projects to promote balanced economic development as may be mutually agreed, including projects not heretofore included in plans of the Government of Pak-

<sup>1</sup> TIAS 4671; *ante*, p. 19.

istan, 20 percent of the rupees accruing pursuant to this agreement. The terms and conditions of the loan and other provisions will be set forth in a separate agreement.

In the event that agreement is not reached on the use of the rupees for grant or loan purposes within six years from the date of this agreement, the Government of the United States of America may use the local currency for any purpose authorized by Section 104 of the Act.

### ARTICLE III

#### DEPOSIT OF RUPEES

1. The amount of rupees to be deposited to the account of the United States shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States (except excess costs resulting from the requirement that United States flag vessels be used) converted into rupees, as follows:

- (a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States provided that a unitary exchange rate applying to all foreign exchange transactions is maintained by the Government of Pakistan, or
- (b) if more than one legal rate for foreign exchange transactions exists, the rate of exchange shall be mutually agreed upon from time to time between the Government of the United States and the Government of Pakistan.

2. In the event that a subsequent agricultural commodities agreement or agreements should be signed by the two Governments under the Act, any refunds of rupees which may be due or become due under this agreement more than six years from the effective date of this agreement would be made by the Government of the United States of America from funds available from the most recent agricultural commodities agreement in effect at the time of the refund.

### ARTICLE IV

#### GENERAL UNDERTAKINGS

1. The Government of Pakistan agrees that it will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America), of the agricultural commodities purchases pursuant to the provisions of this agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities for export from Pakistan.

TIAS 4852

2. The two Governments agree that they will take reasonable precautions to assure that all sales or purchases of agricultural commodities pursuant to the Agreement will not displace usual marketings of the United States of America in these commodities, or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement, the two Governments will seek to assure, to the extent practicable, conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and extend continuous market demand for agricultural commodities.

4. The Government of Pakistan agrees to furnish, upon request of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and the provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

#### ARTICLE V

##### CONSULTATION

The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

#### ARTICLE VI

##### ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Karachi in duplicate this fourteenth day of October 1961.

FOR THE GOVERNMENT OF  
PAKISTAN:

M SHOAIB  
*14 Oct 1961*

M. Shoaib  
*Minister for Finance.*

[SEAL]

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

ORVILLE L FREEMAN

Orville L. Freeman  
*Secretary of Agriculture.*

[SEAL]

*The United States Secretary of Agriculture to the Pakistani Minister  
of Finance*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
KARACHI, PAKISTAN

No. 284

*October 14, 1961*

**EXCELLENCY:**

I have the honor to refer to the Agricultural Commodities Agreement signed today between the Government of the United States of America and the Government of Pakistan (hereinafter referred to as the Agreement) and, with regard to the rupees accruing to uses indicated under Article II of the Agreement, to state that the understanding of the Government of the United States of America is as follows:

1. With respect to Article II, Paragraph (1) of the Agreement:

The Government of Pakistan will provide facilities for the conversion of the rupee equivalent of 2% of the total rupees accruing under the subject agreement for agricultural market development purposes into currencies other than United States dollars on request of the Government of the United States of America. This facility is needed for the purpose of securing funds to finance agricultural market development activities of the Government of the United States in other countries.

The Government of the United States of America may utilize rupees in Pakistan to pay for goods and services needed in connection with agricultural market development projects and activities in other countries.

The Government of the United States of America may utilize rupees in Pakistan to pay for international travel originating in Pakistan, or originating outside Pakistan when involving travel to or through Pakistan including connecting travel, and for air travel within the United States or other areas outside Pakistan when it is part of a trip in which the traveler journeys from, to, or through Pakistan for personnel of the United States Government and for persons travelling in connection with activities financed by the U.S. Government under Section 104 of the Act, as amended, including official delegations of the United States Department of Agriculture.

The Government of Pakistan will, upon request by the United States Government convert \$3,201,000 of the funds earmarked for United States uses into other non-dollar currencies for use in connection with United States educational activities in other countries.

2. With respect to Article II, paragraph 4 of the Agreement:

**Uses of Section 104(e) rupees:** The Government of Pakistan will use the amount of local currency granted to it by the United States pursuant to paragraph 3 to promote balanced economic development

with emphasis upon financing food reserve storage structures and facilities as may from time to time be agreed upon by the United States Operations Mission and appropriate representatives of the Government of Pakistan.

3. I wish to confirm my Government's understanding that imports of agricultural commodities under Title I of the Act shall be over and above usual commercial imports from the United States and countries friendly to the United States during each United States' fiscal year 1962-65 of not less than 75,000 MT of wheat, 1 million pounds of nonfat dry milk, 12 million pounds of inedible tallow and 5,000 MT of edible oils. These figures may be adjusted or reduced on the basis of a review of Pakistan's food supply, financial position, and other relevant factors to be made by the two Governments prior to the beginning of each fiscal year. The first such review will be undertaken in June 1962.

4. It is further understood that the sale of wheat or wheat flour in itself under this agreement will not result in a reduction of the quantity of rice normally available from domestic production and imports for consumption in Pakistan.

5. I wish to confirm my Government's understanding that imports of Title I cotton will not make available for export, additional quantities of Pakistan cotton, yarns, or textiles. It is agreed that Pakistan shall not export upland cotton having a staple length of  $1\frac{1}{16}$ " or longer during the period Title I cotton is being utilized.

I shall appreciate your confirming to me that the contents of this note also represent the understanding of the Government of Pakistan.

Accept, Excellency, the renewed assurances of my highest consideration.

ORVILLE L. FREEMAN  
*Secretary of Agriculture*  
*Government of the United States of America*

His Excellency

M. SHOAIB

*Minister of Finance*  
*Karachi*

*The Pakistani Minister of Finance to the United States Secretary of Agriculture*

MINISTER OF FINANCE  
GOVERNMENT OF PAKISTAN  
*Karachi the 14th Oct., 1961*

DEAR MR. SECRETARY,

I have the honour to acknowledge with thanks the receipt of your letter dated October 14, 1961 containing the understanding in respect

of the Agricultural Commodities Agreement signed today, the text of which is reproduced below:

"I have the honor to refer to the Agricultural Comodities Agreement signed today between the Government of the United States of America and the Government of Pakistan (hereinafter referred to as the Agreement) and, with regard to the rupees accruing to uses indicated under Article II of the Agreement, to state that the understanding of the Government of the United States of America is as follows:

1. With respect to Article II, Paragraph (1) of the Agreement:

The Government of Pakistan will provide facilities for the conversion of the rupee equivalent of 2% of the total rupees accruing under the subject agreement for agricultural market development purposes into currencies other than United States dollars on request of the Government of the United States of America. This facility is needed for the purpose of securing funds to finance agricultural market development activities of the Government of the United States in other countries.

The Government of the United States of America may utilize rupees in Pakistan to pay for goods and services needed in connection with agricultural market development projects and activities in other countries.

The Government of the United States of America may utilize rupees in Pakistan to pay for international travel originating in Pakistan, or originating outside Pakistan when involving travel to or through Pakistan including connecting travel, and for air travel within the United States or other areas outside Pakistan when it is part of a trip in which the traveler journeys from, to, or through Pakistan for personnel of the United States Government and for persons travelling in connection with activities financed by the U.S. Government under Section 104 of the Act, as amended, including official delegations of the United States Department of Agriculture.

The Government of Pakistan will, upon request by the United States Government convert \$3,201,000 of the funds earmarked for United States uses into other non-dollar currencies for use in connection with United States educational activities in other countries.

2. With respect to Article II, paragraph 4 of the Agreement:

Uses of Section 104(e) rupees: The Government of Pakistan will use the amount of local currency granted to it by the United

States pursuant to paragraph 4 to promote balanced economic development with emphasis upon financing food reserve storage structures and facilities as may from time to time be agreed upon by the United States Operations Mission and appropriate representatives of the Government of Pakistan.

3. I wish to confirm my Government's understanding that imports of agricultural commodities under Title I of the Act shall be over and above usual commercial imports from the United States and countries friendly to the United States during each United States' fiscal year 1962-65 of not less than 75,000 MT of wheat, 1 million pounds of nonfat dry milk, 12 million pounds of inedible tallow and 5,000 MT of edible oils. These figures may be adjusted or reduced on the basis of a review of Pakistan's food supply, financial position, and other relevant factors to be made by the two Governments prior to the beginning of each fiscal year. The first such review will be undertaken in June 1962.
4. It is further understood that the sale of wheat or wheat flour in itself under this agreement will not result in a reduction of the quantity of rice normally available from domestic production and imports for consumption in Pakistan.
5. I wish to confirm my Government's understanding that imports of Title I cotton will not make available for export, additional quantities of Pakistan cotton, yarns, or textiles. It is agreed that Pakistan shall not export upland cotton having a staple length of  $1\frac{1}{16}$ " or longer during the period Title I cotton is being utilized.

I shall appreciate your confirming to me that the contents of this note also represent the understanding of the Government of Pakistan.

Accept, Excellency, the renewed assurances of my highest consideration."

I confirm that the foregoing sets forth the understanding of the Government of Pakistan.

Yours sincerely,

M SHOAIB  
14 Oct 1961  
(M. Shoail)  
Minister for Finance.

ORVILLE L. FREEMAN, Esqr.,  
*Secretary of Agriculture,*  
*Government of the United*  
*States of America.*

# MULTILATERAL

## Caribbean Organization

*Agreement, with annexed statute, signed at Washington June 21,  
1960;*

*Acceptance of the United States of America deposited July 12, 1961;  
Entered into force September 6, 1961.*

*And joint declaration signed at San Juan September 6, 1961.*

**AGREEMENT FOR THE ESTABLISHMENT OF THE CARIBBEAN ORGANIZATION**

The GOVERNMENTS of the REPUBLIC OF FRANCE, the KINGDOM OF THE NETHERLANDS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and the UNITED STATES OF AMERICA,

Having reviewed the work of the Caribbean Commission since the entry into force of the Agreement for the establishment of the Caribbean Commission, signed at Washington on October 30, 1946;[<sup>1</sup>]

Recognizing that the Commission has done much to further regional cooperation in many fields, and has rendered valuable services in the Caribbean area;

Having considered the statements by representatives from the area calling for a revision of the Agreement for the establishment of the Caribbean Commission in the light of the new constitutional relationships in the Caribbean area;

Having considered that the purposes and functions as set out in the Agreement for the establishment of the Caribbean Commission should be the basis of a new organization designed to replace it;

**CONVENTION PORTANT CREATION DE L'ORGANISATION DES CARAÏBES**

Les GOUVERNEMENTS de la REPUBLIQUE FRANCAISE, du ROYAUME DES PAYS-BAS, du ROYAUME-UNI de GRANDE-BRETAGNE et d'IRLANDE DU NORD et des ETATS-UNIS D'AMERIQUE,

Considérant l'oeuvre accomplie par la Commission des Caraïbes depuis l'entrée en vigueur de la Convention portant création de la Commission des Caraïbes, signée à Washington le 30 octobre 1946;

Reconnaissant que la Commission a contribué largement à l'amélioration de la coopération régionale dans de nombreux domaines et a rendu des services signalés à la région des Caraïbes;

Considérant les déclarations des représentants de la région tendant à la révision de la Convention portant création de la Commission des Caraïbes, pour tenir compte des nouvelles relations constitutionnelles établies dans la région des Caraïbes;

Estimant que les objectifs et fonctions fondamentaux de la nouvelle Organisation appelée à succéder à la Commission des Caraïbes devraient être les mêmes que ceux prévus dans la Convention portant création de la Commission des Caraïbes;

<sup>1</sup> TIAS 1799; 62 Stat. (pt. 3), 2618.

**OVEREENKOMST TOT OP-  
RICHTING VAN DE CARAI-  
BISCHE ORGANISATIE**

De REGERINGEN van de FRANSE REPUBLIEK, het KONINKRIJK DER NEDERLANDEN, het VERENIGD KONINKRIJK VAN GROOT-BRITTANNIE EN NOORD-IERLAND, en de VERENIGDE STATEN VAN AMERIKA,

Gezien het werk van de Caraïbische Commissie sinds de inwerkingtreding van de op 30 oktober 1946 te Washington ondertekende Overeenkomst voor de oprichting van de Caraïbische Commissie;

Erkennende dat de Commissie veel heeft gedaan tot bevordering van de regionale samenwerking op vele terreinen, en dat zij in het gebied van de Caraïbische Zee waardevolle diensten heeft bewezen;

Gelet op de verklaringen van vertegenwoordigers uit het gebied, waarin wordt aangedrongen op een herziening van de Overeenkomst voor de oprichting van de Caraïbische Commissie in het licht van de nieuwe constitutionele verhoudingen in het gebied van de Caraïbische Zee;

Van oordeel dat de in de Overeenkomst voor de oprichting van de Caraïbische Commissie vermelde taak en doelstellingen de grondslag moeten blijven vormen van een nieuwe organisatie bedoeld is om de Commissie te vervangen;

**CONVENIO PARA LA CREA-  
CION DE LA ORGANIZA-  
CION DEL CARIBE**

Los GOBIERNOS de la REPUBLICA FRANCESCA, del REINO DE LOS PAISES BAJOS, del REINO UNIDO DE LA GRAN BRETANA E IRLANDA DEL NORTE, y de los ESTADOS UNIDOS DE AMERICA,

Considerando la labor realizada por la Comisión del Caribe desde la entrada en vigor del Convenio para la creación de la Comisión del Caribe, suscrito en Washington el 30 de octubre de 1946;

Reconociendo que la Comisión ha contribuido en grado sumo al fomento de la cooperación regional en los distintos campos de actividades y ha rendido valiosos servicios en la región del Caribe;

Considerando las declaraciones de los representantes de la región solicitando la revisión del Convenio para la creación de la Comisión del Caribe, teniendo en cuenta las nuevas relaciones constitucionales existentes en la región del Caribe;

Considerando que los objetivos y las atribuciones señalados en el Convenio para la creación de la Comisión del Caribe deben constituir la base de una nueva organización destinada a sustituirla;

Having noted the views expressed at the West Indian Conference convoked in Special Session commencing on July 28, 1959;

Having considered the draft Statute prepared by this Conference and transmitted to them by the Caribbean Commission;

Noting that the purposes and functions as set out in this draft Statute accord with those which were the basis of the Agreement for the establishment of the Caribbean Commission; and

Noting that nothing in this draft Statute is intended to alter or conflict with the respective constitutional relations between the Governments hereinbefore named and the prospective Members of the Organization respectively;

Hereby agree as follows:

#### ARTICLE I

1. The Contracting Parties agree upon the establishment of the Caribbean Organization in accordance with the Statute annexed to this Agreement.

2. The Republic of France for the Departments of French Guiana, Guadeloupe, and Martinique; the Netherlands Antilles; Surinam; the Bahamas; British Guiana; British Honduras; the British Virgin Islands; The West Indies; the Commonwealth of Puerto Rico; and the Virgin Islands of the United States are eligible to become Members, and

Ayant pris note des opinions exprimées lors de la Conférence des Indes Occidentales réunie en session spéciale le 28 juillet 1959;

Ayant pris connaissance du projet de Statut qui a été préparé par cette Conférence et qui leur a été transmis par les soins de la Commission des Caraïbes;

Constatant que les objectifs et fonctions de la nouvelle Organisation qui sont prévus dans ce projet de Statut sont en harmonie avec ceux qui sont définis dans la Convention portant création de la Commission des Caraïbes; et

Notant que rien dans ce projet de Statut ne tend à modifier les relations constitutionnelles qui existent entre les Gouvernements énumérés ci-dessus et les Membres éventuels de l'Organisation ni n'est contraire à ces relations constitutionnelles;

Sont convenus par les présentes des dispositions suivantes:

#### ARTICLE I

1. Les Parties Contractantes conviennent d'instituer l'Organisation des Caraïbes conformément au Statut annexé à la présente Convention.

2. La République Française au titre des Départements de la Guyane Française, de la Guadeloupe et de la Martinique; les Antilles néerlandaises; Surinam; les îles Bahama; la Guyane britannique; le Honduras britannique; les îles Vierges britanniques; les Indes Occidentales; le Commonwealth de Porto Rico et les îles Vierges des Etats-Unis peuvent devenir

In aanmerking nemende de meningen welke tot uitdrukking zijn gebracht tijdens de in Speciale Zitting bijeengeroepen Westindische Conferentie, welke op 28 juli 1959 is aangevangen;

Gelet op het door deze Conferentie opgestelde ontwerp-Statuut, dat hun door de Caraïbische Commissie is toegezonden;

Vaststellende dat de in dit ontwerp-Statuut vermelde taak en doelstellingen overeenstemmen met die welke de grondslag vormden van de Overeenkomst voor de oprichting van de Caraïbische Commissie; en

Vaststellende dat niets in dit ontwerp-Statuut bedoeld is om wijziging te brengen in, of in strijd te zijn met, de constitutionele verhoudingen tussen onderscheidenlijk de hierboven genoemde Regeringen en de eventuele Leden van de Organisatie;

Komen hierbij het volgende overeen:

#### ARTIKEL I

1. De Verdragspartijen komen overeen de Caraïbische Organisatie op te richten overeenkomstig het als bijlage bij deze Overeenkomst gevoegde Statuut.

2. De Franse Republiek voor de Departementen Frans Guyana, Guadeloupe en Martinique; de Nederlandse Antillen; Suriname; de Bahama-Eilanden; Brits Guyana; Brits Honduras; de Britse Virginische Eilanden; Brits West-Indië; het Gemenebest van Portorico; en de Virginische Eilanden van de Verenigde Staten komen in aanmerking voor het

Considerando las opiniones expresadas en la Conferencia de las Antillas, reunida en sesión especial a partir del 28 de julio de 1959;

Considerando el proyecto de Estatuto preparado por esta Conferencia, y trasmitido a ellos por la Comisión del Caribe;

Considerando que los objetivos y atribuciones señalados en este proyecto de Estatuto están en armonía con los que sirvieron de base al Convenio para la creación de la Comisión del Caribe; y

Habiendo tomado nota de que en ninguna de las disposiciones de dicho proyecto de Estatuto se trata de modificar o impugnar las respectivas relaciones constitucionales que existen entre los Gobiernos antes mencionados y los Gobiernos capacitados para ser miembros de dicha Organización, respectivamente

Han convenido por el presente en las disposiciones siguientes:

#### ARTICULO I

1. Las Partes Contratantes convienen en crear la Organización del Caribe, conforme al Estatuto adjunto al presente Convenio.

2. La República Francesa por los Departamentos de la Guayana Francesa, Guadalupe y Martinica; las Antillas Holandesas; Surinám; Las Bahamas; la Guayana Británica; Honduras Británica; las Islas Vírgenes Británicas; las Indias Occidentales; el Estado Libre Asociado de Puerto Rico; y las Islas Vírgenes de los Estados Unidos están capacitados para

are referred to in this Agreement as "prospective Members".

Membres de l'Organisation et sont désignés dans la présente Convention comme "Membres éventuels".

### ARTICLE II

No provision of this Agreement shall be interpreted as affecting the present or future constitutional status of the prospective Members of the Organization or, where applicable, the present or future constitutional relations of any of the aforesaid prospective Members with the Contracting Parties.

### ARTICLE II

Aucune disposition de la présente Convention ne pourra être interprétée comme portant atteinte aux régimes constitutionnels actuels ou futurs des Membres éventuels de l'Organisation ni, le cas échéant, aux relations constitutionnelles actuelles ou futures de ces membres avec les Parties Contractantes.

### ARTICLE III

On the termination of the Agreement for the establishment of the Caribbean Commission, signed at Washington on October 30, 1946, the assets of the Caribbean Commission shall be and are by virtue of this Agreement transferred to and vested in the Caribbean Organization. The Caribbean Organization is hereby authorized to assume at the same time the liabilities of the Caribbean Commission and shall be regarded as the successor body to the Caribbean Commission.

### ARTICLE III

A l'expiration de la Convention portant création de la Commission des Caraïbes signée à Washington le 30 octobre 1946, l'actif de cette Commission sera, en vertu de la présente Convention, transféré à l'Organisation des Caraïbes qui le prendra en compte. Cette Organisation est autorisée, par les présentes, à prendre à sa charge, en même temps, le passif de la Commission des Caraïbes et sera considérée comme le successeur de cette Commission.

### ARTICLE IV

The Agreement for the establishment of the Caribbean Commission shall terminate at the end of the first meeting of the Caribbean Council [<sup>1</sup>] provided for in the Statute annexed to this Agreement.

### ARTICLE IV

La Convention portant création de la Commission des Caraïbes viendra à expiration à l'issue de la première réunion de Conseil des Caraïbes prévue par le Statut annexé à la présente Convention.

<sup>1</sup> Sept. 15, 1961.

lidmaatschap en worden in deze Overeenkomst "eventuele Leden" genoemd.

#### ARTIKEL II

Geen enkele bepaling van deze Overeenkomst zal kunnen worden uitgelegd als inbreuk te maken op de bestaande of toekomstige constitutionele status van de eventuele Leden van de Organisatie of, waar zulks toepasselijk is, op de bestaande of toekomstige constitutionele verhoudingen tussen een of meer der bovengenoemde eventuele Leden en de Verdragspartijen.

#### ARTIKEL III

Bij de beëindiging van de Overeenkomst voor de oprichting van de Caraïbische Commissie, ondertekend te Washington op 30 oktober 1946, zullen uit hoofde van deze Overeenkomst de activa van de Caraïbische Commissie worden overgedragen aan de Caraïbische Organisatie, op welke organisatie zij zullen overgaan. De Caraïbische Organisatie wordt hierbij gemachtigd tegelijkertijd de passiva van de Caraïbische Commissie over te nemen en wordt als opvolgster van de Caraïbische Commissie beschouwd.

#### ARTIKEL IV

De Overeenkomst voor de oprichting van de Caraïbische Commissie wordt beëindigd bij afloop van de eerste vergadering van de Caraïbische Raad voorzien in het bij deze Overeenkomst gevoegde Statuut.

ser Miembros, y se designan en este Convenio por el término "Miembros capacitados".

#### ARTICULO II

Ninguna disposición del presente Convenio podrá interpretarse en el sentido de que afectará el presente o futuro de los regímenes constitucionales de los Miembros capacitados de la Organización o, en los casos aplicables, la relaciones constitucionales presentes o futuras de cualquiera de los Miembros capacitados antes mencionados con las Partes Contratantes.

#### ARTICULO III

A la expiración del Convenio para la creación de la Comisión del Caribe, suscrito en Washington el 30 de octubre de 1946, el activo de la misma será y es, en virtud del presente Convenio, trasladado y encargado a la Organización del Caribe. La Organización del Caribe queda autorizada por el presente para asumir, a la vez, el pasivo de la Comisión del Caribe y será considerada como la sucesora de la Comisión del Caribe.

#### ARTICULO IV

El Convenio para la creación de la Comisión del Caribe expirará al terminar la primera reunión del Consejo del Caribe, prevista en el Estatuto anexo a este Convenio.

## ARTICLE V

1. This Agreement shall be subject to approval or acceptance by the signatory Governments. Instruments of approval or acceptance shall be deposited with the Government of the United States of America, hereby designated as the depositary Government, which shall notify the other signatory Governments of each such deposit.

2. This Agreement shall enter into force on signature of a joint declaration [¹] to that effect by the signatory Governments, following deposit of instruments of approval or acceptance by the signatory Governments, [²] and after the Secretary-General of the Caribbean Commission has received notification, in accordance with paragraph 1 of Article IV of the Statute annexed to this Agreement, from not less than six of the prospective Members of the Caribbean Organization.[³]

3. This Agreement shall have indefinite duration. Any Contracting Party may at any time withdraw from the Agreement. Such withdrawal shall take effect one year after the date of the

## ARTICLE V

1. La présente Convention sera soumise à l'approbation ou à l'acceptation des Gouvernements signataires. Les instruments d'approbation ou d'acceptation seront déposés auprès du Gouvernement des Etats-Unis d'Amérique, désigné de ce fait comme le Gouvernement dépositaire, à qui incombera la charge de notifier chaque dépôt d'instrument aux autres Gouvernements signataires.

2. La présente Convention entrera en vigueur lors de la signature d'une déclaration conjointe faite à cet effet par les Gouvernements signataires à la suite du dépôt, par lesdits Gouvernements signataires, des instruments d'approbation ou d'acceptation et après que le Secrétaire Général de la Commission des Caraïbes aura reçu notification, conformément au paragraphe 1 de l'Article IV du Statut annexé à la présente Convention, d'au moins six des Membres éventuels de l'Organisation des Caraïbes.

3. La durée de la présente Convention est illimitée. Toute Partie Contractante a la faculté, à tout moment, de dénoncer la présente Convention. Cette dénonciation prend effet à l'expiration d'un

<sup>¹</sup> Sept. 6, 1961; *post*, p. 1346.

<sup>²</sup> Instruments deposited as follows: France, Dec. 27, 1960; the United Kingdom, Jan. 12, 1961; the United States, July 12, 1961; and the Netherlands, Aug. 25, 1961.

<sup>³</sup> Notifications were received by the Secretary-General from the following prospective members on the dates indicated: Virgin Islands (U.S.), Oct. 27, 1959; Surinam, Sept. 14, 1960; British Guiana, Sept. 19, 1960; Netherlands Antilles, Sept. 23, 1960; Puerto Rico, Oct. 6, 1960; French Guiana, Guadeloupe, and Martinique, Dec. 30, 1960; and The West Indies, Aug. 30, 1961.

## ARTIKEL V

1. Deze Overeenkomst is onderworpen aan goedkeuring of aanvaarding door de Ondertekenende Regeringen. De akten van goedkeuring of aanvaarding zullen worden nedergelegd bij de Regering van de Verenigde Staten van Amerika, die hierbij wordt aangewezen als depôt-Regering, en de andere Ondertekenende Regeringen kennis zal geven van iedere zodanige nederlegging.

2. Deze Overeenkomst treedt in werking op het ogenblik dat de Ondertekenende Regeringen een gemeenschappelijke verklaring van die strekking hebben ondertekend, na de nederlegging van de akten van goedkeuring of aanvaarding door de Ondertekenende Regeringen, en nadat de Secretaris-Generaal van de Caraïbische Commissie overeenkomstig lid 1 van Artikel IV van het als bijlage bij deze Overeenkomst gevoegd Statuut mededeling van toetreding heeft ontvangen van minstens zes eventuele Leden van de Caraïbische Organisatie.

3. Deze Overeenkomst zal van onbepaalde duur zijn. Iedere Verdragspartij kan te allen tijde de Overeenkomst opzeggen. Zodanige opzegging wordt van kracht een jaar na de datum waarop de

## ARTICULO V

1. El presente Convenio estará sujeto a la aprobación o aceptación de los Gobiernos Signatarios. Los instrumentos de aprobación o aceptación se depositarán con el Gobierno de los Estados Unidos de América, designado por el presente como Gobierno depositario, el cual se encargará de notificar de cada depósito de instrumentos a los otros Gobiernos Signatarios.

2. El presente Convenio entrará en vigor una vez que los Gobiernos Signatarios hayan firmado una declaración conjunta al efecto, y una vez que hayan depositado los instrumentos de aprobación o aceptación los Gobiernos Signatarios, y después de que el Secretario General de la Comisión del Caribe haya recibido, de acuerdo con lo dispuesto en el párrafo 1 del Artículo IV del Estatuto adjunto a este Convenio, la notificación de no menos de seis de los Miembros capacitados de la Organización del Caribe.

3. La duración de este Convenio será indefinida. Cualquiera de las Partes Contratantes podrá denunciar el presente Convenio en cualquier momento. La denuncia tendrá efecto a la expiración de un

receipt by the depositary Government of the formal notification of withdrawal and shall be without prejudice to any liability already vested in the withdrawing Contracting Party by or under this Agreement in respect of the period before the withdrawal takes effect. This Agreement shall continue in force thereafter with respect to the other Contracting Parties.

délai d'une année à compter de la date de réception par le Gouvernement dépositaire de la notification officielle de dénonciation et ce, sans préjudice des responsabilités déjà encourues aux termes de la présente Convention par la Partie Contractante qui dénonce cette dernière, en ce qui concerne la période antérieure à la date à laquelle la dénonciation prend effet. La présente Convention restera en vigueur en ce qui concerne les autres Parties Contractantes.

#### ARTICLE VI

This Agreement, done in a single original in the English, French, Netherlands, and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof will be transmitted by that Government to the other signatory Governments.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Agreement.

DONE at Washington this twenty-first day of June, 1960.

#### ARTICLE VI

La présente Convention, établie en un seul original dans les langues anglaise, française, néerlandaise et espagnole, tous textes faisant également foi, sera conservée dans les archives du Gouvernement des Etats-Unis d'Amérique. Des copies certifiées conformes seront adressées par ce Gouvernement aux autres Gouvernements signataires.

EN FOI DE QUOI les soussignés dûment autorisés ont signé la présente Convention.

FAIT à Washington, le vingt et unième jour du mois de juin 1960.

depôt-Regering de officiële kennisgeving van opzegging heeft ontvangen en laat onverlet alle verplichtingen welke bij of uit hoofde van deze Overeenkomst reeds op de opzeggende Regering rusten ten aanzien van het tijdsval voorafgaande aan de datum waarop de opzegging van kracht wordt. Deze Overeenkomst blijft daarna ten aanzien van de andere Verdragspartijen van kracht.

año a contar de la fecha en que sea recibida la notificación oficial por el Gobierno depositario, sin perjuicio de cualesquiera obligaciones contraídas, conforme a los términos del presente Convenio por la Parte Contratante que lo denuncia, respecto al período anterior a la fecha en que la denuncia tendrá efecto. El presente Convenio continuará en vigencia, en adelante, en cuanto a las demás Partes Contratantes.

#### ARTIKEL VI

Deze Overeenkomst, gedaan in een enkel exemplaar in de Engelse, de Franse, de Nederlandse en de Spaanse taal, alle vier teksten gelijkelijk autentiek, zal worden nedergelegd in het archief van de Regering van de Verenigde Staten van Amerika, welke Regering gewaarmakte afschriften ervan zal doen toekomen aan de andere Ondertekenende Regeringen.

TEN BLIJKE WAARVAN de behoorlijk gemachtigde ondergetekenden deze Overeenkomst hebben ondertekend.

GEDAAN te Washington, de één en twintigste Juni 1960.

#### ARTICULO VI

El presente Convenio, hecho en un solo texto original en los idiomas español, inglés, francés y holandés, cada uno de ellos igualmente auténtico, será depositado en los archivos del Gobierno de los Estados Unidos de América. Este Gobierno se encargará de distribuir copias del mismo, debidamente certificadas, a los otros Gobiernos Signatarios.

EN FE DE LO CUAL, los suscritos, debidamente autorizados, han firmado el presente Convenio.

HECHO en Washington el día veintiuno de junio de 1960.

FOR THE GOVERNMENT OF THE REPUBLIC OF FRANCE:  
POUR LE GOUVERNEMENT DE LA REPUBLIQUE FRANCAISE:  
VOOR DE REGERING VAN DE FRANSE REPUBLIEK:  
POR EL GOBIERNO DE LA REPUBLICA FRANCESAS:

HERVÉ ALPHAND.

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:  
POUR LE GOUVERNEMENT DU ROYAUME DES PAYS-BAS:  
VOOR DE REGERING VAN HET KONINKRIJK DER NEDERLANDEN:  
POR EL GOBIERNO DEL REINO DE LOS PAISES BAJOS:

J. H. VAN ROIJEN.

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND:  
POUR LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRE-  
TAGNE ET D'IRLANDE DU NORD:  
VOOR DE REGERING VAN HET VERENIGD KONINKRIJK VAN  
GROOT-BRITTANNIE EN NOORD-IERLAND:  
POR EL GOBIERNO DEL REINO UNIDO DE LA GRAN BRETANA E  
IRLANDA DEL NORTE:

HAROLD CACCIA.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:  
POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE:  
VOOR DE REGERING VAN DE VERENIGDE STATEN VAN AMERIKA:  
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

CHRISTIAN A. HERTER

RODERIC L. O'CONNOR

**STATUTE OF THE CARIBBEAN ORGANIZATION**  
**STATUT DE L'ORGANISATION DES CARAIBES**  
**STATUUT VAN DE CARAIBISCHE ORGANISATIE**  
**ESTATUTO DE LA ORGANIZACION DEL CARIBE**

**STATUTE OF THE CARIBBEAN ORGANIZATION**

WHEREAS the Caribbean Commission since its establishment in 1946 has done much to further regional cooperation in many fields and has rendered valuable services in the Caribbean area; and

WHEREAS since the establishment of the Caribbean Commission significant constitutional and economic changes have taken place in the area, and the peoples concerned have expressed their desire to accept increased responsibility in solving the problems of the area; and

WHEREAS in order to facilitate the continuance of social, cultural and economic cooperation in the area, it is considered advisable to establish a successor body, the Statute of which reflects these changes and the new responsibilities which the prospective Members (as defined in Article III of this Statute) have undertaken since 1946; and

WHEREAS the objectives herein set forth are in accord with the Charter of the United Nations; [<sup>1</sup>]

NOW THEREFORE there is established the Caribbean Organization which is governed by the following provisions:

**STATUT DE L'ORGANISATION DES CARAÏBES**

CONSIDERANT QUE la Commission des Caraïbes, depuis sa création en 1946, à favorisé la coopération régionale dans de nombreux domaines et a rendu des services signalés à la région des Caraïbes;

CONSIDERANT QUE, depuis la création de la Commission des Caraïbes, d'importants changements d'ordre constitutionnel et économique sont intervenus dans la région et que les populations intéressées ont exprimé le désir d'assumer des responsabilités accrues en ce qui concerne la solution des problèmes de la région;

ESTIMANT opportun, afin de poursuivre la coopération sociale, culturelle et économique dans la région, de créer une nouvelle organisation dont le statut reflèterait ces changements ainsi que les nouvelles responsabilités que les Membres éventuels (tels qu'ils sont définis à l'Article III du présent Statut) ont assumées depuis 1946;

CONSIDERANT QUE les objectifs précisés ci-après sont conformes à la Charte des Nations Unies;

EN CONSEQUENCE est établie l'Organisation des Caraïbes qui est régie par les dispositions ci-après:

<sup>1</sup> TS 993; 59 Stat. 1031.

## STATUUT VAN DE CARAÏBISCHE ORGANISATIE

AANGEZIEN de Caraïbische Commissie sinds haar oprichting in 1946 veel heeft gedaan tot bevordering van de regionale samenwerking op vele terreinen, en zij in het gebied van de Caraïbische Zee waardevolle diensten heeft bewezen; en

AANGEZIEN er zich sinds de oprichting van de Caraïbische Commissie in het gebied belangrijke constitutionele en economische veranderingen hebben voorgedaan, en de betrokken volkeren uitdrukking hebben gegeven aan hun verlangen een grotere verantwoordelijkheid op zich te nemen ten aanzien van de oplossing van de problemen van het gebied; en

AANGEZIEN het, teneinde de voortzetting van de sociale, culturele en economische samenwerking in het gebied te vergemakkelijken, raadzaam wordt geacht een nieuwe organisatie op te richten, in wier Statuut deze veranderingen en de nieuwe verantwoordelijkheden die de eventuele Leden (zoals omschreven in Artikel III van dit Statuut) sinds 1946 op zich hebben genomen tot uitdrukking komen; en

AANGEZIEN de hierna vermelde doelstellingen in overeenstemming zijn met het Handvest van de Verenigde Naties;

OM DIE REDENEN is besloten op te richten de Caraïbische Organisatie, die onderworpen is aan de volgende bepalingen:

## ESTATUTO DE LA ORGANIZACIÓN DEL CARIBE

CONSIDERANDO que la Comisión del Caribe, desde su creación en 1946, ha contribuido en grado sumo al fomento de la cooperación regional en distintos campos de actividades y ha prestado valiosos servicios en la región del Caribe; y

CONSIDERANDO que desde la creación de la Comisión del Caribe se han registrado importantes cambios de orden constitucional y económico en la región y que los pueblos interesados han expresado su deseo de asumir mayor responsabilidad en la solución de los problemas de la región; y

CONSIDERANDO que para facilitar la continuación de la cooperación social, cultural y económica en la región se ha juzgado conveniente crear un organismo sucesor, cuyo Estatuto refleje estos cambios, así como las nuevas responsabilidades que los Miembros capacitados (según se definen en el Artículo III del presente Estatuto) han asumido después de 1946; y

CONSIDERANDO que los objetivos aquí expresados están de acuerdo con la Carta de las Naciones Unidas,

POR LO TANTO, se crea por el presente la Organización del Caribe que se rige conforme a las disposiciones siguientes:

**ARTICLE I***Establishment and Powers of the Caribbean Organization*

1. There is hereby established the Caribbean Organization (hereinafter referred to as the "Organization").
2. The Organization shall have consultative and advisory powers and such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

**ARTICLE II***Functions and Purposes of the Organization*

Within the scope of its powers, the functions and purposes of the Organization shall be to concern itself with social, cultural and economic matters of common interest to the Caribbean area, particularly agriculture, communications, education, fisheries, health, housing, industry, labor, music and the arts, social welfare and trade.

**ARTICLE III***Eligibility for Membership of the Organization*

1. The following are the prospective Members of the Organization, and are hereby declared eligible to become Members:

The Republic of France for the Departments of French Guiana, Guadeloupe and Martinique

The Netherlands Antilles  
Surinam

**ARTICLE I***Création et pouvoirs de l'Organisation des Caraïbes*

1. Par les présentes est établie l'Organisation des Caraïbes (ci-après désignée sous le terme d'"Organisation").
2. L'Organisation à des pouvoirs consultatifs. Elle est dotée de la personnalité juridique nécessaire à l'exercice de ses fonctions et à la réalisation de ses buts.

**ARTICLE II***Attributions et objectifs de l'Organisation*

Dans les limites de ses pouvoirs, les attributions et objectifs de l'Organisation sont de s'intéresser aux questions sociales, culturelles et économiques d'intérêt commun dans la région des Caraïbes, en particulier dans les domaines suivants: agriculture, communications, éducation, pêche, santé, logement, industrie, travail, musique et arts, action sociale et commerce.

**ARTICLE III***Membres de l'Organisation*

1. Sont Membres éventuels de l'Organisation et peuvent devenir Membres:

La République française au titre des Départements de la Guyane française, de la Guadeloupe et de la Martinique

Les Antilles néerlandaises  
Surinam

**ARTIKEL I***Oprichting en bevoegdheden van de Caraïbische Organisatie*

1. Hierbij wordt opgericht de Caraïbische Organisatie (hierna te noemen de "Organisatie").
2. De Organisatie heeft raadgevende bevoegdheid. Zij bezit de rechtspersoonlijkheid, nodig voor de vervulling van haar taak en de verwezenlijking van haar doelstellingen.

**ARTIKEL II***Taak en doelstellingen van de Organisatie*

Binnen het kader van haar bevoegdheden zullen de taak en de doelstellingen van de Organisatie bestaan uit het zich bezig houden met sociale, culturele en economische aangelegenheden van gemeenschappelijk belang voor het gebied van de Caraïbische Zee, in het bijzonder landbouw, verkeer, onderwijs, visserij, gezondheid, huisvesting, industrie, arbeid, muziek en kunst, sociale zorg en handel.

**ARTIKEL III***Lidmaatschap van de Organisatie*

1. De eventuele Leden van de Organisatie, welke in aanmerking komen voor het lidmaatschap, zijn:

De Franse Republiek voor de Departementen Frans Guyana, Guadeloupe en Martinique

De Nederlandse Antillen  
Suriname

**ARTICULO I***Creación y Facultades de la Organización del Caribe*

1. Por el presente se crea la Organización del Caribe (designada en adelante por el término "la Organización").
2. La Organización tendrá facultades consultivas y de asesoramiento, así como la personalidad jurídica que sea necesaria para el ejercicio de sus funciones y la consecución de sus propósitos.

**ARTICULO II***Funciones y Objetivos de la Organización*

Dentro de los límites de sus facultades, las funciones y objetivos de la Organización serán los concernientes a cuestiones sociales, culturales y económicas de interés común en la región del Caribe y, en particular, agricultura, comunicaciones, educación, pesquería, salubridad, vivienda, industria, trabajo, música y artes, bienestar social y comercio.

**ARTICULO III***Miembros de la Organización*

1. Los siguientes están capacitados para ser Miembros de la Organización y por el presente se les declara elegibles para convertirse en Miembros:

La República Francesa por los Departamentos de la Guayana Francesa, Guadalupe y Martinica

Las Antillas Holandesas  
Surinám

The Bahamas	Les Iles Bahama
British Guiana	La Guyane britannique
British Honduras	Le Honduras britannique
The British Virgin Islands	Les Iles Vierges britanniques
The West Indies	Les Indes Occidentales
The Commonwealth of Puerto Rico	Le Commonwealth de Porto-Rico
The Virgin Islands of the United States.	Les Iles Vierges des Etats-Unis.
2. The Republic of France, as referred to in paragraph 1 of this Article, shall be represented in the Organization by one delegation having three votes.	2. La République française, telle que visée au paragraphe 1 du présent Article, est représentée au sein de l'Organisation par une délégation disposant de trois voix.

#### ARTICLE IV

*Notification of Membership and Withdrawal*

1. Any prospective Member of the Organization may at any time declare by notification given to the Secretary-General of the Caribbean Commission, or the Secretary-General of the Organization, that it accepts the obligations imposed by this Statute and that it elects to become a Member.

2. Any notification in accordance with the preceding paragraph of this Article received by the Secretary-General on or before the date on which this Statute comes into force shall take effect on that date. Any notification received after the date on which this Statute comes into force shall take effect on the date of its receipt by the Secretary-General.

Les Iles Bahama
La Guyane britannique
Le Honduras britannique
Les Iles Vierges britanniques
Les Indes Occidentales
Le Commonwealth de Porto-Rico
Les Iles Vierges des Etats-Unis.

#### ARTICLE IV

*Notification de participation ou de retrait*

1. Tout Membre éventuel de l'Organisation peut, à tout moment, notifier au Secrétaire Général de la Commission des Caraïbes, ou au Secrétaire Général de l'Organisation, qu'il accepte les obligations imposées par le présent Statut et qu'il décide de devenir Membre de l'Organisation.

2. Toute notification conforme aux dispositions du paragraphe 1 du présent Article, reçue par le Secrétaire Général avant ou à la date à laquelle le présent Statut entre en vigueur, prend effet à cette date. Toute notification reçue après la date à laquelle le présent Statut entre en vigueur prend effet à la date de sa réception par le Secrétaire Général.

De Bahama-Eilanden	Las Bahamas
Brits Guyana	La Guayana Británica
Brits Honduras	Honduras Británica
De Britse Virgische Eilanden	Las Islas Virgenes Británicas
Brits West-Indië	Las Indias Occidentales
Het Gemenebest van Portorico	El Estado Libre Asociado de Puerto Rico
De Virginische Eilanden van de Verenigde Staten.	Las Islas Vírgenes de los Estados Unidos.
2. De Franse Republiek, zoals bedoeld in lid 1 van dit Artikel, wordt in de Organisatie vertegenwoordigd door één afvaardiging die drie stemmen heeft.	2. La República Francesa, como se establece en el párrafo 1 de este Artículo, estará representada en la Organización por una delegación con tres votos.

#### ARTIKEL IV

##### *Mededelingen van toetreding en uittreding.*

1. Ieder eventueel Lid van de Organisatie kan te allen tijde door middel van een aan de Secretaris-Generaal van de Caraïbische Commissie, of aan de Secretaris-Generaal van de Organisatie, gerichte mededeling verklaren dat het de door dit Statuut opgelegde verplichtingen aanvaardt en dat het besloten heeft Lid te worden.

2. Iedere mededeling overeenkomstig het voorgaande lid van dit Artikel die door de Secretaris-Generaal wordt ontvangen op of voor de datum waarop het Statuut in werking treedt, wordt op die datum van kracht. Iedere mededeling die wordt ontvangen na de datum waarop dit Statuut in werking treedt, wordt van dracht op de datum van ontvangst door de Secretaris-Generaal.

#### ARTICULO IV

##### *Notificación de Participación y de Retiro*

1. Todo Miembro capacitado de la Organización puede declarar en cualquier momento, mediante notificación al Secretario General de la Comisión del Caribe, o al Secretario General de la Organización, que acepta las obligaciones impuestas por el presente Estatuto y que ha optado por convertirse en Miembro.

2. Cualquier notificación que se haga conforme a lo dispuesto en el párrafo anterior de este Artículo y que sea recibida por el Secretario General en la fecha o antes de la fecha en que el presente Estatuto entre en vigor, principiará a regir a partir de esa fecha. Toda notificación que se reciba después de la fecha en la que el presente Estatuto entre en vigor, principiará a regir en la fecha que la reciba el Secretario General.

3. Any Member may at any time declare by notification given to the Secretary-General of the Organization that it elects to cease to be a Member. This notification shall take effect one year after the date of its receipt by the Secretary-General of the Organization. On the withdrawal from the Agreement to which this Statute is annexed of any Party to that Agreement, the Members for whose international relations that Party is responsible shall cease to be Members of the Organization.

3. Tout Membre peut notifier à tout moment au Secrétaire Général sa décision de se retirer de l'Organisation. Cette notification prend effet un an après la date de sa réception par le Secrétaire Général de l'Organisation. Si la Convention à laquelle le présent Statut est annexé est dénoncée par un Gouvernement signataire de ladite Convention, les Membres dont la Partie assume les relations internationales cesseront d'être Membres de l'Organisation.

4. Where a Member ceases to be a Member in accordance with paragraph 3 of this Article, such cessation shall be without prejudice to any liability already vested in that Member by or under this Statute in respect of the period before the cessation takes effect.

4. Lorsqu'un Membre se retire de l'Organisation, conformément aux dispositions du paragraphe 3 du présent Article, ce retrait n'affecte pas les responsabilités déjà encourues par ce Membre aux termes du présent Statut pendant la période antérieure à la date à laquelle le retrait prend effet.

5. The Secretary-General shall notify all Governments signatory to the Agreement to which this Statute is annexed and all Members and prospective Members of the receipt of any notification referred to in paragraphs (1) and (3) of this Article.

5. Le Secrétaire Général notifiera à toutes les Parties à la Convention à laquelle le présent Statut est annexé et à tous les Membres ou Membres éventuels, la réception de toute notification visée aux paragraphes 1 et 3 du présent Article.

## ARTICLE V

### *The Caribbean Council*

The governing body of the Organization shall be the Caribbean Council (hereinafter referred to as the "Council").

## ARTICLE V

### *Le Conseil des Caraïbes*

L'organe directeur de l'Organisation est le Conseil des Caraïbes (désigné ci-après sous le terme de "Conseil").

3. Ieder Lid kan te allen tijde door middel van een aan de Secretaris-Generaal van de Organisatie gerichte mededeling verklaren dat het besloten heeft uit de Organisatie te treden. Deze mededeling wordt van kracht een jaar na de datum waarop zij door de Secretaris-Generaal van de Organisatie is ontvangen. Bij opzegging van de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, door enige Partij bij die Overeenkomst, zullen de Leden voor welker internationale betrekkingen die Partij verantwoordelijk is, ophouden Lid van de Organisatie te zijn.

4. Indien een Lid overeenkomstig lid 3 van dit Artikel uit de Organisatie treedt, laat dit feit onverlet alle verplichtingen welke bij of uit hoofde van dit Statuut reeds op dat Lid rusten ten aanzien van het tijdvak voorafgaande aan de datum waarop de beëindiging van het lidmaatschap van kracht wordt.

5. De Secretaris-Generaal zal kennis geven aan alle Regeringen die de Overeenkomst hebben ondertekend waarbij dit Statuut als bijlage is gevoegd, en aan alle Leden en eventuele Leden van enige mededeling zoals bedoeld in de leden (1) en (3) van dit Artikel.

#### ARTIKEL V

##### *De Caraïbische Raad*

Het besturende orgaan van de Organisatie is de Caraïbische Raad (hierna te noemt de "Raad").

3. Todo Miembro puede declarar en cualquier momento, mediante notificación al Secretario General de la Organización, que opta por retirarse como Miembro. Esta notificación surtirá efecto un año después de la fecha en que la reciba el Secretario General de la Organización. Cuando alguna de las Partes del Convenio, al cual se adjunta este Estatuto, se retire de dicho Convenio, los Miembros por cuyas relaciones internacionales es responsable dicha Parte, dejarán de ser Miembros de la Organización.

4. Cuando un Miembro deje de ser Miembro de la Organización, conforme a lo dispuesto en el párrafo 3 de este Artículo, su retiro no afectará la validez de las obligaciones contraídas por dicho Miembro conforme a los términos del presente Estatuto durante el período anterior a la fecha en que el retiro tenga efecto.

5. El Secretario General notificará a todos los Gobiernos Signatarios del Convenio, al cual se adjunta este Estatuto, y a todos los Miembros y Miembros capacitados el recibo de cualquiera notificación a que se hace referencia en los párrafos (1) y (3) de este Artículo.

#### ARTICULO V

##### *El Consejo del Caribe*

El órgano director de la Organización será el Consejo del Caribe (designado en adelante por el término "el Consejo").

**ARTICLE VI***Composition of the Council*

1. Each Member shall be entitled to send to each session of the Council one delegate and such advisers as it may consider necessary, but the Republic of France shall be entitled to send one delegation and such advisers as it may consider necessary. Such delegates or delegation, as the case may be, shall be appointed in accordance with the constitutional procedures of each Member. The Secretary-General shall be notified by the Members of the appointment of each delegate or delegation, as the case may be.

2. Each Member may at any time, by notification given to the Secretary-General, appoint a person to act as alternate during the absence of its delegate from any meeting of the Council. The Republic of France shall have similar rights with respect to its delegation. The alternate, while so acting, shall stand in all respects in the place of the delegate.

**ARTICLE VI***Composition du Conseil*

1. Chaque Membre a la faculté de nommer à chaque réunion du Conseil un délégué et autant de Conseillers qu'il juge nécessaire; la République française a la faculté de nommer une délégation et autant de conseillers qu'elle juge nécessaire. Ces délégués ou délégation, selon le cas, sont désignés par chaque Membre conformément à ses règles constitutionnelles. La nomination de chaque délégué ou délégation, selon le cas, est notifiée au Secrétaire Général par les Membres.

2. Chaque Membre peut, à tout moment, par notification au Secrétaire Général, désigner un suppléant chargé d'agir à la place du délégué en l'absence de ce dernier de toute réunion du Conseil. La République française dispose du même droit en ce qui concerne sa délégation. Le suppléant, agissant en cette capacité, exerce tous les droits et attributions du délégué.

**ARTICLE VII***Functions and Powers of the Council*

Within the scope of the powers of the Organization, the Council shall:

(a) study, formulate and recommend to Members measures, programs and courses of action in social, cultural and economic matters designed to contribute

**ARTICLE VII***Attributions et Pouvoirs du Conseil*

Dans les limites des pouvoirs de l'Organisation, les attributions du Conseil sont les suivantes:

(a) étudier, élaborer et recommander aux Membres toute mesure, tout programme ou tout principe directeur dans les domaines social, culturel ou

**ARTIKEL VI***Samenstelling van de Raad*

1. Ieder Lid heeft het recht naar iedere zitting van de Raad één afgevaardigde te zenden, alsmede de door dit Lid nodig geoordeelde adviseurs; de Franse Republiek heeft het recht één afvaardiging te zenden, alsmede de door haar nodig geoordeelde adviseurs. Dergelijke afgevaardigden worden, onderscheidenlijk een dergelijke afvaardiging wordt, benoemd in overeenstemming met de constitutionele voorschriften van ieder Lid. De Leden doen aan de Secretaris-Generaal mededeling van de benoeming van iedere afgevaardigde, onderscheidenlijk afvaardiging.

2. Ieder Lid kan te allen tijde, door middel van een aan de Secretaris-Generaal gerichte mededeling, iemand benoemen die als plaatsvervanger zal optreden tijdens de afwezigheid van de afgevaardigde op enige vergadering van de Raad. De Franse Republiek bezit ten aanzien van haar afvaardiging overeenkomstige rechten. De plaatsvervanger zal, zo lang hij als zodanig optreedt, in alle opzichten de plaats van de afgevaardigde innemen.

**ARTIKEL VII***Taak en bevoegdheden van de Raad*

Binnen het kader van de bevoegdheden van de Organisatie zal de Raad:

(a) maatregelen, programma's en gedragslijnen bestuderen, formuleren en aan de Leden aanbevelen, die betrekking hebben op sociale, culturele en

**ARTICULO VI***Integración del Consejo*

1. Cada Miembro estará facultado para enviar a cada reunión del Consejo un delegado y los asesores que juzgue necesarios. La República Francesa estará facultada para enviar una delegación y los asesores que juzgue necesarios. Tales delegados o delegación, según sea el caso, serán nombrados de conformidad con los procedimientos constitucionales de cada Miembro. El nombramiento de cada delegado o delegación, según sea el caso, lo notificarán los Miembros al Secretario General.

2. Cada Miembro puede, en cualquier momento, mediante notificación al Secretario General, designar una persona que actúe como suplente durante la ausencia de su delegado de cualquier reunión del Consejo. La República Francesa gozará del mismo derecho en lo que concierne a su delegación. El suplente mientras actúe con este carácter, ocupará en todos sentidos el lugar del delegado.

**ARTICULO VII***Funciones y Facultades del Consejo*

Dentro de los límites de las facultades de la Organización, el Consejo:

(a) estudiará, formulará y recomendará a los Miembros medidas, planes y procedimientos en asuntos sociales, culturales y económicos, dirigidos

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| <p>to the well-being of the Caribbean area;</p> <p>(b) assist in the coordination of local projects which have regional significance and in the provision of technical guidance on a regional basis;</p> <p>(c) arrange for or provide technical guidance not otherwise available;</p> <p>(d) promote the coordination of research on a regional basis;</p> <p>(e) make recommendations to the Members for carrying into effect action in regard to social, cultural and economic problems;</p> <p>(f) further cooperation with other international and national organizations and with universities, foundations and similar institutions having common interests in the Caribbean area and, subject to the principle expressed in Article XVII, may</p> <p>(i) on behalf of the Organization, conclude technical assistance agreements with other international or national organizations, being agreements which every Member is competent or authorized to conclude and the conclusion of such agreements being dependent on a unanimous vote;</p> | <p>économique susceptible de contribuer au bien-être de la région des Caraïbes;</p> <p>(b) contribuer à la coordination des projets d'origine locale de portée régionale et donner des conseils techniques d'intérêt régional;</p> <p>(c) donner des conseils techniques qu'il est impossible d'obtenir ailleurs ou en faciliter l'obtention;</p> <p>(d) promouvoir la coordination des recherches d'intérêt régional;</p> <p>(e) formuler des recommandations à l'intention des Membres en vue de l'application de toute mesure nécessaire à la solution de problèmes de caractère social, culturel ou économique;</p> <p>(f) favoriser la collaboration avec d'autres organisations internationales ou nationales et avec des universités, fondations et autres institutions analogues ayant dans la région des Caraïbes des intérêts qui coïncident avec ceux de l'Organisation et, sous réserve des principes formulés à l'Article XVII, conclure:</p> <p>(i) pour le compte de l'Organisation, des accords d'assistance technique avec d'autres organisations internationales ou nationales, sous réserve que chaque Membre ait la compétence ou l'autorisation de conclure de tels accords, leur conclusion étant soumise à un vote à l'unanimité;</p> |
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economische aangelegenheden, en die tot doel hebben bij te dragen tot het welzijn van het gebied der Caraïbische Zee;

(b) behulpzaam zijn bij het coördineren van plaatselijke plannen welke van regionaal belang zijn en bij het verschaffen van technische voorlichting op regionale basis;

(c) technische voorlichting welke anders niet beschikbaar zou zijn verschaffen of het verkrijgen van die voorlichting vergemakkelijken;

(d) de coördinatie van wetenschappelijk onderzoek op regionale basis bevorderen;

(e) aanbevelingen aan de Leden doen voor het doen uitvoeren van werkzaamheden met betrekking tot sociale, culturele en economische vraagstukken;

(f) samenwerking bevorderen met andere internationale en nationale organisaties en met universiteiten, stichtingen en soortgelijke instellingen die in het gebied van de Caraïbische Zee belangen hebben, welke samenvallen met die van de Organisatie, en met inachtneming van het in Artikel XVII neergelegde beginsel kan de Raad:

(i) namens de Organisatie overeenkomsten inzake technische hulp sluiten met andere internationale of nationale organisaties, onder voorbehoud dat dit overeenkomsten zijn tot het sluiten waarvan ieder Lid bevoegd of gemachtigd is en dat tot het aangaan van die overeenkomsten met eenparigheid van stemmen besloten wordt;

a contribuir al bienestar de la región del Caribe;

(b) contribuirá a la coordinación de los proyectos locales que tengan un significado regional y a suministrar la asesoría técnica sobre una base regional;

(c) concertará o suministrará la asesoría técnica que no sea posible obtener de otra manera;

(d) fomentará la coordinación de investigaciones sobre una base regional;

(e) formulará recomendaciones a los Miembros para llevar a cabo medidas encaminadas a la solución de problemas sociales, culturales y económicos;

(f) fomentará la cooperación con otros organismos internacionales y nacionales y con universidades, fundaciones y otras instituciones análogas que tengan intereses comunes en la región del Caribe y, con sujeción al principio expresado en el Artículo XVII, podrá

(i) en nombre de la organización celebrar acuerdos de asistencia técnica con otros organismos nacionales o internacionales, acuerdos para los cuales cada Miembro esté capacitado o autorizado para celebrar y cuya celebración está sujeta a unanimidad de votos;

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| <ul style="list-style-type: none"> <li>(ii) on behalf of the Organization, or, as may be appropriate, on behalf of such of the Members as may make the specific request, conclude arrangements or contracts in pursuance of the aforesaid agreements;</li> <li>(iii) conclude appropriate co-operation agreements with universities, foundations and similar institutions, and arrangements or contracts in pursuance of these agreements;</li> </ul> | <ul style="list-style-type: none"> <li>(ii) pour le compte de l'Organisation ou, dans tout cas particulier, pour celui de l'un quelconque des Membres qui en ferait la demande, des arrangements ou contrats en application des accords précités;</li> <li>(iii) des accords de coopération appropriés avec les universités, fondations et autres institutions analogues, et des arrangements ou contrats en application de ces accords;</li> </ul> |
| <ul style="list-style-type: none"> <li>(g) summon such conferences, appoint such committees, and establish such auxiliary bodies as it may find necessary and desirable;</li> <li>(h) direct and review the activities of the Central Secretariat and the aforementioned conferences, committees and auxiliary bodies;</li> </ul>   | <ul style="list-style-type: none"> <li>(g) convoquer toute conférence, constituer tout comité et créer tout organisme auxiliaire qu'il juge utile et nécessaire;</li> <li>(h) en diriger et en contrôler les activités ainsi que celles du Secrétariat Central;</li> </ul>  |
| <ul style="list-style-type: none"> <li>(i) issue the staff rules of the Central Secretariat;</li> <li>(j) issue the financial regulations of the Organization;</li> <li>(k) appoint a Secretary-General in accordance with paragraph 5 of Article IX and paragraph 4 of Article X.</li> </ul>   | <ul style="list-style-type: none"> <li>(i) établir le statut du personnel du Secrétariat Central;</li> <li>(j) établir le règlement financier de l'Organisation;</li> <li>(k) nommer un Secrétaire Général conformément aux dispositions du paragraphe 5 de l'Article IX et du paragraphe 4 de l'Article X.</li> </ul>  |

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| <p>(ii) namens de Organisatie, of, in voorkomende gevallen, namens die Leden welke daartoe een speciaal verzoek hebben gedaan, regelingen en contracten sluiten ter uitvoering van de bovenbedoelde overeenkomsten;</p> <p>(iii) passende overeenkomsten inzake samenwerking sluiten met universiteiten, stichtingen en soortgelijke instellingen, alsmede regelingen treffen en contracten sluiten ter uitvoering van die overeenkomsten;</p> <p>(g) de conferenties bejerenroepen, de commissies instellen en de bijbehorende instellingen oprichten, welke hij nodig en gewenst oordeelt;</p> <p>(h) leiding geven aan, en toezicht houden op, de werkzaamheden van het Centrale Secretariaat en van de bovengenoemd conferenties, commissies en bijbehorende instellingen;</p> <p>(i) het personeelsreglement van het Centrale Secretariaat vaststellen;</p> <p>(j) het financiële reglement van de Organisatie vaststellen;</p> <p>(k) een Secretaris-Generaal benoemen overeenkomstig lid 5 van Artikel IX en lid 4 van Artikel X.</p> | <p>(ii) en nombre de la Organización o, cuando sea pertinente en nombre de aquellos Miembros que específicamente lo soliciten, celebrar acuerdos o contratos de conformidad con los acuerdos antes mencionados.</p> <p>(iii) celebrar acuerdos apropiados de cooperación con universidades, fundaciones y otras instituciones análogas y acuerdos o contratos en cumplimiento de dichos acuerdos.</p> <p>(g) convocará las conferencias, constituirá los comités y creará los organismos auxiliares que juzgue útiles y necesarios.</p> <p>(h) dirigirá y fiscalizará las actividades de la Secretaría Central y de las citadas conferencias, comités y organismos auxiliares;</p> <p>(i) formulará los reglamentos del personal de la Secretaría Central;</p> <p>(j) formulará los reglamentos financieros de la Organización;</p> <p>(k) nombrará al Secretario General, de conformidad con las disposiciones del párrafo 5 del Artículo IX y del párrafo 4 del Artículo X.</p> |
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**ARTICLE VIII***Meetings and Procedures of the Council*

1. The Council shall establish its own rules of procedure.

2. Meetings of the Council shall be presided over by a Chairman, chosen from among the delegates to the Council.

3. The Council shall hold at least one meeting each year at which the annual budget for the ensuing year shall be considered. It is empowered to convene and hold meetings at such times and at such places as it may decide. The Chairman shall cause a meeting to be convened if requested to do so by not less than one-half of the Members. The first meeting of the Council (which shall be a budget meeting) shall be held at such time after the coming into force of this Statute and at such place as may be designated by the Caribbean Commission.

4. Meetings of the Council shall preferably be held in the territory of each of the Members in turn, and a similar principle, where appropriate, shall be followed with regard to all other activities of the Organization.

5. The first Chairman shall be elected at the first meeting and shall hold office until the end of the ensuing year. Thereafter the Chairmanship shall rotate in accordance with such rules of procedure as the Council may adopt, provided always that a Chairman shall not be of the same nationality as the preceding Chairman.

**ARTICLE VIII***Réunions du Conseil et procédure*

1. Le Conseil établit son propre règlement intérieur.

2. Les débats du Conseil sont conduits par un Président choisi parmi les délégués au Conseil.

3. Le Conseil se réunit au moins une fois l'an et, à l'occasion de ladite réunion, examine le budget de l'exercice suivant. Il est habilité à se réunir et à siéger en tout temps et en tout lieu qu'il juge utile. Le Président décide de la convocation d'une réunion si au moins la moitié des Membres lui en fait la demande. La première réunion du Conseil (qui doit être consacrée aux questions budgétaires) se tiendra après l'entrée en vigueur du présent Statut, à telle date et en tel lieu qu'aura choisie la Commission des Caraïbes.

4. Les réunions du Conseil se tiennent, de préférence, sur le territoire de chacun des Membres à tour de rôle. Le même principe s'applique, dans les cas appropriés, à toutes les autres activités de l'Organisation.

5. Le premier Président sera élu lors de la première réunion et son mandat s'exercera jusqu'à la fin de l'année suivante. Par la suite, la présidence sera assumée à tour de rôle, conformément au règlement intérieur adopté par le Conseil, étant entendu que le Président n'est jamais deux fois de suite de la même nationalité.

## ARTIKEL VIII

*Vergaderingen en werkwijze  
van de Raad*

1. De Raad stelt zijn eigen huishoudelijk reglement vast.

2. De vergaderingen van de Raad worden voorgezeten door een Voorzitter, gekozen uit de afgevaardigden naar de Raad.

3. De Raad houdt tenminste één vergadering per jaar, waarop de jaarlijkse begroting voor het komende jaar wordt besproken. De Raad is bevoegd vergaderingen bijeen te roepen en te houden wanneer en waar hij dit wenselijk acht. De Voorzitter laat een vergadering bijeenroepen indien hij daartoe van niet minder dan de helft van de Leden een verzoek ontvangt. De eerste vergadering van de Raad (welke de begroting moet bespreken) wordt, na de inwerkingtreding van dit Statuut, gehouden op een door de Caraïbische Commissie te bepalen datum en plaats.

4. De vergaderingen van de Raad zullen bij voorkeur beurtelings op het grondgebied van elk der Leden worden gehouden. In voorkomende gevallen zal met betrekking tot alle andere werkzaamheden van de Organisatie eenzelfde beginsel worden gevuld.

5. De eerste Voorzitter wordt op de eerste vergadering gekozen en blijft tot aan het einde van het volgende jaar in functie. Daarna wordt het voorzitterschap bij toerbeurt vervuld volgens een door de Raad aan te nemen reglement, met dien verstande dat de nieuwe Voorzitter niet dezelfde nationaliteit als zijn voorganger mag bezitten.

## ARTICULO VIII

*Reuniones y Procedimiento  
del Consejo*

1. El Consejo formulará su propio reglamento interior.

2. Los debates del Consejo serán dirigidos por un Presidente seleccionado entre los delegados al Consejo.

3. El Consejo se reunirá por lo menos una vez al año y en dicha reunión estudiará el presupuesto para el próximo año. Estará facultado para convocar y celebrar sesiones en la fecha y lugar que juzgue conveniente. El Presidente convocará la reunión a solicitud de la mitad, cuando menos, de los Miembros. La primera reunión del Consejo (en la cual se discutirá el presupuesto) se celebrará en fecha posterior a la entrada en vigor del presente Estatuto, y en el lugar que designe la Comisión del Caribe.

4. Las reuniones del Consejo se celebrarán de preferencia, y por turno, en el territorio de cada uno de los Miembros y se seguirá el mismo procedimiento, cuando sea conveniente, en relación con las demás actividades de la Organización.

5. El primer presidente será elegido durante la primera reunión y continuará en funciones hasta el fin del año siguiente. En lo sucesivo, la presidencia se ejercerá por rotación, de acuerdo con el reglamento interior que adopte el Consejo, quedando entendido que el Presidente no será nunca de la misma nacionalidad que su predecesor.

## ARTICLE IX

*Voting in the Council*

1. Subject to paragraph 2 of this Article, each delegate shall be entitled to cast one vote, but the delegation of the Republic of France shall be entitled to cast three votes.

2. Matters of procedure shall be decided by the Council by a simple majority of the votes cast. Except as provided for in paragraphs 3, 4 and 5 of this Article, subparagraph (f) (i) of Article VII, and paragraphs 3 and 4 of Article XII, all other matters, including disputes as to the classification of any matter as procedural or substantive, shall be decided by a two-thirds majority of the votes cast. However, when a decision or recommendation is adopted by a two-thirds majority of the votes cast, any Member may declare that the decision or recommendation will not be applicable as far as it is concerned. Where, in respect of a matter to be decided by a simple majority of the votes cast, the votes are equally divided, the Chairman shall have a casting vote. If the Chairman does not in such a case use his casting vote, the motion for decision shall be lost.

## ARTICLE IX

*Vote au sein du Conseil*

1. Sous réserve des dispositions du paragraphe 2 du présent Article, chaque délégué dispose d'une voix, la délégation de la République française dispose de trois voix.

2. Le Conseil statue sur les questions de procédure à la majorité simple des suffrages exprimés. Sous réserve des dispositions des paragraphes 3, 4 et 5 du présent Article, de l'alinéa (f) (i) de l'Article VII et des paragraphes 3 et 4 de l'Article XII, toutes les autres questions, y compris les contestations sur le point de savoir si les questions relèvent de la procédure ou du fond, sont tranchées par une majorité des deux tiers des suffrages exprimés. Toutefois, tout Membre peut déclarer, à l'occasion de l'adoption d'une décision ou d'une recommandation par la majorité des deux tiers des suffrages exprimés, que la décision ou la recommandation ne sont pas applicables en ce qui le concerne. Si, à l'occasion d'un vote à la majorité simple des suffrages exprimés, le partage des voix est égal, la voix du Président est prépondérante. Si toutefois, le Président ne départage pas les voix, la motion est rejetée.

**ARTIKEL IX***Het stemmen in de Raad*

1. Onder voorbehoud van lid 2 van dit Artikel heeft elke afgevaardigde het recht één stem uit te brengen; de afvaardiging van de Franse Republiek heeft het recht drie stemmen uit te brengen.

2. Over de aangelegenheden betreffende de werkwijze wordt door de Raad beslist met een eenvoudige meerderheid der uitgebrachte stemmen. Behoudens het bepaalde in de leden 3, 4 en 5 van dit Artikel, punt (f) (i) van Artikel VII, en de leden 3 en 4 van Artikel XII, wordt over alle andere aangelegenheden, met inbegrip van geschillen over de vraag of een aangelegenheid de werkwijze betreft of van materiële aard is, met twee-derde meerderheid der uitgebrachte stemmen beslist, met dien verstande dat wan-neer een beslissing of aanbeveling met twee-derde meerderheid der uitgebrachte stemmen is aange-nomen, iedere Lid kan verklaren dat te zijnen aanzien de beslis-sing of aanbeveling niet van toe-passing is. Indien, met betrek-king tot een aangelegenheid waar-over met eenvoudige meerder-heid van stemmen dient te worden beslist, de stemmen staken, heeft de Voorzitter een beslissende stem; indien echter de Voorzitter in zulk een geval niet van zijn beslissende stem gebruik maakt, wordt het voorstel als verworpen beschouwd.

**ARTICULO IX***Votación en el Seno del Consejo*

1. Sujeto a las disposiciones del párrafo 2 del presente Artículo, cada delegado tendrá derecho a un voto. La delegación de la República Francesa dispondrá de tres votos.

2. Las cuestiones de procedimiento serán decididas por el Consejo mediante una simple mayoría de los votos emitidos. Salvo en los casos previstos en los párrafos 3, 4 y 5 del presente Artículo, en el subpárrafo (f) (i) del Artículo VII, y en los párrafos 3 y 4 del Artículo XII, todas las otras cuestiones, inclusive la distinción entre las cuestiones de procedimiento y las de fondo, serán deci-didas por una mayoría de las dos terceras partes de los votos emitidos. Sin embargo, cuando una decisión o recomendación es adoptada por una mayoría de las dos terceras partes de los votos emitidos, cualquier Miembro pue-de declarar que la decisión o recomendación adoptada no se aplicará en lo que a él concierne. Cuando se trate un asunto que deba decidirse por simple mayo-ría de los votos emitidos y éstos están divididos por igual, el Presi-dente emitirá el voto de calidad. Si el Presidente no emite en este caso un voto de calidad, la moción será rechazada.

3. The Council shall examine drafts of the annual budget and any supplementary budgets submitted by the Secretary-General. Voting on the total figure of a budget, annual or supplementary, shall be preceded by a vote on each budget head. Each budget head shall be approved by a two-thirds majority of the votes cast. The total of a budget, annual or supplementary, shall be approved by a unanimous vote. In the event that it is not possible to obtain a unanimous vote on the budget for any year, the budget voted for the previous year shall remain in force and the Members shall continue to make the same contribution as they made during the preceding year.

3. Le Conseil examine le projet de budget annuel de même que tout budget extraordinaire que peut lui soumettre le Secrétaire Général. Le vote sur le montant total du budget, annuel ou extraordinaire, est précédé du vote par chapitre. Chaque chapitre est approuvé par une majorité des deux tiers des suffrages exprimés. Le montant total du budget, annuel ou extraordinaire, est approuvé par un vote à l'unanimité. Faute d'unanimité sur le budget d'un exercice quelconque, le budget voté pour l'exercice précédent est reconduit et les Membres sont tenus de verser les mêmes quotes-parts que celles versées l'année précédente.

4. The adoption and amendment of the Rules of Procedure shall require unanimity of the votes cast.

5. The appointment of the Secretary-General shall require unanimity of the votes cast.

6. For the purpose of this Statute, "the votes cast" means votes cast affirmatively or negatively. Abstentions shall not be considered as votes cast.

4. L'adoption du règlement intérieur ou tout amendement qui y est proposé requiert l'unanimité des suffrages exprimés.

5. La nomination du Secrétaire Général requiert l'unanimité des suffrages exprimés.

6. Au sens du présent Statut, l'expression "suffrages exprimés" vise les votes pour ou contre. Les abstentions ne sont pas considérées comme suffrages exprimés.

3. De Raad onderzoekt het ontwerp voor de jaarlijkse begroting en alle door de Secretaris-Generaal eventueel ingediende aanvullende begrotingen. De stemming over het totale bedrag van de jaarlijkse of aanvullende begroting wordt voorafgegaan door een stemming over elk begrotingshoofdstuk. Elk begrotingshoofdstuk dient te worden goedgekeurd door een twee-derde meerderheid der uitgebrachte stemmen. Het totale bedrag van de jaarlijkse begroting of van een aanvullende begroting dient te worden goedgekeurd met eenparigheid van stemmen. Ingeval het niet mogelijk mocht blijken om een begroting voor een jaar met eenparigheid van stemmen goedgekeurd te krijgen, blijft de voor het voorafgaande jaar doedgekeurde begroting van kracht en blijven de Leden dezelfde bijdrage betalen als zij gedurende het voorafgaande jaar betaalden.

4. Het Huishoudelijk Reglement dient met eenparigheid der uitgebrachte stemmen te worden aangenomen en gewijzigd.

5. De Secretaris-Generaal dient met eenparigheid der uitgebrachte stemmen te worden benoemd.

6. In dit Statuut betekent de uitdrukking "uitgebrachte stemmen" de vóór en tegen een voorstel uitgebrachte stemmen. Onthoudingen worden niet als uitgebrachte stemmen beschouwd.

3. El Consejo estudiará los proyectos del presupuesto anual y de cualesquiera otros presupuestos suplementarios que presente el Secretario General. Antes de proceder a la votación de un total de presupuesto, ya sea anual o suplementario, habrá de aprobarse cada capítulo por separado. Cada capítulo se aprobará por una mayoría de dos terceras partes de los votos emitidos. El total de un presupuesto, anual o suplementario, se aprobará por unanimidad. En caso de que no sea posible obtener la unanimidad para el presupuesto de un año fiscal, el presupuesto del año anterior continuará en vigencia y los Miembros aportarán la misma cuota del año precedente.

4. La adopción y enmienda del reglamento interior requerirá la unanimidad de los votos emitidos.

5. El nombramiento del Secretario General requerirá la unanimidad de los votos emitidos.

6. Para los efectos del presente Estatuto, la expresión "votos emitidos" significará los votos en favor o en contra. Las abstenciones no se considerarán como votos emitidos.

**ARTICLE X***The Central Secretariat*

1. The Organization shall maintain in the Caribbean area a Central Secretariat to serve the Council and its conferences, committees and auxiliary bodies.

2. The Secretary-General shall be the chief administrative officer of the Organization. He shall be responsible for carrying out all directives of the Council.

3. Subject to the staff rules issued by the Council and any further directives he may receive from the Council, the Secretary-General shall appoint and dismiss the staff of the Organization.

4. In the appointment of the Secretary-General and other members of the staff of the Central Secretariat, primary consideration shall be given to the technical and personal qualifications of the candidates. To the extent possible consistent with this consideration, the staff shall be recruited within the Caribbean area and with a view to obtaining equitable national representation.

5. In the performance of their duties the Secretary-General and staff shall not seek, receive or observe instructions from any Government, from any Member, or from any authority external to the Organization. The Secretary-General and staff shall refrain from any action which might reflect on their position as inter-

**ARTICLE X***Secretariat Central*

1. L'Organisation établit dans la région des Caraïbes un Secrétariat Central destiné à assister son Conseil, ses Conférences, Comités et organismes auxiliaires.

2. Le Secrétaire Général est le plus haut fonctionnaire de l'Organisation. Il est responsable de la mise en application de toutes les directives du Conseil.

3. Le Secrétaire Général recrute et révoque le personnel de l'Organisation en se conformant au statut du personnel établi par le Conseil et aux directives qu'il peut recevoir de ce dernier.

4. Les aptitudes techniques et les qualités personnelles des candidats président au choix du Secrétaire Général et des autres Membres du personnel du Secrétariat Central. Le personnel est recruté par priorité dans la région des Caraïbes, dans la mesure compatible avec les exigences qui précèdent et de manière à réaliser une représentation équitable des diverses nationalités.

5. Dans l'exercice de leurs fonctions, le Secrétaire Général et le personnel ne sollicitent, ne reçoivent, ni ne suivent aucune instruction émanant d'un Gouvernement ou d'un Membre ou d'une autorité étrangère à l'Organisation. Le Secrétaire Général et le personnel s'abstiennent de toute action qui ne serait pas compatible

**ARTIKEL X***Het Centrale Secretariaat*

1. De Organisatie onderhoudt in het gebied van de Caraïbische Zee een Centraal Secretariaat dat de Raad en zijn conferenties, commissies en bijbehorende instellingen ten dienste zal staan.

2. De Secretaris-Generaal is het hoofd van de administratieve diensten van de Organisatie; hij is verantwoordelijk voor de uitvoering van alle aanwijzingen van de Raad.

3. Met inachtneming van het door de Raad vastgestelde personeelsreglement en eventuele andere door hem van de Raad te ontvangen aanwijzingen, zal de Secretaris-Generaal het personeel van de Organisatie aanstellen en ontslaan.

4. Bij de benoeming van de Secretaris-Generaal en andere leden van het personeel van het Centrale Secretariaat, zal in de eerste plaats worden gelet op technische bekwaamheden en persoonlijke hoedanigheden van de kandidaten. Voorzover zulks verenigbaar is met dit vereiste, zullen zij worden aangeworven in het gebied van de Caraïbische Zee en zal er naar gestreefd worden een billijke nationale vertegenwoordiging te krijgen.

5. Bij de vervulling van hun taak zullen de Secretaris-Generaal en het personeel geen instructies vragen noch ontvangen of in acht nemen van enige Regering, van enig Lid, of van enige buiten de Organisatie staande autoriteit. De Secretaris-Generaal en het personeel dienen zich te onthouden van elke handeling die onverenig-

**ARTICULO X***Secretaría Central*

1. La Organización mantendrá en la región del Caribe una Secretaría Central para asistir al Consejo y a sus conferencias, comités y organismos auxiliares.

2. El Secretario General será el jefe administrativo de la Organización. Será responsable del cumplimiento de todas las instrucciones del Consejo.

3. Sujeto a los reglamentos de personal formulados por el Consejo y a cualesquiera otras instrucciones que pueda recibir de éste, el Secretario General nombrará y removerá el personal de la Organización.

4. En el nombramiento del Secretario General y de los demás miembros de la Secretaría Central se tomarán en cuenta, principalmente, las aptitudes técnicas y las cualidades personales de los candidatos. En la medida compatible con los requisitos del caso, el personal se obtendrá en la región del Caribe con miras a obtener una representación equitativa de las diversas nacionalidades.

5. En el ejercicio de sus funciones, el Secretario General y el personal no solicitarán, recibirán o cumplirán instrucciones de ningún Gobierno o Miembro o de ninguna otra fuente de autoridad extraña a la Organización. El Secretario General y el personal se abstendrán de toda actuación que pueda menoscabar

national officials responsible only to the Organization.

avec leur condition de fonctionnaires internationaux, responsables seulement devant l'Organisation.

6. Each Member undertakes to respect the exclusively international character of the functions of the Secretary-General and staff and not to seek to influence them in the discharge of their responsibilities.

6. Chacun des Membres s'engage à respecter le caractère exclusivement international des fonctions du Secrétaire Général et du personnel et à ne pas chercher à les influencer dans l'exercice de leurs fonctions.

## ARTICLE XI

### *Finances*

1. The expenses of the Organization shall be borne by the Members in proportions to be specified in an appropriate arrangement arrived at unanimously by the Members.

2. The fiscal year of the Organization shall be the calendar year.

3. The Secretary-General shall prepare and submit to the Council the draft of an annual budget and such supplementary budgets as may be required by the Organization and shall submit them to the Members at least one month prior to their discussion by the Council. Upon approval of the budget, the total amount thereof shall be allocated among the Members in the proportions arrived at in accordance with paragraph 1 of this Article. Each Member shall undertake, subject to the requirements of its constitutional procedures, to contribute promptly to a Joint Fund to be established by the Members such annual and supplementary sums as may be charged to each in accordance with the arrangement referred to in paragraph 1.

## ARTICLE XI

### *Questions financières*

1. Les dépenses de l'Organisation sont supportées par les Membres, selon des proportions à déterminer par un arrangement approprié réalisé à l'unanimité entre les Membres.

2. L'exercice budgétaire de l'Organisation coïncide avec l'année civile.

3. Le Secrétaire Général prépare et soumet au Conseil un projet de budget annuel et tout projet de budget extraordinaire requis par l'Organisation. Il les communique aux Membres dans un délai minimum d'un mois avant leur discussion par le Conseil. Après l'adoption du budget, le montant global en est réparti entre les Membres, selon les proportions déterminées par l'accord visé au paragraphe 1 ci-dessus. Chaque Membre s'engage, sous réserve des exigences de ses règles constitutionnelles, à verser promptement à un Fonds Commun, à instituer par les Membres, les contributions annuelles ou supplémentaires qui peuvent lui être demandées conformément à l'arrangement visé au paragraphe 1 ci-dessus.

baar is met hun positie als internationale ambtenaren die slechts aan de Organisatie verantwoording verschuldigd zijn.

6. Ieder Lid verplicht zich het uitsluitend internationale karakter van de taak van de Secretaris-General en van het personeel te eerbiedigen en niet te trachten hen bij de vervulling van deze taak te beïnvloeden.

## ARTIKEL XI

### *Financiën*

1. De kosten van de Organisatie worden door de Leden gedragen in een verhouding die in een daartoe eenstemmig door de Leden getroffen regeling zal worden vastgesteld.

2. Het fiscale jaar van de Organisatie valt samen met het kalenderjaar.

3. De Secretaris-General stelt een jaarlijks begrotingsontwerp en de ontwerpen van de voor de Organisatie nodige aanvullende begrotingen op en legt deze aan de Raad voor. Hij zendt deze tenminste één maand voordat zij in de Raad zullen worden besproken, aan de Leden toe. Na goedkeuring van de begroting wordt het totale bedrag daarvan omgeslagen over de Leden in de verhouding als vastgesteld overeenkomstig het bepaalde in lid 1 van dit Artikel. Ieder Lid verplicht zich, met inachtneming van hetgeen door zijn constitutionele voorschriften wordt geëist, terstond in een door de Leden op te richten Gemeenschappelijk Fonds de jaarlijkse en aanvullende bedragen te storten welke, volgens de in lid 1 bedoelde regeling, ten laste van een ieder van hen zullen worden gebracht.

sus cargos de funcionarios internacionales responsables solamente ante la Organización.

6. Cada uno de los Miembros se compromete a respetar el carácter exclusivamente internacional de las funciones del Secretario General y del personal y a abstenerse de tratar de influenciarlos en el desempeño de sus funciones.

## ARTICULO XI

### *Asuntos Financieros*

1. Las erogaciones de la Organización se distribuirán entre los Miembros, en las proporciones que se especificarán en un arreglo aceptado por unanimidad por los Miembros.

2. El año fiscal de la Organización será el año civil.

3. El Secretario General preparará y presentará al Consejo el proyecto de un presupuesto anual, así como los de presupuestos suplementarios que requiera la Organización y los remitirá a los Miembros, cuando menos un mes antes de su discusión en el Consejo. Una vez aprobado el presupuesto, la suma global de éste se distribuirá entre los Miembros en las proporciones determinadas de acuerdo con el párrafo 1 de este Artículo. Cada Miembro se compromete, sujeto a los preceptos de sus procedimientos constitucionales, a contribuir puntualmente a un Fondo Común que crearán los Miembros, las sumas anuales y suplementarias que se le impongan de conformidad con la distribución a que se hace referencia en el párrafo 1.

4. The Secretary-General shall hold and administer the Joint Fund of the Organization and shall keep proper accounts thereof. The Council shall make arrangements satisfactory to the Members for the audit of the accounts of the Organization. The audited statements shall be forwarded annually to each Member.

5. The expenses of delegates or delegations attending meetings sponsored by the Organization shall be borne by the Members whom they respectively represent.

#### ARTICLE XII

##### *Observers*

1. The Parties to the Agreement to which this Statute is annexed shall be entitled to send to all meetings held under the auspices of the Organization observers who shall have the right to speak but not to vote.

2. Any prospective Member of the Organization shall be entitled to send to all meetings held under the auspices of the Organization observers who shall have the right to speak but not to vote.

4. Le Secrétaire Général administre le Fonds Commun de l'Organisation et en tient une comptabilité adéquate. Le Conseil prend, en vue de l'apurement des comptes de l'Organisation, des mesures susceptibles de donner satisfaction aux Membres. Les rapports relatifs à l'apurement des comptes sont communiqués tous les ans à chacun des Membres.

5. Les dépenses afférentes aux délégués ou aux délégations qui participent aux réunions placées sous les auspices de l'Organisation sont supportées par les Membres qu'ils représentent respectivement.

#### ARTICLE XII

##### *Observateurs*

1. Les Parties à la Convention à laquelle le présent Statut est annexé ont le droit d'envoyer, à toutes les réunions tenues sous les auspices de l'Organisation, des observateurs qui ont voix consultative mais non voix délibérative.

2. Tout Membre éventuel de l'Organisation a le droit d'envoyer, à toutes les réunions tenues sous les auspices de l'Organisation, des observateurs qui ont voix consultative mais non voix délibérative.

4. De Secretaris-Generaal beheert het Gemeenschappelijke Fonds van de Organisatie en voert terzake een nauwkeurige boekhouding. De Raad treft een voor de Leden aanvaardbare regeling inzake het verifiëren van de rekeningen van de Organisatie. De accountantsrapporten zullen jaarlijks aan ieder Lid worden toegezonden.

5. De kosten voor afgevaardigden of afvaardigingen naar de onder auspiciën van de Organisatie bijeengeroepen vergaderingen worden gedragen door de Leden welke zij onderscheidenlijk vertegenwoordigen.

## ARTIKEL XII

### *Waarnemers*

1. De Partijen bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd hebben het recht naar alle onder auspiciën van de Organisatie te houden vergaderingen waarnemers te zenden, die het recht hebben aan de besprekingen deel te nemen, doch geen stemrecht hebben.

2. Ieder eventueel Lid van de Organisatie heeft het recht naar alle onder auspiciën van de Organisatie te houden vergaderingen waarnemers te zenden, die het recht hebben aan de besprekingen deel te nemen, doch geen stemrecht hebben.

4. El Secretario General retendrá y administrará el Fondo Común de la Organización y llevará la contabilidad adecuada. El Consejo dictará las disposiciones correspondientes, a satisfacción de los Miembros, para la intervención de las cuentas de la Organización. Anualmente se enviará a cada Miembro un estado de cuentas debidamente certificado.

5. Los gastos de los delegados o de las delegaciones que asistan a las reuniones auspiciadas por la Organización serán cubiertos por los Miembros a quienes representan, respectivamente.

## ARTICULO XII

### *Observadores*

1. Las Partes del Convenio al cual se adjunta este Estatuto tendrán derecho de enviar a todas las reuniones que se celebren bajo los auspicios de la Organización, observadores con derecho a hablar, pero sin voto.

2. Todo Miembro capacitado de la Organización tendrá derecho a enviar a todas las reuniones que se celebren bajo los auspicios de la Organización, observadores con derecho a hablar, pero sin voto.

3. The Council may, if it so decides by a unanimous vote, and subject to the approval of the Parties to the Agreement to which this Statute is annexed, authorize the Secretary-General to issue to any Government having interests in the Caribbean area not being a Party to the Agreement to which this Statute is annexed an invitation to send observers to any meeting held under the auspices of the Organization.

3. Le Conseil peut, à l'unanimité et sous réserve de l'approbation des Parties à la Convention à laquelle le présent Statut est annexé, autoriser le Secrétaire Général à adresser à tout Gouvernement ayant des intérêts dans la région des Caraïbes mais qui n'est pas Partie à la Convention à laquelle le présent Statut est annexé, une invitation à envoyer des observateurs à toute réunion tenue sous les auspices de l'Organisation.

4. The Council may, if it so decides by a unanimous vote, authorize the Secretary-General to issue to the organizations, universities, foundations and similar institutions as referred to in subparagraph (f) of Article VII, an invitation to send observers to any meeting held under the auspices of the Organization.

4. Le Conseil peut, à l'unanimité, autoriser le Secrétaire Général à adresser aux organisations, universités, fondations et autres institutions analogues visées à l'alinéa (f) de l'Article VII, une invitation à envoyer des observateurs à toute réunion tenue sous les auspices de l'Organisation.

### ARTICLE XIII

#### *Relationships with Governments not Parties to the Agreement*

The Organization in all its activities shall bear in mind the desirability of strengthening international cooperation in social, cultural and economic matters with Governments having an interest in such matters in the Caribbean area but not being Parties to the Agreement to which this Statute is annexed.

### ARTICLE XIII

#### *Relations avec les Gouvernements qui ne sont pas Parties à la Convention*

Dans toutes ses activités, l'Organisation tient compte de l'intérêt qui s'attache à renforcer la coopération internationale dans les domaines social, culturel et économique, avec les Gouvernements ayant dans ces domaines un intérêt dans la région des Caraïbes, mais qui ne sont pas Parties à la Convention à laquelle le présent Statut est annexé.

3. De Raad kan, onder voorbehoud van de goedkeuring van de Partijen bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, met eenparigheid van stemmen de Secretaris-Generaal machtigen aan enige Regering die in het gebied van de Caraïbische Zee belangen heeft maar niet Partij is bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, een uitnodiging te sturen om waarnemers te zenden naar alle onder auspiciën van de Organisatie te houden vergaderingen.

4. De Raad kan met eenparigheid van stemmen de Secretaris-Generaal machtigen aan de in lid (f) van Artikel VII bedoeld organisaties, universiteiten, stichtingen en soortgelijke instellingen een uitnodiging te sturen om waarnemers te zenden naar alle onder auspiciën van de Organisatie te houden vergaderingen.

### ARTIKEL XIII

#### *Betrekkingen met Regeringen die geen Partij zijn bij de Overeenkomst*

De Organisatie houdt bij alle werkzaamheden rekening met de wenselijkheid de internationale samenwerking op sociaal, cultureel en economisch gebied met Regeringen die in het gebied van de Caraïbische Zee bij deze zaken belang hebben maar niet Partijen zijn bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, te versterken.

3. El Consejo puede, si lo acuerda por unanimidad, y sujeto a la aprobación de las Partes del Convenio al cual se adjunta este Estatuto, autorizar al Secretario General para que expida a cualquier Gobierno que tenga intereses en la región del Caribe, pero que no sea Parte del Convenio al cual se adjunta este Estatuto, una invitación para que envíe observadores a cualquiera reunión que se celebre bajo los auspicios de la Organización.

4. El Consejo puede, si lo acuerda por unanimidad, autorizar al Secretario General para que expida a las organizaciones, universidades, fundaciones y otras instituciones análogas, que se mencionan en el subpárrafo (f) del Artículo VII, una invitación para que envíen observadores a cualquiera reunión que se celebre bajo los auspicios de la Organización.

### ARTICULO XIII

#### *Relaciones con Gobiernos que no son Partes del Convenio*

En todas sus actividades, la Organización tendrá en cuenta la conveniencia de fortalecer la cooperación internacional en asuntos sociales, culturales y económicos con Gobiernos que tengan intereses en la región del Caribe, pero que no son Partes del Convenio al cual se adjunta este Estatuto.

**ARTICLE XIV***Immunities*

Each Member undertakes to accord, so far as possible under its constitutional procedures, to the Organization, the Secretary-General and appropriate personnel of the Central Secretariat such privileges and immunities as may be necessary for the independent exercise of their functions, and to the Central Secretariat inviolability of its buildings, premises, archives and assets.

**ARTICLE XIV***Immunités*

Chaque Membre s'engage, dans la mesure compatible avec ses règles constitutionnelles, à accorder, d'une part, à l'Organisation, au Secrétaire Général et aux éléments appropriés du personnel du Secrétariat Central les priviléges et immunités nécessaires au libre exercice de leurs fonctions et, d'autre part, au Secrétariat Central, l'inviolabilité de ses bâtiments locaux, archives et avoirs.

**ARTICLE XV***Languages*

The English, French, Netherlands and Spanish languages shall be the official languages of the Organization. The working languages shall be English and French.

**ARTICLE XVI***Transfer of Assets and Liabilities of the Caribbean Commission*

With effect from the termination of the Agreement for the Establishment of the Caribbean Commission under Article IV of the Agreement to which this Statute is annexed, the Organization, as the successor body to the Caribbean Commission, is authorized to take over all the assets and shall assume all the liabilities of the Caribbean Commission.

**ARTICLE XV***Langues*

L'anglais, le français, le néerlandais et l'espagnol sont les langues officielles de l'Organisation. Les langues de travail sont l'anglais et le français.

**ARTICLE XVI***Transfert de l'actif et du passif de la Commission des Caraïbes*

A l'expiration de la Convention portant création de la Commission des Caraïbes, aux termes de l'Article IV de la Convention à laquelle le présent Statut est annexé, l'Organisation, en tant que successeur de la Commission des Caraïbes, est autorisée à prendre en compte tout l'actif de cette Commission et doit prendre à sa charge tout le passif de ladite Commission.

**ARTIKEL XIV***Immuniteiten*

Ieder Lid verplicht zich, voor zover zijn constitutionele voorschriften zulks toelaten, de Organisatie, de Secretaris-Generaal en het daarvoor in aanmerking komende deel van het personeel van het Centrale Secretariaat de voor de onafhankelijke uitoefening van hun taak nodige voorrechten en immuniteiten te verlenen, alsmede het Centrale Secretariaat de onschendbaarheid te waarborgen van zijn gebouwen, terreinen, archieven en activa.

**ARTIKEL XV***Talen*

Het Engels, het Frans, het Nederlands en het Spaans zijn de officiële talen van de Organisatie. De werktalen zijn het Engels en het Frans.

**ARTIKEL XVI***Overdracht van activa en passiva van de Caraïbische Commissie*

Bij de beëindiging van de Overeenkomst voor de oprichting van de Caraïbische Commissie krachtens Artikel IV van de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, is de Organisatie, als opvolgster van de Caraïbische Commissie, gemachtigd alle activa en verplicht alle passiva van die Commissie over te nemen.

**ARTICULO XIV***Inmunidades*

Cada Miembro se compromete, en la medida compatible con sus preceptos constitucionales a acordar a la Organización, al Secretario General y al personal apropiado de la Secretaría Central los privilegios o inmunidades necesarios para el libre ejercicio de sus funciones y a la Secretaría Central la inviolabilidad de sus edificios, locales, archivos y haberes.

**ARTICULO XV***Idiomas*

El español, el inglés, el francés y el holandés serán los idiomas oficiales de la Organización. Los idiomas de trabajo serán el inglés y el francés.

**ARTICULO XVI***Traslado del Activo y del Pasivo de la Comisión del Caribe*

A la expiración del Convenio para la creación de la Comisión del Caribe, de conformidad con el Artículo IV del Convenio al cual se adjunta este Estatuto, la Organización, como entidad sucesora de la Comisión del Caribe, está autorizada para hacerse cargo de todo el activo de dicha Comisión y asumirá el pasivo de la Comisión del Caribe.

**ARTICLE XVII***Saving Clause*

No provision of this Statute shall be interpreted as affecting the present or future constitutional status of the Members of the Organization, or, where applicable, the present or future constitutional relations of any of the aforesaid Members with the Parties to the Agreement to which this Statute is annexed.

**ARTICLE XVII***Clause de garantie*

Aucune disposition du présent Statut ne pourra être interprétée comme portant atteinte aux régimes constitutionnels actuels ou futurs des Membres de l'Organisation ni, le cas échéant, aux relations constitutionnelles actuelles ou futures de ces Membres avec les Parties à la Convention à laquelle le présent Statut est annexé.

**ARTICLE XVIII***Amendment of Statute*

Amendment to this Statute shall require the unanimous approval of the Members of the Organization and of the Parties to the Agreement to which this Statute is annexed.

**ARTICLE XIX***Entry into Force*

This Statute shall enter into force [¹] immediately after:

(a) there has been received by the Secretary-General of the Caribbean Commission notification pursuant to paragraph 1 of Article IV from at least six of the prospective Members of the Organization; [²] and

(b) the Parties to the Agreement to which this Statute is annexed have signed a Joint Declaration [³] under paragraph 2 of Article V of that Agreement.

**ARTICLE XVIII***Amendements au Statut*

Les amendements au présent Statut doivent recueillir l'approbation unanime des Membres de l'Organisation et des Parties à la Convention à laquelle le présent Statut est annexé.

**ARTICLE XIX***Entrée en vigueur*

Le présent Statut entrera en vigueur dès

(a) que le Secrétaire Général de la Commission des Caraïbes aura reçu la notification prévue au paragraphe 1 de l'Article IV d'au moins six des Membres éventuels de l'Organisation; et

(b) que les Parties à la Convention à laquelle le présent Statut est annexé auront signé une Déclaration conjointe, conformément aux dispositions du paragraphe 2 de l'Article V de la Convention portant création de l'Organisation des Caraïbes.

<sup>1</sup> Sept. 6, 1961.

<sup>2</sup> See footnote 3, *ante*, p. 1304.

<sup>3</sup> *Post*, p. 1346.

**ARTIKEL XVII***Voorbehoud*

Geen enkele bepaling van dit Statuut zal kunnen worden uitgelegd als inbreuk te maken op de bestaande of toekomstige constitutionele status van de Leden van de Organisatie, of waar zulks toepasselijk is op de bestaande of toekomstige constitutionele verhoudingen tussen een der boven- genoemde Leden en de Partijen bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd.

**ARTIKEL XVIII***Wijziging van het Statuut*

Wijzigingen van dit Statuut behoeven de eenstemmige goedkeuring van de Leden en van de Partijen bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd.

**ARTIKEL XIX***Inwerktingreding*

Dit Statuut treedt in werking onmiddellijk nadat:

(a) de Secretaris-Generaal van de Caraïbische Commissie van minstens zes van de eventuele Leden der Organisatie een mededeling heeft ontvangen krachtens lid 1 van Artikel IV; en

(b) de Partijen bij de Overeenkomst waarbij dit Statuut als bijlage is gevoegd, krachtens lid 2 van Artikel V van die Overeenkomst, een Gemeenschappelijke Verklaring hebben ondertekend.

**ARTICULO XVII***Cláusula de Garantía*

Ninguna disposición del presente Estatuto podrá interpretarse en el sentido de que tiende a afectar los regímenes constitucionales presentes o futuros de los Miembros de la Organización o, en casos en que sea aplicable, las relaciones constitucionales actuales o futuras de dichos Miembros con las Partes del Convenio al cual se adjunta este Estatuto.

**ARTICULO XVIII***Enmienda del Estatuto*

Las enmiendas al presente Estatuto necesitarán la aprobación unánime de los Miembros de la Organización y de las Partes del Convenio al cual se adjunta este Estatuto.

**ARTICULO XIX***Entrada en Vigor*

El presente Estatuto entrará en vigor inmediatamente:

(a) una vez que el Secretario General de la Comisión del Caribe haya recibido la notificación según el párrafo 1 del Artículo IV, de cuando menos seis Miembros capacitados de la Organización; y

(b) una vez que las Partes del Convenio al cual se adjunta este Estatuto hayan firmado una Declaración Conjunta con arreglo al párrafo 2 del Artículo V de ese Convenio.

**ARTICLE XX***Transitional Provisions*

Until such time as the Secretary-General of the Organization is appointed and is able to assume the duties of his office, the Secretary-General of the Caribbean Commission shall be the Secretary-General of the Organization with power to appoint a staff on a temporary basis.

**ARTICLE XX***Dispositions transitoires*

Jusqu'à ce que le Secrétaire Général de l'Organisation soit nommé et soit en mesure d'assumer les devoirs de sa charge, le Secrétaire Général de la Commission des Caraïbes sera le Secrétaire Général de l'Organisation et aura le pouvoir de nommer un personnel provisoire.

**ARTIKEL XX***Overgangsbepalingen*

Tot het tijdstip waarop de Secretaris-Generaal van de Organisatie wordt aangesteld en in staat is zijn functies te aanvaarden, treedt de Secretaris-Generaal van de Caraïbische Commissie op als Secretaris-Generaal van de Organisatie, met de bevoegdheid personeel op tijdelijke basis aan te trekken.

**ARTICULO XX***Disposiciones Transitorias*

Hasta que se nombre el Secretario General de la Organización, y hasta que éste pueda asumir las obligaciones de su cargo, el Secretario General de la Comisión del Caribe será el Secretario General de la Organización, con facultades para nombrar un personal con carácter provisional.

I CERTIFY THAT the foregoing is a true copy of the Agreement for the Establishment of the Caribbean Organization, including the Statute annexed thereto, signed at Washington on June 21, 1960, in the English, French, Netherlands, and Spanish languages, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, CHRISTIAN A. HERTER, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this twenty-second day of June, 1960.

CHRISTIAN A. HERTER  
*Secretary of State*

[SEAL]

By

BARBARA HARTMAN  
*Authentication Officer*  
*Department of State*

**JOINT DECLARATION  
DECLARATION CONJOINTE  
GEMEENSCHAPPELIJKE VERKLARING  
DECLARACION CONJUNTA**

The GOVERNMENTS of the REPUBLIC OF FRANCE, the KINGDOM OF THE NETHERLANDS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and the UNITED STATES OF AMERICA,

Noting that the requirements under Article V of the Agreement for the Establishment of the Caribbean Organization and Article XIX of the Statute of the Caribbean Organization annexed thereto have been met,

Declare that the above-mentioned Agreement and Statute enter into force on this date.

DONE at San Juan in a single original in the English, French, Netherlands and Spanish languages, each version being equally authentic, this sixth day of September, 1961.

Les GOUVERNEMENTS de la REPUBLIQUE FRANCAISE, du ROYAUME DES PAYS-BAS, du ROYAUME-UNI de GRANDE-BRETAGNE et d'IRLANDE DU NORD et des ETATS-UNIS D'AMERIQUE,

Constatant que les conditions requises aux termes de l'Article V de la Convention portant création de l'Organisation des Caraïbes et de l'Article XIX du Statut de l'Organisation des Caraïbes annexé à cette Convention sont remplies,

Déclarent que la dite Convention et le dit Statut entrent en vigueur à la date de ce jour.

FAIT à San Juan en un seul original dans les langues anglaise, française, néerlandaise et espagnole, tous textes faisant également foi, le sixième jour du mois de septembre 1961.

De REGERINGEN van de FRANSE REPUBLIEK, het KONINKRIJK DER NEDERLANDEN, het VERENIGD KONINKRIJK VAN GROOT-BRITTANNIE EN NOORD-IERLAND, en de VERENIGDE STATEN VAN AMERIKA,

Constaterende dat voldaan is aan de vereisten gesteld in Artikel V van de Overeenkomst tot Oprichting van de Caraïbische Organisatie en in Artikel XIX van het daarbij als bijlage gevoegde Statuut van de Caraïbische Organisatie,

Verklaren dat de Overeenkomst en het Statuut voornoemd heden in werking treden.

GEDAAN te San Juan, de zesde September 1961, in een enkel exemplaar in de Engelse, de Franse, de Nederlandse en de Spaanse taal, alle teksten gelijkelijk autentiek.

Los GOBIERNOS de la REPUBLICA FRANCESCA, del REINO DE LOS PAISES BAJOS, del REINO UNIDO DE LA GRAN BRETANA E IRLANDA DEL NORTE, y de los ESTADOS UNIDOS DE AMERICA,

Considerando que las condiciones requeridas conforme al Artículo V del Convenio para la Creación de la Organización del Caribe y al Artículo XIX del Estatuto de la Organización del Caribe anexo al mismo se han cumplido,

Declaran que el Convenio y el Estatuto antes mencionados para la creación de la Organización del Caribe entra en vigor en esta fecha.

HECHO en San Juan en un solo texto original en los idiomas español, francés, holandés e inglés, cada uno de ellos igualmente auténtico, el día seis de septiembre de 1961.

FOR THE GOVERNMENT OF THE REPUBLIC OF FRANCE:  
POUR LE GOUVERNEMENT DE LA REPUBLIQUE FRANCAISE:  
VOOR DE REGERING VAN DE FRANSE REPUBLIEK:  
POR EL GOBIERNO DE LA REPUBLICA FRANCESAS:

MAX MOULINS

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:  
POUR LE GOUVERNEMENT DU ROYAUME DES PAYS-BAS:  
VOOR DE REGERING VAN HET KONINKRIJK DER NEDERLANDEN:  
POR EL GOBIERNO DEL REINO DE LOS PAISES BAJOS:

H R VAN HOUTEN

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND:  
POUR LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-  
BRETAGNE ET D'IRLANDE DU NORD:  
VOOR DE REGERING VAN HET VEREENIGD KONINKRIJK VAN  
GROOT-BRITTANNIE EN NOORD-IERLAND:  
POR EL GOBIERNO DEL REINO UNIDO DE LA GRAN BRETANA  
E IRLANDA DEL NORTE:

STEPHEN LUKE

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:  
POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE:  
VOOR DE REGERING VAN DE VERENIGDE STATEN VAN AMERIKA:  
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

JOHN W. HANES Jr.

I CERTIFY THAT the foregoing is a true copy of the Joint Declaration of the entry into force of the Agreement for the Establishment of the Caribbean Organization and the Statute annexed thereto, which Declaration was signed at San Juan on September 6, 1961, in the English, French, Netherlands, and Spanish languages, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, DEAN RUSK, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this fifteenth day of September, 1961.

DEAN RUSK  
*Secretary of State*

[SEAL]

By      BARBARA HARTMAN  
*Authentication Officer*  
*Department of State*

# FEDERAL REPUBLIC OF GERMANY

## Air Service: Lease of Equipment

*Agreement extending the agreement of August 2, 1955, as extended.*

*Effectuated by exchange of notes*

*Dated at Bonn August 14 and September 11, 1961;*

*Entered into force September 11, 1961;*

*Operative retroactively August 2, 1961.*

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*The American Embassy to the German Ministry of Foreign Affairs*

[No. 30]

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Federal Republic of Germany and has the honor to refer to the Agreement signed at Bonn on August 2, 1955 [¹] under which the United States leased certain air navigational equipment to the Federal Republic for a period of two years. By two exchanges of notes dated at Bonn February 24 and May 24, 1958 and November 3, 1959 and January 8, 1960, [²] the lease was extended for additional periods of two years each with respect to items of property listed in Annex A of those notes, and provision was made for return of items of property listed in Annex B thereof.

The United States is prepared to extend the terms of the lease agreement for an additional period of two years from August 2, 1961 with respect to the items of property listed in Annex A, Schedule F, which is identical with the listing previously shown as List D in Annex A.

If the Government of the Federal Republic is agreeable to the foregoing proposals, this note and the reply of the Federal Republic concurring therein will be considered by the United States as constituting an agreement providing for further extension of the terms of the Agreement of August 2, 1955 for an additional period of two years from August 2, 1961 with regard to the items of equipment listed in Annex A.

Enclosure: Annex A

EMBASSY OF THE UNITED STATES OF AMERICA,  
Bonn, August 14, 1961

<sup>1</sup> TIAS 3464; 6 UST 6111.

<sup>2</sup> TIAS 4062, 4490; 9 UST 958; 11 UST 1476.

A N N E X A

Federal Air Traffic Services Institute  
Headquarters File 5-0441  
III b

FRANKFURT/MAIN, May 16, 1961

Schedule F

**Covering US-Owned Air Navigation Equipment Required for an Additional Lease Period (August 1, 1961-July 31, 1963) by the Federal Air Traffic Services Institute**

Nr.	CAD Nr.	Item	Serial Nr.	German Nomenclature	Present Location	Competent Customs Authority	Frankfurt/M.
1	111 001	Transmitter BC 446	300	Sender	FS-Leistungsfm. Aussenstelle Salmuenster		
2	111 002	" BC 446	307	"		"	
3	111 003	" BC 400	289	"		"	
4	111 004	" BC 400	264	"		"	
5	111 351	Loop Antenna Assembly f. Range		Schleifantenne		"	
6	111 352	Z-Marker Antenna 75 MHz		Z-Marker Antenna		"	
7	111 400	Switch Box f. BC 400		Schaltkasten		"	
8	111 403	Transformer Gen. Electric 7,5 KVA, 220/110 V	7332134	Transformator	same	"	
9	411 006	Transmitter BC 400	117	Sender	FS-Leistungsfm. Aussenstelle Idstein	"	
10	411 007	Transmitter BC 446	230	"		"	
11	411 008	Transmitter BC 446	280	"	same	"	
12	411 217	Antenna Switch for Range		Antennenschalter f.			
13	411 416	Transformer TF A	7332044	Entfernungseinstellung	same	"	
14	411 440	Antenna Assembly for Range		Transformator Antenne f. Range	same	"	
15	511 002	Transmitter BC 446	185	Sender	same	"	
16	511 003	Transmitter BC 446	241	Sender	FS-Leistungsfm. Aussenstelle Muenchen	"	
17	511 004	Transmitter BC 400 H	91	Sender	same	"	
18	511 005	Transmitter BC 400 H	122	Sender	same	"	
19	511 378	Antenna Assembly for BC 400		Antenne	same	"	
20	511 413	Transformer 220/110 V	295092	Transformator	same	"	
21	511 360	Antenna Assy fuer BC-446		Antenne	same	"	
22	511 371	Antenna Tower, Steel, 90 ft.		Antenne	Funkfeuer Poing	"	

TIAS 4854

*The German Ministry of Foreign Affairs to the American Embassy*

AUSWÄRTIGES AMT

405-83.78

Verbalnote

Das Auswärtige Amt beeindruckt sich, der Botschaft der Vereinigten Staaten von Amerika auf ihre Verbalnote Nr. 30 vom 14. August 1961 mitzuteilen, daß die Bundesregierung mit den in obiger Verbalnote gemachten Vorschlägen hinsichtlich der Verlängerung des deutsch-amerikanischen Abkommens vom 2. August 1955 über die Vermietung von Ausrüstungen für den Luftverkehr an die Bundesrepublik Deutschland einverstanden ist.

Das Auswärtige Amt erklärt ferner seine Zustimmung zu dem Vorschlag der Botschaft der Vereinigten Staaten von Amerika, die Verbalnote der Botschaft vom 14. August 1961 sowie die vorliegende Verbalnote des Auswärtigen Amtes als Vereinbarung über eine Verlängerung der in dem Abkommen vom 2. August 1955 niedergelegten Bedingungen bezüglich der in Annex A, Schedule F aufgeführten Gegenstände um zwei Jahre, vom 2. August 1961 an, anzusehen.

Das Auswärtige Amt benutzt diesen Anlaß, die Botschaft der Vereinigten Staaten von Amerika erneut seiner ausgezeichneten Hochachtung zu versichern.

BONN, den 11. September 1961

[SEAL]

An die

BOTSCHAFT DER VER-  
EINIGTEN STAATEN VON AMERIKA*Translation*

MINISTRY OF FOREIGN AFFAIRS

405-83.78

Note Verbale

The Ministry of Foreign Affairs has the honor to inform the Embassy of the United States of America, in reply to its Note Verbale No. 30 of August 14, 1961, that the Federal Government concurs in the proposals contained in the above Note Verbale regarding the extension of the Agreement between Germany and the United States of America, of August 2, 1955, for the lease of air navigation equipment to the Federal Republic of Germany.

The Ministry of Foreign Affairs further agrees to the proposal of the Embassy of the United States of America that the Note Verbale of the Embassy, dated August 14, 1961, and this Note Verbale of the Ministry of Foreign Affairs shall be deemed to constitute an

agreement for the extension of the terms of the Agreement of August 2, 1955 for an additional period of two years from August 2, 1961 with regard to the items listed in Annex A, Schedule F.

The Ministry of Foreign Affairs avails itself of this opportunity to assure the Embassy of the United States of America of its high consideration.

BONN, September 11, 1961

[SEAL]

THE EMBASSY OF THE  
UNITED STATES OF AMERICA.

# UNITED KINGDOM

## Weather Stations: Betio Island

*Agreement effected by exchange of notes  
Signed at Washington September 26, 1961;  
Entered into force September 26, 1961.*

*The Secretary of State to the British Ambassador*

DEPARTMENT OF STATE  
WASHINGTON  
*September 26, 1961.*

### EXCELLENCY:

I have the honor to refer to recent discussions between representatives of the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland concerning the weather station constructed and operated by the United States Government on Betio Island in the Gilbert and Ellice Islands Colony pursuant to the agreement concluded by the exchange of notes at Washington on November 15, 1955,[<sup>1</sup>] as renewed by the exchange of notes of January 20, 1958.[<sup>2</sup>]

I now have the honor to propose that, subject to administrative arrangements to be concluded between the appropriate authorities of the two Governments, the United States Government be authorized to maintain the station until December 31, 1964, and to re-open it at any time before, and resume operation of it until, that date for the purposes and under the conditions set forth in the agreement of November 15, 1955.

If this proposal is acceptable to the Government of the United Kingdom, I have the honor to suggest that this note and your reply to that effect should be regarded as constituting an agreement between the two Governments in this matter which shall enter into force on the date of Your Excellency's reply and terminate on December 31, 1964.

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<sup>1</sup> TIAS 3389; 6 UST 3877.

<sup>2</sup> TIAS 3976; 9 UST 40.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM R. TYLER  
*Acting Assistant Secretary  
for European Affairs*

His Excellency

Sir HAROLD CACCIA, G.C.M.G., G.C.V.O.,  
*British Ambassador.*

*The British Ambassador to the Secretary of State*

BRITISH EMBASSY,  
WASHINGTON, D.C.

*September 26, 1961*

No. 383

SIR,

I have the honour to acknowledge receipt of your Note of the 26th of September, 1961 which reads as follows:

"I have the honor to refer to recent discussions between representatives of the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland concerning the weather station constructed and operated by the United States Government on Betio Island in the Gilbert and Ellice Islands Colony pursuant to the agreement concluded by the exchange of notes at Washington on November 15, 1955, as renewed by the exchange of notes of January 20, 1958.

I now have the honor to propose that, subject to administrative arrangements to be concluded between the appropriate authorities of the two Governments, the United States Government be authorized to maintain the station until December 31, 1964, and to re-open it at any time before, and resume operation of it until, that date for the purposes and under the conditions set forth in the agreement of November 15, 1955.

If this proposal is acceptable to the Government of the United Kingdom, I have the honor to suggest that this note and your reply to that effect should be regarded as constituting an agreement between the two Governments in this matter which shall enter into force on the date of Your Excellency's reply and terminate on December 31, 1964.

TIAS 4855

Accept, Excellency, the renewed assurances of my highest consideration."

In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note together with this reply shall be regarded as constituting an agreement between the two Governments in this matter which shall enter into force on this day's date and terminate on the 31st of December, 1964.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

HAROLD CACCIA.

The Honourable

DEAN RUSK,

*Secretary of State of the United States of America,  
Washington, D.C.*

# CANADA

## Defense: Tactical Air Navigation (TACAN) Facility at Cape Dyer

*Agreement effected by exchange of notes  
Dated at Ottawa September 19 and 23, 1961;  
Entered into force September 23, 1961.*

*The American Chargé d'Affaires ad interim to the Canadian Acting  
Secretary of State for External Affairs*

No. 74

The Chargé d'Affaires ad interim of the United States of America presents his compliments to the Acting Secretary of State for External Affairs and has the honor to refer to the Ambassador's Note No. 259 of May 1, 1959,[<sup>1</sup>] which contained as an Annex the conditions which the Governments of the United States and Canada agreed to for the establishment, maintenance, and operation of Tactical Air Navigation (TACAN) Facilities in Canada.

In order to provide azimuth and distance information to aircraft traversing the DEWLINE, the United States hopes to install TACAN facilities at an additional site in Canada, specifically Cape Dyer, which is a DEWLINE[<sup>2</sup>] station. It would be necessary to assign a United States Air Force TACAN maintenance technician to Cape Dyer.

This facility would serve as both a terminal and an en route aid and would help considerably in solving aircraft identification problems. It is understood that this facility would not conflict with the Canadian TACAN program but rather would complement it. It is also understood that the United States Air Force's Central Coordinating Staff, Ottawa, has informally discussed this facility with officers of the Royal Canadian Air Force, who have concurred that a service need for it exists.

The Chargé d'Affaires ad interim hopes that the Government of Canada can approve the addition of this site to the list of agreed sites set forth in paragraph 6(a) of the Annex to the Ambassador's Note No. 259. The United States Air Force would expect to operate and

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<sup>1</sup> TIAS 4218; 10 UST 790.

<sup>2</sup> Distant Early Warning Line.

support United States Air Force equipment at the Cape Dyer installation until such time as Canada might assume operating responsibility pursuant to paragraph 6(d) of the Annex.

Should the Government of Canada agree to the installation of this additional TACAN facility, the Chargé d'Affaires ad interim proposes that its establishment, operation and maintenance be subject to the conditions set out in the Annex to the Ambassador's Note No. 259 of May 1, 1959. The Chargé d'Affaires ad interim also proposes that this Note and the Acting Secretary's reply constitute an Agreement effective from the date of reply.

WILLIS C. ARMSTRONG

EMBASSY OF THE UNITED STATES OF AMERICA,  
*September 19, 1961.*

*The Canadian Secretary of State for External Affairs to the  
American Chargé d'Affaires ad interim*

DEPARTMENT OF  
EXTERNAL AFFAIRS  
CANADA

No. 156

The Secretary of State for External Affairs presents his compliments to the Chargé d'Affaires a.i. of the United States of America and has the honour to refer to his Note No. 74 of September 19 in which the approval of the Canadian Government is sought for the installation of a TACAN facility at Cape Dyer.

The Secretary of State for External Affairs is pleased to inform the Chargé d'Affaires a.i. that the Canadian Government is agreeable to the installation of this additional TACAN facility in accordance with the terms of his Note.

The Secretary of State for External Affairs further concurs in the proposal that the Note of the Chargé d'Affaires a.i. and this reply shall constitute an agreement between our two governments on this matter effective this date.

HCG

OTTAWA,  
*September 23, 1961.*

# AUSTRALIA

## **Interchange of Patent Rights and Technical Information for Defense Purposes: Filing of Classified Patent Applications**

*Agreement effected by exchange of notes*

*Signed at Washington September 13 and October 2, 1961;  
Entered into force October 2, 1961.*

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*The Secretary of State to the Australian Ambassador*

DEPARTMENT OF STATE  
WASHINGTON  
September 13, 1961

EXCELLENCY:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Australia to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes, which was signed in Washington on January 24, 1958,[<sup>1</sup>] and to the discussions between representatives of our two Governments regarding procedures for the reciprocal filing of classified patent applications under the terms of Articles III and VI of this Agreement. I enclose a copy of the procedures prepared during the course of these discussions and agreed to by those representatives.

I am now instructed to inform you that the enclosed procedures have been agreed to by the Government of the United States of America. I would appreciate it if you would confirm that they are also acceptable to your Government. Upon receipt of such confirmation, my Government will consider that these procedures shall thereafter govern the reciprocal filing of classified patent applications, in accordance with the terms of the aforesaid Agreement.

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<sup>1</sup> TIAS 3974; 9 UST 5.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

EDWIN M. MARTIN

Enclosure:

Procedures.

His Excellency  
The Honorable  
Sir HOWARD BEALE, K.B.E., Q.C.,  
*Ambassador of Australia.*

**PROCEDURES FOR RECIPROCAL FILING OF CLASSIFIED  
PATENT APPLICATIONS IN THE UNITED STATES OF  
AMERICA AND THE COMMONWEALTH OF AUSTRALIA**

1. General

The following procedures are in implementation of Article III of the Agreement between the Government of the United States of America and the Government of the Commonwealth of Australia to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes which was signed and entered into force on January 24, 1958.

The purpose of these procedures is to facilitate the filing of a patent application involving classified subject matter of defense interest by an inventor in one country in the other country and to provide adequate security arrangements in each country for the invention disclosed by such application.

These procedures are based upon the following understandings with respect to basic security requirements:

- (a) Each Government has authority within its jurisdiction to impose secrecy on or prohibition of publication of an invention of defense interest which it considers to involve classified subject matter.
- (b) The authority of each Government, when acting as the originating Government, to impose, modify or remove a secrecy or prohibition order shall be exercised only at the request, or with the concurrence, of a defense official of that Government, or pursuant to criteria established by a defense agency of that Government.
- (c) A secrecy or a prohibition order shall apply to the subject matter of an application for a patent or to an invention and

shall prohibit unauthorized disclosure or publication of the same by any person having access thereto.

- (d) Adequate physical security arrangements shall be provided in each Government Department, including the Patent Office, handling an invention of defense interest and each person in the Department and Office required to handle such an invention shall have been security cleared.
- (e) Each Government shall take all possible steps to prevent an unauthorized foreign filing of a patent application which may involve classified subject matter of defense interest.
- (f) Permission for foreign filing of a patent application involving classified subject matter of defense interest shall remain discretionary with each Government.
- (g) The recipient Government shall assign to the invention concerned a classification corresponding to that given in the country of origin and shall take effective measures to provide security protection appropriate to this classification.
- (h) Where a patent application covered by a secrecy or prohibition order is handled by a patent agent or attorney in private practice, arrangements shall be made for the security clearance of the agent or attorney and for all of their appropriate employees prior to handling such an application or information relating thereto, as well as for adequate physical security measures in his office.
- (i) When secrecy or prohibition of publication has been imposed on an invention in one country and the inventor has been given permission to apply for a patent in the other country, a communication with respect to the classified aspects of the invention shall pass through diplomatic or other secure channels.

## 2. Application Originating in the United States

The following provisions shall apply when, for defense purposes, a United States patent application has been placed in secrecy under the provisions of Title 35, United States Code, Section 181,<sup>[1]</sup> and the applicant wishes to file a corresponding application in the Commonwealth of Australia:

- (a) The applicant shall petition the United States Commissioner of Patents for modification of the secrecy order to permit filing in the Commonwealth of Australia.
- (b) Permission to file a corresponding patent application in the Commonwealth of Australia shall be conditional upon the applicant agreeing to:

<sup>[1]</sup> 66 Stat. 805.

- (i) Make the invention involved and such information relating thereto as may be necessary for its evaluation for defense purposes available to the Commonwealth Government for purposes of defense under the conditions set forth in the Agreement of January 24, 1958.
  - (ii) Waive any right to compensation under the laws of the Commonwealth of Australia for damage which might arise from the mere imposition of a prohibition order on his invention in the Commonwealth of Australia, but reserving any right to institute action for compensation under the laws of the Commonwealth of Australia for use by the Commonwealth Government or for unauthorized disclosure of the invention forming the subject of the patent application.
- (c) Upon obtaining permission to file an application for a patent in the Commonwealth of Australia, the applicant shall forward the documents for the foreign application to the defense agency which initiated the secrecy order.
- (d) The defense agency shall transmit, through diplomatic channels, the documents received from the applicant, simultaneously, as follows:
- (i) One copy to the Head of the Australian Joint Services Staff in the United States for use by the Commonwealth Government for defense purposes; and
  - (ii) two copies to the appropriate section of the American Embassy in the Commonwealth of Australia.

The letter accompanying the documents to the American Embassy in the Commonwealth of Australia shall indicate the security classification given to the application in the United States, state that the invention concerned and such information relating thereto as may be necessary for its evaluation for defense purposes has been made available to the Commonwealth Government for purposes of defense under the conditions set forth in the Agreement of January 24, 1958, and that the applicant has authority to file a corresponding application in the Commonwealth of Australia under the provisions of Title 35, United States Code, Section 184. It shall also include instructions for the Embassy to inquire of the Secretary of the Department of External Affairs whether the attorney in Australia designated by the applicant is security cleared in accordance with the provisions of subparagraph 1(h) supra.

- (e) When a security cleared attorney or agent has been designated, the Embassy shall transmit the documents to him by personal delivery or in any other manner consistent with Commonwealth security requirements. The selected attorney or agent shall then file the application in the Australian Patent Office.
- (f) If the designated attorney or agent is not security cleared, the Secretary of the Department of External Affairs shall so inform the Embassy. It shall then be necessary for the designated attorney or agent to become security cleared, if time permits, or for the applicant to select another attorney or agent and submit his name through the Embassy to the Secretary of the Department of External Affairs. If delay in locating a security cleared attorney or agent would result in advisable delay in filing the Australian application, the United States Government may, at the request of the applicant, transmit the application to the Australian Patent Office for filing, in a manner consistent with Commonwealth security requirements.
- (g) The Commissioner of Patents shall then prohibit the publication of information with respect to the subject matter of the application.
- (h) The applicant shall inform as soon as possible the initiating agency of the serial number and filing date of the foreign application.

### 3. Application Originating in the Commonwealth of Australia

The following provisions shall apply when, for defense purposes, the Commissioner of Patents has made an order under Section 131 of the Patents Act 1952–1955 prohibiting or restricting the publication of information with respect to the subject matter of an application made for the grant of a patent and the applicant wishes to file a corresponding application in the United States of America:

- (a) The applicant shall send a written request to the Commissioner of Patents asking for permission to file an application in the United States of America.
- (b) Permission to file a corresponding patent application in the United States shall be conditional upon the applicant agreeing to:
  - (i) Make the invention involved and such information relating thereto as may be necessary for its evaluation for defense purposes available to the United States Government for purposes of defense under the conditions set forth in the Agreement of January 24, 1958.

- (ii) Waive any right to compensation under the laws of the United States for damage which might arise from the mere imposition of secrecy on his invention in the United States, but reserving any right to institute action for compensation under the laws of the United States for use by the United States Government or for unauthorized disclosure of the invention forming the subject of the patent application.
- (c) Upon obtaining permission to file an application for a patent in the United States, the applicant shall forward to the Secretary of the Department of Supply, three copies of the foreign patent application, all in conformity with Commonwealth security requirements.
- (d) The Secretary of the Department of Supply shall transmit, through approved safehand channels, the documents received from the applicant, simultaneously, as follows:
  - (i) One copy to the appropriate Armed Forces Attaché in the American Embassy in the Commonwealth of Australia for use by the United States Government for defense purposes; and
  - (ii) two copies to the Australian Joint Services Staff in the United States.

The letter accompanying the documents to the Australian Joint Services Staff in the United States shall indicate the security classification given to the application in the Commonwealth of Australia, state that the invention concerned and such information relating thereto as may be necessary for its evaluation for defense purposes has been made available to the United States Government for purposes of defense under the conditions set forth in the Agreement of January 24, 1958 and that the applicant has authority to file a corresponding application in the United States of America. It shall also include instructions for the Australian Joint Services Staff to inquire of the Secretary, Armed Services Patent Advisory Board, Patents Division, Office of the Judge Advocate General, Department of the Army, Washington 25, D.C., whether the attorney or agent in the United States designated by the applicant is security cleared in accordance with the provisions of subparagraph 1(h) supra.

- (e) When a security cleared attorney or agent has been designated, the Australian Joint Services Staff shall transmit the documents to him by personal delivery or in any other manner consistent with United States security requirements. The selected attorney or agent shall then file the application in the

United States Patent Office and shall forward to the Secretary of the Armed Services Patent Advisory Board a copy of the application as filed and a copy of the prohibition order issued by the Commissioner of Patents in Australia permitting publication of the application to a class of persons in the United States.

- (f) If the designated attorney or agent is not security cleared, the Secretary of the Armed Services Patent Advisory Board shall so inform the Australian Joint Services Staff. It shall then be necessary for the designated attorney or agent to become security cleared, if time permits, or for the applicant to select another attorney or agent and submit his name through the Australian Joint Services Staff to the Secretary of the Armed Services Patent Advisory Board. If delay in locating a security cleared attorney or agent would result in inadvisable delay in filing the United States application, the Commonwealth Government may, at the request of the applicant, transmit the application to the United States Patent Office for filing, in a manner consistent with United States security regulations.
- (g) The Government of the United States shall then place the application in secrecy.
- (h) The applicant shall inform as soon as possible the Secretary of the Department of Supply of the serial number and filing date of the foreign application.

#### 4. Subsequent Correspondence between Applicant and Foreign Patent Office

- (a) All subsequent correspondence of a classified nature between an applicant in either country and the Patent Office in the other country shall be sent through the same Government channels as the original application and accompanying documents were sent.
- (b) An unclassified formal notification such as a statement of fees or an extension of time limit may be sent by the Patent Office concerned direct to the applicant or his authorized representative without any special security arrangements.

#### 5. Removal of Secrecy or Prohibition of Publication

- (a) A secrecy or prohibition order shall be removed only on the request of the originating Government.
- (b) The originating Government shall give the other Government six weeks' notice of its intention to remove the secrecy or prohibition order and shall take into account, as far as possible, any representations made by the other Government during this period.

6. Notification of Changes in Laws and Regulations

Each Government shall give the other Government prompt notice through the Technical Property Committee of any changes in its laws or regulations affecting these procedures.

*The Australian Ambassador to the Secretary of State*

AUSTRALIAN EMBASSY

WASHINGTON, D.C.

No. 501/61

*2nd October, 1961*

SIR,

I have the honour to refer to your note of September 13, 1961, concerning discussions which have taken place between representatives of our two Governments regarding procedures for the reciprocal filing of classified patent applications under the terms of Articles III and VI of the Agreement between the Government of the United States of America and the Government of the Commonwealth of Australia to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes, which was signed in Washington on January 24, 1958.

I confirm that the procedures set out in the enclosure to your note referred to above are acceptable to the Government of the Commonwealth of Australia. It is agreed that henceforth those procedures shall govern the reciprocal filing of classified patent applications in accordance with the terms of the aforesaid Agreement.

Accept, Sir, the renewed assurances of my highest consideration.

HOWARD BEALE

(Howard Beale)  
*Ambassador*

The Honourable

THE SECRETARY OF STATE,  
*Department of State,*  
*Washington, D.C.*

# LIBERIA

## Telecommunications: Voice of America Radio Relay Facilities

*Agreement supplementing the agreement of August 13, 1959.*

*Effectuated by exchange of notes*

*Signed at Monrovia August 8 and 15, 1960;*

*Entered into force August 15, 1960.*

*And amending agreement*

*Effectuated by exchange of notes*

*Signed at Monrovia July 11 and 24, 1961;*

*Entered into force July 24, 1961.*

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*The American Ambassador to the Liberian Secretary of State*

No. 1

MONROVIA, August 8, 1960

EXCELLENCY:

I have the honor to refer to Articles III and VII of the Agreement signed between the Government of the Republic of Liberia and the Government of the United States of America on August 13, 1959, regarding radio relay facilities to be established in Liberia.<sup>[1]</sup>

With respect to Article III, I am pleased to inform Your Excellency that the two sites which are deemed to be appropriate for the receiving station and the transmitting station described in Article II-A and B of the Agreement have been selected. The legal descriptions of these sites are as follows:

### BREWERVILLE

Commencing at the point of intersection of the centerline of the road between Brewerville and the proposed site of the Voice of America installation and the Monrovia-Bomi Hills railroad tract and running South 69°09'51" West eight hundred forty-seven and three tenths (847.3) feet; thence South 72°25'29" West five hundred fifty-three (553) feet; thence South 70°40'50" West seven hundred fifty-eight (758) feet; thence South 54°15'23" West three hundred sixty-three and five tenths (363.5) feet; thence South 75°40'21" West two hundred seventy-two and five tenths (272.5) feet; thence

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<sup>[1]</sup> TIAS 4293; 10 UST 1444.

South  $82^{\circ}25'14''$  West four hundred eighty-nine and five tenths (489.5) feet; thence South  $46^{\circ}38'59''$  West five hundred fifty five (555) feet; thence South  $48^{\circ}03'33''$  West four hundred three (403) feet; thence North  $61^{\circ}16'55''$  West one hundred twenty-eight (128) feet to the first corner of the Voice of America site marked by a concrete monument.

Thence South  $28^{\circ}43'02''$  West four thousand seven hundred forty (4740) feet to a concrete monument; thence North  $61^{\circ}16'58''$  West three thousand two hundred and seventy (3270) feet to a concrete monument; thence North  $28^{\circ}43'02''$  East four thousand seven hundred and forty (4740) feet to a concrete monument; thence South  $61^{\circ}16'58''$  East three thousand two hundred and seventy (3270) feet to the place of beginning and containing three hundred fifty-five and eighty-three hundredths (355.83) acres of land and no more.

#### CAREYSBURG

Beginning at a concrete monument on the Northern side of the Careysburg-White Plains road, said concrete monument marked D.O.S.#9 and running North  $19^{\circ}55'30''$  East three thousand six hundred and forty (3640) feet to a concrete monument; thence North  $70^{\circ}04'30''$  West two thousand six hundred and seventy (2670) feet to a concrete monument; thence North  $19^{\circ}55'30''$  East seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence South  $70^{\circ}04'30''$  East seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence South  $19^{\circ}55'30''$  West seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence North  $70^{\circ}04'30''$  West five thousand and thirty (5030) feet to a concrete monument; thence South  $19^{\circ}55'30''$  West three thousand six hundred and forty (3640) feet; thence North  $70^{\circ}04'30''$  West fifty (50) feet to the place of beginning and containing 1383.03 acres of land distributed as follows:

One thousand three hundred seventy-eight and eighty-five hundredths (1378.85) acres for radio site and four and eighteen hundredths (4.18) acres for an access road.

It is the understanding of my Government that the Government of the Republic of Liberia will obtain immediate title to the above described lands and make them immediately available to the Government of the United States of America for the uses and purposes of the Agreement of August 13, 1959, together with free and unrestricted access to and from the lands. Such availability to the Government of the United States of America shall be absolute, free, unrestricted and exclusive for the uses and purposes of the Agreement and shall continue for the entire period covered by the Agreement and any extensions, modifications or amendments to the Agreement that may hereafter be entered into between the two Governments.

The Government of the United States of America will make available to the Government of the Republic of Liberia the sum of \$110,000.00. It is understood that the sum of money thus provided to the Government of the Republic of Liberia will be accepted as discharging any and all liability of the Government of the United States of America now and at any time in the future in connection with compensating the Government of the Republic of Liberia for any and all expense incurred or to be incurred by the Government of the Republic of Liberia in acquiring title to the lands and for making the lands available to the Government of the United States of America for the uses and purposes of the Agreement of August 13, 1959, and any extensions, modifications or amendments [1] to the Agreement that may hereafter be entered into between the two Governments.

With respect to Article VII, it is the understanding of my Government that personnel other than Liberian nationals brought into the Republic of Liberia for employment by the Government of the United States of America in connection with the construction, operation, maintenance and supervision of the radio relay facilities will be regarded as personnel of the Embassy of the United States of America near the Government of the Republic of Liberia. As such, they will be exempted from income and other taxes and accorded import privileges by the Government of the Republic of Liberia on the basis of reciprocity. It is further understood that the granting of these exemptions and privileges does not confer diplomatic status or immunity on relay station personnel who are not nationals of the United States of America and that, as regards such personnel who are not United States nationals, these exemptions and privileges will terminate five years after the completion and commencement of operation of the relay station. Import privileges will be exercised on behalf of relay station personnel entitled thereto pursuant to this paragraph by the Ambassador or Charge d'Affaires ad interim of the United States of America in accordance with the pertinent regulations of the Government of the Republic of Liberia.

The undertakings contained in this note shall take effect upon the date of the note of acceptance by the Government of the Republic of Liberia.

Accept, Excellency, the renewed assurances of my highest consideration.

ELBERT G. MATHEWS

His Excellency

J. RUDOLPH GRIMES,  
*Secretary of State,*  
*Monrovia.*

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<sup>1</sup> Post, p. 1373.

*The Liberian Secretary of State to the American Ambassador*

DEPARTMENT OF STATE

MONROVIA, LIBERIA

8383/DF

August 15, 1960

## MR. AMBASSADOR:

I have the honour to acknowledge receipt of your Note No. 1 of August 8, 1960, in reference to Articles III and VII of the Agreement signed between the Government of the Republic of Liberia and the Government of the United States of America on August 13, 1959, regarding radio relay facilities to be established in Liberia which reads word for word as follows:

"I have the honor to refer to Articles III and VII of the Agreement signed between the Government of the Republic of Liberia and the Government of the United States of America on August 13, 1959, regarding radio relay facilities to be established in Liberia.

"With respect to Article III, I am pleased to inform Your Excellency that the two sites which are deemed to be appropriate for the receiving station and the transmitting station described in Article II-A and B of the Agreement have been selected. The legal descriptions of these sites are as follows:

BREWERVILLE

Commencing at the point of intersection of the centerline of the road between Brewerville and the proposed site of the Voice of America installation and the Monrovia-Bomi Hills railroad track and running South 69°09'51" West eight hundred forty-seven and three tenths (847.3) feet; thence South 72°25'29" West five hundred fifty-three (553) feet; thence South 70°40'50" West seven hundred fifty-eight (758) feet; thence South 54°15'23" West three hundred sixty-three and five tenths (363.5) feet; thence South 75°40'21" West two hundred seventy-two and five tenths (272.5) feet; thence South 82°25'14" West four hundred eighty-nine and five tenths (489.5) feet; thence South 46°38'59" West five hundred fifty-five (555) feet; thence South 48°03'33" West four hundred three (403) feet; thence North 61°16'55" West one hundred twenty-eight (128) feet to the first corner of the Voice of America site marked by a concrete monument.

Thence South 28°43'02" West four thousand seven hundred forty (4740) feet to a concrete monument; thence North 61°16'58" West three thousand two hundred and seventy (3270) feet to a concrete monument; thence North 28°43'02" East four thousand seven hundred and forty (4740) feet to a concrete monument; thence South 61°16'58" East three thousand two hundred and seventy (3270) feet to the place of beginning and containing three hundred fifty-five and eighty-three hundredths (355.83) acres of land and no more.

CAREYSBURG

Beginning at a concrete monument on the Northern side of the Careysburg-White Plains road, said concrete monument marked D.O.S. #9 and running North 19°55'30" East three thousand six hundred and forty (3640) feet to a concrete monument; thence North 70°04'30" West two thousand six hundred and seventy (2670) feet to a concrete monument; thence North 19°55'30" East seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence South 70°04'30" East seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence South 19°55'30" West seven thousand seven hundred and fifty (7750) feet to a concrete monument; thence North 70°04'30" West five thousand and thirty (5030) feet to a concrete monument; thence South 19°55'30" West three thousand six hundred and forty (3640) feet; thence North 70°04'30" West fifty (50) feet to the place of beginning and containing 1383.03 acres of land distributed as follows:

One thousand three hundred seventy-eight and eighty-five hundredths (1378.85) acres for radio site and four and eighteen hundredths (4.18) acres for an access road.

"It is the understanding of my Government that the Government of the Republic of Liberia will obtain immediate title to the above described lands and make them immediately available to the Government of the United States of America for the uses and purposes of the Agreement of August 13, 1959, together with free and unrestricted access to and from the lands. Such availability to the Government of the United States of America shall be absolute, free, unrestricted and exclusive for the uses and purposes of the Agreement and shall continue for the entire period covered by the Agreement and any extensions, modifications or amendments to the Agreement that may hereafter be entered into between the two Governments.

"The Government of the United States of America will make available to the Government of the Republic of Liberia the sum of \$110,000.00. It is understood that the sum of money thus provided to the Government of the Republic of Liberia will be accepted as discharging any and all liability of the Government of the United States of America now and at any time in the future in connection with compensing the Government of the Republic of Liberia for any and all expense incurred or to be incurred by the Government of the Republic of Liberia in acquiring title to the lands and for making the lands available to the Government of the United States of America for the uses and purposes of the Agreement of August 13, 1959, and any extensions, modifications or amendments to the Agreement that may hereafter be entered into between the two Governments.

"With respect to Article VII, it is the understanding of my Government that personnel other than Liberian nationals brought into the

Republic of Liberia for employment by the Government of the United States of America in connection with the construction, operation, maintenance and supervision of the radio relay facilities will be regarded as personnel of the Embassy of the United States of America near the Government of the Republic of Liberia. As such, they will be exempted from income and other taxes and accorded import privileges by the Government of the Republic of Liberia on the basis of reciprocity. It is further understood that the granting of these exemptions and privileges does not confer diplomatic status or immunity on relay station personnel who are not nationals of the United States of America and that, as regards such personnel who are not United States nationals, these exemptions and privileges will terminate five years after the completion and commencement of operation of the relay station. Import privileges will be exercised on behalf of relay station personnel entitled thereto pursuant to this paragraph by the Ambassador or Charge d'Affaires ad interim of the United States of America in accordance with the pertinent regulations of the Government of the Republic of Liberia."

The Liberian Government accepts the undertakings in this Note and understands that upon receipt [<sup>1</sup>] of this Note, Your Excellency's Note and this Note will constitute the agreement between the Liberian Government and the United States Government.

Please accept, Mr. Ambassador, the assurance of my high consideration and esteem.

J. RUDOLPH GRIMES

J. Rudolph Grimes  
Secretary of State

His Excellency ELBERT G. MATHEWS  
*Ambassador Extraordinary & Plenipotentiary*  
*American Embassy*  
*Mamba Point, Monrovia*

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<sup>1</sup> Aug. 15, 1960.

*The American Ambassador to the Liberian Secretary of State*

No. 1

MONROVIA, July 11, 1961.

EXCELLENCY:

I have the honor to reply to Your Excellency's note No. 9490/DF of June 16, 1961, [¹] which referred to the amount of \$110,000.00 specified in my note No. 1 of August 8, 1960 and Your Excellency's note No. 8383/DF of August 15, 1960 [²] as compensation to the Government of the Republic of Liberia for the acquisition of land for the construction of radio relay facilities in Liberia by the Government of the United States of America. Your Excellency stated that because more developed land was discovered in the area than had been anticipated, the additional sum of \$50,437.00 is required to be paid by my Government over and above the before-mentioned amount of \$110,000.00 which has already been paid.

I accordingly enclose check No. 23,121 of July 11, 1961, in the amount of \$50,437.00, the additional sum requested, drawn on the Treasurer of the United States of America and payable to the Department of Treasury, Government of Liberia, and hereby amend my note No. 1 of August 8, 1960 to change the amount of money therein mentioned in the third paragraph on page three from \$110,000.00 to \$160,437.00. I shall appreciate being informed that Your Excellency similarly amends your note No. 8383/DF of August 15, 1960 and that the Government of the Republic of Liberia agrees with my Government that in all other respects the undertakings of our respective Governments remain the same as stated in our notes of August 1960 referred to herein.

May I take this occasion to express to Your Excellency the appreciation of my Government for the friendly cooperation which has been manifested by the Government of the Republic of Liberia in making the land available to my Government for construction operations during the period of time that has been required to fix the additional amount required for the acquisition of this land by Your Excellency's Government.

Accept, Excellency, the renewed assurances of my highest consideration.

ELBERT G. MATHEWS

Enclosure:

Check No. 23,121 of July 11, 1961 payable to Department of Treasury, Government of Liberia.

His Excellency

J. RUDOLPH GRIMES,  
*Secretary of State,*  
*Monrovia.*

<sup>1</sup> Not printed.

<sup>2</sup> Ante, pp. 1367, 1370.

*The Liberian Secretary of State to the American Chargé d'Affaires  
ad interim*

DEPARTMENT OF STATE  
MONROVIA, LIBERIA.

11192/DF

24 July 1961

MR. CHARGE D' AFFAIRES:

I have the honour to acknowledge receipt of the Embassy's letter No. 1 of 11 July 1961 in which was enclosed check No. 23,121 of 11 July 1961 in the amount of \$50,437.00 as additional compensation paid over and above the sum of \$110,000.00 specified in your Note No. 1 of 8 August 1960 for the acquisition of land for the construction of radio relay facilities in Liberia by the Government of the United States of America and amending said Note to change the amount therein mentioned from \$110,000.00 to \$160,437.00.

I hereby amend my Note No. 8383/DF of 15 August 1960 to change the amount mentioned on page 3, in paragraph 4 from \$110,000.00 to \$160,437.00.

The Government of Liberia agrees with the Government of the United States of America that in all other respects the undertakings of our respective Governments remain the same as stated in our notes exchanged in August 1960.

Please accept, Mr. Charge d'Affaires, the assurances of my high esteem and consideration.

J. RUDOLPH GRIMES

J. Rudolph Grimes,  
*Secretary of State*

Mr. MILNER DUNN,  
*Charge d'Affaires,*  
*Embassy of the United*  
*States of America,*  
*Monrovia.*

# CANADA

## Defense: Improvements in the Continental Air Defense System

*Agreement effected by exchange of notes  
Signed at Ottawa September 27, 1961;  
Entered into force September 27, 1961.*

*The Canadian Secretary of State for External Affairs to the American  
Charge d'Affaires ad interim*

DEPARTMENT OF  
EXTERNAL AFFAIRS  
CANADA

No. 160

SIR,

I have the honour to refer to discussions in the Canada-United States Ministerial Committee on Joint Defence and to the recommendations of the Commander-in-Chief, North American Air Defence Command, concerning the extension and strengthening of the continental air defence system, including the establishment of long range surface-to-air missile sites in Canada.

The Canadian Government, in statements of September 28, 1958 and February 20, 1959, indicated that BOMARC missile bases would be established in Canada, that the PINETREE radar system would be strengthened by the addition of a number of main radar stations and gap filler radars; and that semiautomatic ground environment (SAGE) electronic control and computing equipment would be installed in Canada.

In the discussions between representatives of our two Governments, the importance of satisfactory cost-sharing arrangements for these new programmes was recognized. Understandings concerning the distribution of financial responsibility between the two Governments were reached. Discussions of cost-sharing arrangements were conducted against the background of past understandings between our two Governments, particularly, the "Statement of Principles for Economic Cooperation" of October 1950,[1] and the continuing discussions between our two Governments designed to give effect to their joint determination to assure the most economical and effective use of the defence production capabilities of both countries. Primary consideration was given to the fact that these new and costly under-

<sup>1</sup> Oct. 26, 1950. TIAS 2136; 1 UST 716.

takings are designed to enhance the joint security of Canada and the United States.

It was recognized as well that further consideration would have to be given to the operational procedures and costs involved in the use of certain of the new facilities when established, in the light of the joint responsibility exercised by the two Governments for the operations of the North American Air Defence Command. Arrangements in this respect will be dealt with in a separate agreement between the appropriate agencies of our two Governments.

My Government now proposes that the conditions set out in the attached Annex, which accord with the understandings reached between representatives of our two Governments, should govern the financing, installation and operation of the facilities in Canada now required to strengthen and extend the continental air defence system. If these conditions are acceptable to your Government, I propose that this Note and Annex, and your reply, should constitute an agreement between our two Governments, effective from the date of your reply.

Accept, Sir, the renewed assurances of my highest consideration.

H C GREEN  
*Secretary of State  
for External Affairs.*

OTTAWA,

*September 27, 1961.*

WILLIS C. ARMSTRONG, Esq.,

*Chargé d' Affaires a.i.,*

*Embassy of the United States  
of America,  
Ottawa, Canada.*

#### *ANNEX*

#### **STATEMENT OF CONDITIONS GOVERNING THE FINANCING, INSTALLATION AND OPERATION OF FACILITIES IN CANADA REQUIRED TO STRENGTHEN AND EXTEND THE CONTINENTAL AIR DEFENCE SYSTEM**

(Hereafter, unless the context otherwise requires, "Canada" means the Government of Canada, "United States" means the Government of the United States of America, and "facilities" means the facilities defined in paragraph 1 of this Annex).

##### *1. Facilities*

The arrangements set out below will apply to the construction and installation of a) seven new heavy radar sites; b) forty-five gap

filler radar sites; c) one SAGE Combat Centre/Direction Centre; d) certain modifications to existing radars in Canada made necessary by SAGE; e) two BOMARC missile squadrons.

## 2. Consultation

Appropriate Canadian and United States authorities shall consult in connection with the implementation of these facilities and related arrangements. Appropriate representatives of the two Governments shall participate in the development of the facilities from design to installation and decisions affecting the programmes shall be mutually agreed, including the assignment of responsibilities for undertaking the various aspects of the programme.

## 3. Surveys

Canadian and United States agencies will co-operate in making engineering and other technical surveys to determine suitable sites for the facilities, and may make plans for the facilities to be constructed and the equipment to be installed at the sites. In the conduct of the surveys, special care will be taken to avoid any infringement of rights over lands which are not owned by Canada; any arrangements involving private properties will be made only through the appropriate Canadian Government agency.

## 4. Sites

The location and extent of all sites required for the facilities shall be agreed upon by appropriate agencies of the two Governments. Canada, without charge to the United States, shall acquire and retain title to any lands required for the sites.

## 5. Radio Interference

Special consideration will be given to the substantial problem of selecting the sites and modifying or adjusting the electronic equipment of the facilities encompassed by this Agreement so as to avoid interference to other use of radio frequencies in Canada, it being understood that other users concerned in specific interference situations will be expected to offer all reasonable co-operation.

## 6. Financing

- (a) The cost of the initial construction and equipment required for these facilities will be shared in the ratio of Canada being responsible for approximately  $\frac{1}{3}$  of the cost and the United States being responsible for approximately  $\frac{2}{3}$  of the cost, and this will be achieved by:
  - (i) Canada assuming full financial responsibility for all initial construction as well as standard organizational and base equipment (that equipment and materiel used in the performance of base housekeeping functions and the day-to-day operation of a base);

- (ii) United States assuming full financial responsibility for all initial technical equipment required, including its transportation, installation, testing, and the provision of initial spare parts. Technical equipment means all equipment and materiel peculiar in nature to the special operational mission of the facilities, such as radar and BOMARC missiles.
- (b) The sharing of costs not specifically provided for in this agreement, including the costs of maintenance and operation of the facilities, will be a matter for agreement between the two Governments or their appropriate officers.
- (c) This agreement relates to the particular projects enumerated in paragraph 1 above and is not to be considered as establishing a precedent for future joint defence projects.
- (d) Any action taken under this agreement shall be subject to the availability of appropriated funds.

#### *7. Construction*

Canada will assume responsibility for the construction of the facilities, and the provision of the standard organizational and base (housekeeping) equipment.

#### *8. Technical Equipment*

Every effort will be made to ensure that Canadian industry is given a fair and reasonable opportunity to share in the production of the required technical equipment, within the objectives of the programme for the sharing of defence production tasks as agreed to by the two Governments.

#### *9. Manning*

All the new facilities will be manned by Canadian personnel. Canadian military personnel costs will be borne by Canada.

#### *10. Period of Operation*

The facilities will be operated for a period of ten years or such shorter period as may be agreed upon by the two Governments in the light of their mutual defence interests. After the ten year period, in the event that either Government concludes that the facilities are no longer required and the other Government does not agree, the question of continuing need will be referred to the Permanent Joint Board on Defence. In considering the question of need, the Permanent Joint Board on Defence will take into account the relationship of the facilities to any other similar installation established in the mutual defence interest of the two countries. Following consideration by the Permanent Joint Board on Defence, as provided above, either Government may decide that the facilities in question may be disposed of, in which case the arrangements shown in para-

graph 11 below regarding ownership and disposition of the installations shall apply.

#### 11. *Ownership and Disposal of Removable Property*

- (a) Ownership of all removable property brought into or purchased in Canada by the United States and placed on the sites, including readily demountable structures, shall remain in the United States. Subject to subparagraph 11(b), the United States shall have the unrestricted right of removing or disposing of such property, PROVIDED that the removal or disposition shall not impair the operation of any installation whose discontinuance had not been determined in accordance with the provisions of paragraph 10 above, and PROVIDED further that removal or disposition takes place within a reasonable time after the date on which the operation of the installation has been discontinued.
- (b) The disposal in Canada of United States property imported into or purchased in Canada by the United States for these facilities and declared surplus to defence needs shall be the subject of consultation between the appropriate authorities of the two Governments. In the event that the SAGE equipment is declared surplus to defence needs, Canada shall have the option to acquire any or all of it at such time and subject to such conditions as shall be mutually agreed upon.

#### 12. *Immigration and Customs Regulations*

- (a) Except as otherwise agreed, the direct entry of United States personnel from outside Canada shall be in accordance with Canadian customs and immigration procedures which will be administered by local Canadian officials designated by Canada.
- (b) Canada will take the necessary steps to facilitate the admission into the territory of Canada of such United States citizens as may be employed on the construction or operation of the facilities, it being understood that the United States will undertake to repatriate without expense to Canada any such persons if the contractors fail to do so.

#### 13. *Taxes*

Canada shall grant remission of customs duties and excise taxes on goods imported and of federal sales and excise taxes on goods purchased in Canada, which are or are to become the property of the United States and are to be used in the establishment, maintenance or operation of the facilities. Canada shall also grant refunds by way of drawback of the customs duty paid on goods imported by Canadian manufacturers and used in the manufacture or production of goods purchased by or on behalf of the United States and to become the

property of the United States in connection with the establishment, maintenance or operation of the facilities.

#### 14. Status of Forces

The "Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces", signed in London on June 19, 1951,[<sup>1</sup>] shall apply.

#### 15. Supplementary Arrangements and Administrative Agreements

Supplementary arrangements and administrative agreements between appropriate agencies of the two Governments may be made from time to time for the purpose of carrying out the intent of this agreement.

*The American Chargé d'Affaires ad interim to the Canadian Secretary of State for External Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Ottawa, September 27, 1961.

No. 82

EXCELLENCY:

I have the honor to refer to Your Excellency's Note No. 160 of September 27, 1961, concerning cost-sharing and related arrangements with respect to planned improvements in the Continental Air Defense system.

Your Excellency's note, together with its Annex, is acceptable to the Government of the United States of America, and your proposal that it and my reply constitute an agreement between our two Governments effective this date is also acceptable.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLIS C. ARMSTRONG

Willis C. Armstrong  
*Chargé d'Affaires ad interim*

His Excellency

HOWARD C. GREEN,

*The Secretary of State  
for External Affairs,  
Ottawa.*

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<sup>1</sup> TIAS 2846; 4 UST 1792.

# ICELAND

## **Surplus Agricultural Commodities: Closing of Accounts in Connection with the Agreement of April 11, 1957, and Payment of Adjustment Refunds**

*Agreement effected by exchange of notes  
Signed at Reykjavik May 3 and September 14, 1961;  
Entered into force September 14, 1961.*

*The American Chargé d'Affaires ad interim to the Icelandic Minister for Foreign Affairs*

No. 66

REYKJAVIK, May 3, 1961.

### **EXCELLENCY**

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Iceland signed on April 11, 1957.<sup>[1]</sup>

Article I of the Agreement of April 11, 1957, provided that the Government of the United States of America would finance sales for Icelandic Kronur of surplus agricultural commodities with a total value of up to \$2,785,000.00 including estimated ocean transportation costs to be financed by the Government of the United States of America. While actual disbursements by the Government of the United States of America were \$2,662,352.39, disbursements for which deposits of Icelandic Kronur were required totalled \$2,632,361.25, the difference representing excess costs resulting from the requirement that United States-flag vessels be used. It has been determined that deposits of 43,621,362.45 Icelandic Kronur pursuant to Article III of the Agreement are equal to the value for which deposits were required and that such deposits have been made to the account of the Government of the United States of America. As Your Excellency's Government has already been informed by the United States Department of Agriculture, no further disbursements will be made by the Government of the United States of America pursuant to this Agreement and dollar funds not disbursed are not available for financing any additional purchases under this Agreement.

To facilitate the closing out of the accounts in connection with the above-mentioned Agreement and at the same time to make provision

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<sup>1</sup> TIAS 3792, 8 UST 413.

for the payment of any necessary adjustment refunds, I have the honor to propose that any refunds of Icelandic Kronur which may be due or may become due under this Agreement would be made by the Government of the United States of America from funds available from the most recent Agricultural Commodities Agreement between our two Governments under Title I of the Agricultural Trade Development and Assistance Act,[<sup>1</sup>] as amended, in effect at the time of the refund.

Accordingly, I have the honor to propose that this note and Your Excellency's reply concurring herein shall constitute an Agreement between our two Governments to enter into force upon the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

GARRETT H. SOULEN  
*Charge d'Affaires ad interim*

His Excellency

GUDMUNDUR I. GUDMUNDSSON,  
*Minister for Foreign Affairs,*  
*Reykjavik.*

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*The Icelandic Acting Minister for Foreign Affairs to the American Ambassador*

UTANRÍKISRÁÐUNEYTIÐ [<sup>2</sup>]

No. 39

REYKJAVIK  
*September 14, 1961.*

YOUR EXCELLENCY,

I have the honor to acknowledge receipt of Mr. Garrett H. Soulen's Note of May 3, 1961, reading as follows:

"I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Iceland signed on April 11, 1957.

Article I of the Agreement of April 11, 1957, provided that the Government of the United States of America would finance sales for Icelandic Kronur of surplus agricultural commodities with a total value of up to \$2,785,000.00 including estimated ocean transportation costs to be financed by the Government of the United States of America. While actual disbursements by the Government of the United States of America were \$2,662,352.39, disbursements

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<sup>1</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

<sup>2</sup> Ministry for Foreign Affairs.

for which deposits of Icelandic Kronur were required totalled \$2,632,361.25, the difference representing excess costs resulting from the requirement that United States-flag vessels be used. It has been determined that deposits of 43,621,362.45 Icelandic Kronur pursuant to Article III of the Agreement are equal to the value for which deposits were required and that such deposits have been made to the account of the Government of the United States of America. As Your Excellency's Government has already been informed by the United States Department of Agriculture, no further disbursements will be made by the Government of the United States of America pursuant to this Agreement and dollar funds not disbursed are not available for financing any additional purchases under this Agreement.

To facilitate the closing out of the accounts in connection with the above-mentioned Agreement and at the same time to make provision for the payment of any necessary adjustment refunds, I have the honor to propose that any refunds of Icelandic Kronur which may be due or may become due under this Agreement would be made by the Government of the United States of America from funds available from the most recent Agricultural Commodities Agreement between our two Governments under Title I of the Agricultural Trade Development and Assistance Act, as amended, in effect at the time of the refund.

Accordingly, I have the honor to propose that this note and Your Excellency's reply concurring herein shall constitute an Agreement between our two Governments to enter into force upon the date of Your Excellency's note in reply".

In reply, I have the honor to signify on behalf of the Government of Iceland its concurrence in the foregoing proposals and to confirm that Your Excellency's Note and this Note shall constitute an Agreement between our two Governments on this matter, effective from today's date.

Accept, Excellency, the renewed assurances of my highest consideration.

GYLFÍ TH. GISLASON  
*Acting Minister for Foreign Affairs*

His Excellency

JAMES K. PENFIELD,

*Ambassador Extraordinary and Minister Plenipotentiary  
of the United States of America,  
Reykjavík.*

# MEXICO

## Certificates of Airworthiness for Imported Aircraft

*Provisional agreement effected by exchange of notes  
Signed at Washington June 26 and July 19, 1961;  
Entered into force July 19, 1961.*

*The Mexican Ambassador to the Secretary of State*

EMBAJADA DE MEXICO

2196

WASHINGTON, D.C.,  
*26 de junio de 1961.*

SEÑOR SECRETARIO:

Tengo el honor de referirme a las pláticas que recientemente se han celebrado entre representantes del Gobierno de los Estados Unidos Mexicanos y representantes del Gobierno de los Estados Unidos de América relativas a la aceptación por las autoridades del Gobierno de los Estados Unidos de América de los certificados de aeronavegabilidad de las aeronaves fabricadas por la empresa Lockheed Azcárate, S.A. Queda entendido que los dos Gobiernos han llegado a un acuerdo provisional con respecto a este asunto en los siguientes términos:

I - Este acuerdo provisional se refiere a las aeronaves construidas en México, por la Lockheed Azcárate, S.A., de conformidad con el diseño tipo aprobado para el modelo Lockheed 402-2-4 en los términos del certificado tipo americano número 2A-11 reformado y que serán exportadas a los Estados Unidos de América.

II - La calidad de estas aeronaves deberá ser controlada de acuerdo con los procedimientos de fabricación que han sido aprobados por el Gobierno de México en los que se especifican los siguientes requisitos de control de calidad;

La empresa Lockheed Azcárate, S.A., deberá demostrar ante la Dirección General de Aeronáutica Civil que puede controlar la calidad del avión Lockheed Azcárate LA-60 que pretende construir, al amparo de un certificado de producción, con la amplitud necesaria para asegurar que cada avión producido ha sido construido de acuerdo con el diseño tipo y se encuentra en condiciones seguras de operación, cumpliéndose con los requisitos especificados en los siguientes incisos:

- 1 – La empresa deberá presentar una declaración describiendo las responsabilidades asignadas y la autoridad delegada a su departamento encargado del control de calidad, junto con un cuadro de organización que indique las relaciones que existen entre ese departamento, la gerencia de la empresa y los demás departamentos de la misma, mostrando la jerarquía y responsabilidad dentro del departamento de control de calidad.
- 2 – La empresa presentará una descripción de los procedimientos de inspección aplicables a materiales, materias primas, unidades, partes y conjuntos recibidos de abastecedores o de fábricas subsidiarias. La información incluirá los métodos usados para asegurar la máxima calidad de las partes y conjuntos que no puedan ser inspeccionados en su totalidad para comprobar su conformidad con los requisitos establecidos así como su calidad, cuando éstos sean entregados a la empresa.
- 3 – La empresa someterá para su aprobación los métodos empleados en la inspección de partes individuales y conjuntos completos incluyendo la identificación de cualquier proceso especial de manufactura así como la descripción de los medios usados para controlar tales procesos y una descripción del procedimiento de prueba final del producto terminado, y en el caso de una aeronave, la empresa presentará una copia del programa de vuelo de prueba de producción elaborado por la misma, adjuntando la lista de inspección previa al vuelo.
- 4 – La empresa presentará una descripción minuciosa del sistema de revisión de materiales en la que se incluya el procedimiento de registro del destino dado a las partes rechazadas por la persona o personas que designe la empresa.
- 5 – El fabricante estará obligado a mantener a sus inspectores al corriente de todos los cambios efectuados en los procedimientos del control de calidad y de todos los cambios efectuados por el poseedor del certificado tipo en las copias heliográficas y especificaciones de ingeniería y con relación a esto se indicará el sistema seguido para satisfacer este requisito.
- 6 – La empresa presentará una lista o diagrama que muestre la localización y tipo de las estaciones de inspección.

Estos requisitos son equivalentes a los especificados en el párrafo 1.36 incisos a, b, c, d, e, y f de la parte 1 de los Reglamentos de la Agencia Federal de Aviación de los Estados Unidos de América.

III – Los certificados de aeronavegabilidad expedidos por el Gobierno mexicano para estas aeronaves serán la base para la expedición del certificado de aeronavegabilidad de los Estados Unidos de América, cuando:

- 1) - Se haga una solicitud para expedición de certificado de aeronavegabilidad de los Estados Unidos de América dentro de los 30 días siguientes a la fecha de expedición del certificado de aeronavegabilidad otorgado por la autoridad del Gobierno mexicano;
- 2) - El Gobierno mexicano certifique que tales aeronaves individualmente corresponden al diseño tipo aprobado por los Estados Unidos de América y están en condiciones seguras de operación;
- 3) - La autoridad competente de los Estados Unidos de América lleve a cabo una inspección, dentro del territorio americano, antes de expedir el certificado de aeronavegabilidad y determine que la aeronave en particular mantiene sus condiciones de aeronavegabilidad.

IV - Este acuerdo podrá darse por terminado por cualquiera de los dos Gobiernos, previa notificación hecha por escrito al otro con 30 días de anticipación.

Al recibir la Nota de Vuestra Excelencia manifestando que los términos anteriores son aceptables para el Gobierno de los Estados Unidos de América, el Gobierno de los Estados Unidos Mexicanos considerará que esta Nota y la de respuesta a ella constituyen un acuerdo entre los dos Gobiernos sobre esta materia, el cual entrará en vigor en la fecha de respuesta de Vuestra Excelencia.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

ANTONIO CARRILLO  
*EmbaJador.*

Excelentísimo señor DEAN RUSK  
*Secretario de Estado*  
*Washington, D.C.*

*Translation*

EMBASSY OF MEXICO

2196

WASHINGTON, D.C.  
*June 26, 1961*

MR. SECRETARY:

I have the honor to refer to the discussions which have recently taken place between representatives of the Government of the United Mexican States and representatives of the Government of the United States of America regarding acceptance by authorities of the Government of the United States of America of airworthiness certificates for aircraft manufactured by the firm of Lockheed Azcárate, S.A. It is understood that the two Governments have reached a provisional agreement with respect to this matter upon the following terms:

[For the English language text of items I – IV, see *infra*.]

Upon the receipt of a note from Your Excellency indicating that the foregoing terms are acceptable to the Government of the United States of America, the Government of the United Mexican States will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

ANTONIO CARRILLO  
*Ambassador*

His Excellency  
DEAN RUSK,  
*Secretary of State,*  
*Washington, D.C.*

*The Secretary of State to the Mexican Ambassador*

DEPARTMENT OF STATE  
WASHINGTON  
*Jul 19 1961*

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 2196 of June 26, 1961, in which you refer to the discussions which have recently taken place between representatives of the Government of the United States of America and representatives of the Government of the United Mexican States regarding acceptance by authorities of the United States Government of airworthiness certificates for aircraft manufactured by the firm of Lockheed-Azcarate, S.A. I confirm the understanding that the two Governments have reached a provisional agreement with respect to this matter upon the following terms:

I. This provisional agreement applies to aircraft built in Mexico by Lockheed-Azcarate, S.A., according to the type design approved for the Lockheed-model 402-2-4 as stated in American type certificate No. 2A-11 as amended, and to be exported to the United States of America.

II. The quality of such aircraft must be controlled in accordance with the manufacturing procedures approved by the Government of Mexico, which shall specify the following quality control requirements:

The firm of Lockheed-Azcarate, S.A., must satisfy the Office of the Director General of Civil Aeronautics that it can control the

TIAS 4861

quality of the Lockheed-Azcárate LA-60 airplane which it intends to build under a certificate of production to the extent necessary to ensure that each airplane produced is in conformity with the type design and in a condition for safe operation, meeting the requirements contained in the following subparagraphs:

1. The firm must submit a statement describing the responsibilities assigned and the authority delegated to its department in charge of quality control, together with an organization chart showing the relationship between the said department, the management of the firm, and the other departments in the firm, and showing the chain of authority and responsibility within the department in charge of quality control.
2. The firm must submit a description of the inspection procedures for materials, raw materials, units, parts and assemblies received from suppliers or subsidiary factories. This information shall include the methods used to ensure maximum quality of the parts and assemblies that cannot be inspected in their entirety to verify their conformity with the requirements established, as well as their quality upon delivery to the firm.
3. The firm shall submit for approval the methods used in the inspection of individual parts and complete assemblies, including the identification of any special manufacturing process, as well as a description of the means used to check such process and a description of the procedure for final testing of the finished product, and, in the case of an airplane, the firm shall submit a copy of the production test flight plan prepared by the manufacturer, together with the pre-flight checklist.
4. The firm shall submit a detailed description of the system of checking materials, including the procedure for recording the disposition of the parts rejected by the person or persons appointed by the firm.
5. The manufacturer shall be required to keep his inspectors currently informed of all changes made in the quality control procedures and all changes made by the type certificate holder in the engineering blueprints and specifications, in this connection indicating the system followed to meet this requirement.
6. The firm shall also submit a list or diagram showing the location and type of inspection stations.

These requirements are equivalent to the specifications in paragraph 1.36, subparagraphs a, b, c, d, e and f of Part 1 of the Regulations of the Federal Aviation Agency of the United States of America.

III. The certificates of airworthiness issued by the Mexican Government for these aircraft shall be the basis for the issuance of the United States airworthiness certificate when

- 1) application is made for issue of a United States airworthiness certificate within 30 days after the date of issue of the airworthiness certificate issued by the authority of the Mexican Government;
- 2) the Mexican Government certifies that such individual airplane conforms to the type design approved by the United States of America and is in a safe operating condition; and
- 3) the appropriate authority of the United States of America carries out an inspection, on United States territory, before issuing the airworthiness certificate and determines that the particular airplane maintains its airworthiness conditions.

IV. This Agreement shall be subject to termination by either Government upon 30 days' notice in writing to the other Government.

I have the honor to state that the foregoing terms are acceptable to the Government of the United States of America and that your note and this reply shall be considered as constituting an agreement between the two Governments on this subject, the agreement to enter into force on the date of this note.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

EDWIN M. MARTIN

His Excellency

ANTONIO CARRILLO FLORES,  
*Ambassador of Mexico.*

# CHILE

## Emergency Relief Assistance

*Agreement effected by exchange of notes  
Signed at Santiago August 3, 1961;  
Entered into force August 3, 1961.*

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*The American Chargé d'Affaires ad interim to the Chilean Minister  
of Foreign Affairs*

No. 31

EMBASSY OF THE  
UNITED STATES OF AMERICA,  
*Santiago, August 3, 1961.*

EXCELLENCY:

I have the honor to refer to recent conversations between representatives of our two Governments with respect to a loan to the Government of Chile for reconstruction and rehabilitation in Chile required as a consequence of the May 1960 earthquakes, and to state that my Government is now prepared to make available up to \$100 million for these purposes in accordance with the following understandings:

1. Detailed provisions for the utilization of the loan proceeds, terms and conditions of repayment, and related matters will be the subject of arrangements which shall be agreed upon between an agency of the Government of the United States of America designated for the purpose and appropriate representatives of the Government of Chile.
2. In accordance with such arrangements, in addition to other provisions mutually agreed:

A. Disbursements of the dollar proceeds of any loan hereunder shall be made from time to time as may be agreed, and shall be related to the equivalent Escudo expenditures made by the Government of Chile for reconstruction and rehabilitation projects in Chile to be agreed upon.

B. Such dollar disbursements shall be maintained by the Government of Chile in a separate account to be known as the "Dollar Reconstruction Loan Account", which shall be limited to such proceeds. All such proceeds received by the Government of Chile shall be used to finance the import from the United States

of essential commodities and services, including transportation costs.

C. The Government of Chile will undertake to provide, through all media of public information, full and complete information to its citizens concerning operation under this Agreement and the specific reconstruction and rehabilitation projects financed hereunder.

I further have the honor to propose that, if these understanding are acceptable to your Government, this Note and your Excellency's note concurring therein shall constitute an agreement between our two Governments, which enter into force on the date of your note.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

JOSEPH J. JOVA  
*Chargé d'Affaires, a.i.*

His Excellency

ENRIQUE ORTÚZAR ESCOBAR  
*Minister of Foreign Affairs*  
*Santiago.*

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*The Chilean Minister of Foreign Affairs to the American Chargé d'Affaires ad interim*

REPUBLICA DE CHILE  
MINISTERIO DE RELACIONES EXTERIORES

Nº 10 575

SANTIAGO, 3 de agosto de 1961

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el agrado de acusar recibo de la nota Nº 31, de fecha de hoy, de Vuestra Señoría, cuyo texto dice como sigue:

“Tengo el honor de referirme a recientes conversaciones celebradas entre representantes de nuestros dos Gobiernos, relativas a un préstamo en favor del Gobierno de Chile para reconstrucción y rehabilitación en Chile, necesarias a consecuencia de los terremotos de mayo de 1960; y de manifestarle que mi Gobierno se haya actualmente en situación de disponer, para estas finalidades, hasta la cantidad de US\$ 100 millones, conforme a los siguientes entendimientos:

1.- Las disposiciones detalladas para la utilización del monto del préstamo, plazos y condiciones de reembolso y asuntos conexos serán objeto de arreglos que se convendrán entre un organismo del Gobierno de los Estados Unidos de América designado para ese propósito y representantes competentes del Gobierno de Chile.

2.- De acuerdo con tales arreglos, además de otras disposiciones que se convengan mutuamente:

A. Se harán de tiempo en tiempo desembolsos en dólares de todo préstamo efectuado en conformidad con la presente nota en la forma en que se convenga, los que se relacionarán con los gastos equivalentes en escudos hechos por el Gobierno de Chile en los proyectos de reconstrucción y rehabilitación en Chile que se acuerden.

B. Tales desembolsos en dólares serán mantenidos por el Gobierno de Chile en una cuenta separada que se conocerá como "Cuenta de Préstamos de Reconstrucción en Dólares", la que quedará limitada a esa suma. Todas esas sumas recibidas por el Gobierno de Chile serán empleadas para financiar la importación desde los Estados Unidos de bienes y servicios esenciales, incluso gastos de transporte.

C. El Gobierno de Chile se comprometerá a proporcionar, a través de todos los medios de información pública, amplia y completa información a sus ciudadanos respecto de las actividades desarrolladas conforme al presente convenio y sobre los proyectos específicos de reconstrucción y rehabilitación financiados conforme a la presente.

Tengo, además, el honor de proponer que si estos entendimientos son aceptables para su Gobierno, esta nota y la respuesta favorable de Vuestra Excelencia constituyan un acuerdo entre nuestros dos Gobiernos, que entrará en vigencia con la fecha de su nota.

Sírvase aceptar, Excelencia, las renovadas seguridades de mi más alta y distinguida consideración."

Al respecto me es grato comunicar a Vuestra Señoría la conformidad de mi Gobierno con los términos de la nota transcrita, constituyendo tanto ella como la presente respuesta, un acuerdo entre ambas Partes.

Me valgo de la oportunidad para reiterar a Vuestra Señoría las seguridades de mi distinguida consideración.

E. ORTÚZAR E.

Al Honorable Señor

JOSEPH JOHN JOVA,

*Encargado de Negocios a.i.*

*de los Estados Unidos de America,*

*Presente.-*

*Translation*

REPUBLIC OF CHILE  
MINISTRY OF FOREIGN AFFAIRS

No. 10 575

SANTIAGO, August 3, 1961

MR. CHARGÉ D'AFFAIRES:

I take pleasure in acknowledging receipt of your note No. 31 of this date, the text of which reads as follows:

[For the English language text of the note, see *ante*, p. 1390.]

In this connection, I am happy to inform you that my Government accepts the terms of the note transcribed, and that that note and this reply constitute an agreement between the two parties.

I avail myself of the opportunity to renew to you the assurances of my distinguished consideration.

E. ORTÚZAR E.

The Honorable

JOSEPH JOHN JOVA,

*Chargé d'Affaires ad interim of the  
United States of America,  
City.*

# URUGUAY

## Surplus Agricultural Commodities

*Agreement amending the agreement of December 1, 1959 supplementing the agreement of February 20, 1959, as supplemented.*

*Effectuated by exchange of notes*

*Signed at Montevideo September 18, 1961;*

*Entered into force September 18, 1961.*

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*The American Ambassador to the Uruguayan Minister for Foreign Affairs*

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

No. 101

MONTEVIDEO, September 18, 1961.

EXCELLENCY:

I have the honor to refer to the Agreement of December 1, 1959,[<sup>1</sup>] between the Government of the United States of America and the Government of Uruguay, supplementing the Agricultural Commodities Agreement of February 20, 1959,[<sup>2</sup>] as supplemented.[<sup>3</sup>]

The Government of the United States of America proposes the amendment of Article I of the Agreement [<sup>1</sup>] by adding the commodity "cotton" in the amount of \$4.5 million; by changing the amount provided for wheat from \$18.5 million to \$14.0 million; and by deleting the last sentence of that Article and substituting the following therefor: "Applications for purchase authorizations will be made within 90 calendar days after the effective date of this Agreement, except that application for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment".

If the foregoing amendments to the above Agreement are acceptable to Your Excellency's Government, it is proposed that this note to-

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<sup>1</sup> TIAS 4375; 10 UST 2067.

<sup>2</sup> TIAS 4179; 10 UST 161.

<sup>3</sup> TIAS 4238, 4356, 4375, 4406, 4640, 4641; 10 UST 1023, 1904, 2067; 11 UST 41, 2536, 2539.

gether with Your Excellency's affirmative reply shall constitute an agreement between our two Governments on this matter to enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

EDWARD J. SPARKS

His Excellency

HOMERO MARTÍNEZ MONTERO,  
Minister for Foreign Affairs,  
Montevideo.

*The Uruguayan Minister for Foreign Affairs to the American Ambassador*

MINISTERIO  
DE  
RELACIONES EXTERIORES

90/61

MONTEVIDEO, 18 de setiembre de 1961

SEÑOR EMBAJADOR:

Tengo la honra de acusar recibo a Vuestra Excelencia de su atenta nota de fecha de hoy, cuyo texto, traducido al español, dice así:

“Tengo el honor de referirme al Convenio del 1º de diciembre de 1959, entre el Gobierno de los Estados Unidos de América y el Gobierno del Uruguay, complementando el Convenio sobre Productos Agrícolas del 20 de febrero de 1959 y sus adiciones.

“El Gobierno de los Estados Unidos de América propone enmendar el Artículo 1º del Convenio, agregando el producto “algodón” por el monto de \$4.5 millones; reduciendo el monto indicado para el trigo de \$18.5 millones a \$14.0 millones; y eliminando el último párrafo de ese Artículo y sustituyéndolo por el siguiente: “Las solicitudes para autorizaciones de compra serán presentadas dentro de los 90 días calendario después de la fecha efectiva de este Convenio, con la salvedad de que la solicitud para autorizaciones de compra por cualquier producto adicional o cantidades de productos previstos en cualquier enmienda a este Convenio, será presentada dentro de los 90 días después de la fecha efectiva de tal enmienda.”

“Si estas enmiendas al Convenio mencionado resultan aceptables para el Gobierno de Vuestra Excelencia, se propone que esta nota junto con la respuesta afirmativa de Vuestra Excelencia constituirá un acuerdo entre nuestro dos Gobiernos sobre esta cuestión, el que entrará en vigencia en la fecha de la respuesta de Vuestra Excelencia.”

En respuesta me es grato llevar a conocimiento de Vuestra Excelencia que las propuestas que preceden merecen la aceptación del Gobierno uruguayo que conviene en que la nota mencionada en un principio y la presente respuesta constituyen entre nuestros dos Gobiernos un acuerdo que regirá a partir de la fecha.

Me valgo de esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta consideración.

H MARTÍNEZ M.

Al Excelentísimo señor

EDWARD J. SPARKS

*Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América.*

*Translation*

MINISTRY  
OF  
FOREIGN AFFAIRS

90/61

MONTEVIDEO, September 18, 1961

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's note of this date, the text of which, translated into Spanish, reads as follows:

[For the English language text of the note, see *ante*, p. 1394.]

In reply, I am happy to inform Your Excellency that the foregoing proposals are acceptable to the Uruguayan Government, which agrees that the above-mentioned note and this reply shall constitute an agreement between our two Governments to enter into force on this date.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

H MARTÍNEZ M.

His Excellency

EDWARD J. SPARKS,

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

# PARAGUAY

## Surplus Agricultural Commodities

*Agreement signed at Asunción July 7, 1961;  
Entered into force July 7, 1961.  
With exchanges of notes.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PARAGUAY UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Paraguay:

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for guaranies of surplus agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the guaranies accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of agricultural commodities to Paraguay pursuant to Title I of the Agricultural Trade Development and Assistance Act, [<sup>1</sup>] as amended, (hereinafter referred to as the Act) and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

#### ARTICLE I

##### SALES FOR GUARANIES

1. Subject to the availability of commodities for programming under the Act and to issuance by the Government of the United States of America and acceptance by the Government of Paraguay of purchase

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<sup>1</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

authorizations, the Government of the United States of America undertakes to finance the sales for guarantees to purchasers authorized by the Government of Paraguay of the following agricultural commodities determined to be surplus pursuant to the Act in the amounts indicated:

<u>Commodity</u>	<u>Export Market Value</u>
Wheat, including flour	\$5, 400, 000
Ocean transportation	1, 500, 000
Total	\$6, 900, 000

2. Applications for purchase authorizations will be made within 90 calendar days after the effective date of this Agreement except that application for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the guarantees accruing from such sale, and other relevant matters.

3. It is understood that the sale of wheat and/or flour under this Agreement is not intended to increase the availability of wheat or wheat products for export and is made on the condition that no exports of such commodities will be made from Paraguay during the period that the wheat and/or flour is being imported and utilized.

## ARTICLE II

### USES OF GUARANIES

1. The two Governments agree that the guarantees accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America, shall determine, for the following purposes, in the amounts shown:

a. For United States expenditures under subsections (a), (b), (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), and (r) of Section 104 of the Act or under any of such subsections, 15 percent of the guarantees accruing under the Agreement.

b. For loans to be made by the Export-Import Bank of Washington under Section 104(e) of the Act and for administrative expenses of the Export-Import Bank of Washington in Paraguay incident thereto, five percent of the guarantees accruing under the Agreement. It is understood that:

(1) Such loans under Section 104(e) of the Act will be made to United States business firms and branches, subsidiaries, or affiliates of

such firms in Paraguay for business development and trade expansion in Paraguay and to United States firms and Paraguayan firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of and markets for United States agricultural products.

(2) Loans will be mutually agreeable to the Export-Import Bank of Washington and the Government of Paraguay. The President of the Central Bank of Paraguay, or his designate, will act for the Government of Paraguay, and the President of the Export-Import Bank of Washington, or his designate, will act for the Export-Import Bank of Washington.

(3) Upon receipt of an application which the Export-Import Bank is prepared to consider, the Export-Import Bank will inform the Central Bank of Paraguay of the identity of the applicant, the nature of the proposed business, the amount of the proposed loan, and the general purposes for which the loan proceeds would be expended.

(4) When the Export-Import Bank is prepared to act favorably upon an application, it will so notify the Central Bank of Paraguay and will indicate the interest rate and the repayment period which would be used under the proposed loan. The interest rate will be similar to that prevailing in Paraguay on comparable loans, and the maturities will be consistent with the purposes of the financing.

(5) Within 60 days after the receipt of the notice that the Export-Import Bank is prepared to act favorably upon an application, the Central Bank of Paraguay will indicate to the Export-Import Bank whether or not the Central Bank of Paraguay has any objection to the proposed loan. Unless within the sixty-day period the Export-Import Bank has received such a communication from the Central Bank of Paraguay, it shall be understood that the Central Bank of Paraguay has no objection to the proposed loan. When the Export-Import Bank approves or declines the proposed loan, it will notify the Central Bank of Paraguay.

(6) In the event the guaranies set aside for loans under Section 104(e) of the Act are not advanced within three years from the date of this Agreement because the Export-Import Bank of Washington has not approved loans or because proposed loans have not been mutually agreeable to the Export-Import Bank of Washington and the Central Bank of Paraguay, the Government of the United States of America may use the guaranies for any purpose authorized by Section 104 of the Act.

c. For a grant to the Government of Paraguay under Section 104(e) of the Act, 40 percent of the guaranies accruing under the Agreement for financing such projects to promote balanced economic development as may be mutually agreed.

d. For a loan to the Government of Paraguay under subsection (g) of Section 104 of the Act, 40 percent of the guaranies accruing under the Agreement for financing such projects to promote balanced

economic development, including projects not heretofore included in plans of the Government of Paraguay as may be mutually agreed. In the event that agreement is not reached on the use of the guaranies for loan purposes within three years from the date of this agreement, the Government of the United States of America may use the local currency for any purposes authorized by Section 104 of the Act.

### ARTICLE III

#### DEPOSIT OF GUARANIES

1. The deposit of guaranies to the account of the Government of the United States of America in payment for the commodities and for ocean transportation costs financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) shall be made at the rate of exchange for United States dollars generally applicable to import transactions (excluding imports granted a preferential rate) in effect on the dates of dollar disbursement by United States banks, or by the Government of the United States of America, as provided in the purchase authorizations.

2. In the event that a subsequent agricultural commodities agreement or agreements should be signed by the two Governments under the Act, any refunds of guaranies which may be due or become due under this agreement more than two years from the effective date of this agreement will be made by the Government of the United States of America from funds available from the most recent agricultural commodities agreement in effect at the time of the refund.

### ARTICLE IV

#### GENERAL UNDERTAKINGS

1. The Government of Paraguay agrees that it will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes, (except where such resale, transshipment or use is specifically approved by the Government of the United States of America), of the surplus agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities to nations unfriendly to the United States of America.

2. The two Governments agree that they will take reasonable precautions to assure that all sales or purchases of surplus agricultural commodities, pursuant to the Agreement will not displace usual marketings of the United States of America in these commodities, or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement, the two Governments will seek to assure conditions of commerce permitting private traders to func-

tion effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

4. The Government of Paraguay agrees to furnish, upon request of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and the provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

#### ARTICLE V

##### CONSULTATION

The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

#### ARTICLE VI

##### ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Asunción, Paraguay in duplicate this seventh day of July, 1961.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

ALBERT E CARTER

Albert E. Carter  
*Charge d'Affaires ad interim*

FOR THE GOVERNMENT OF  
PARAGUAY:

RAÚL SAPENA PASTOR

Raúl Sapena Pastor  
*Minister of Foreign Affairs*

[SEAL]

**CONVENIO SOBRE PRODUCTOS AGRICOLAS ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y EL GOBIERNO DEL PARAGUAY, SEGUN EL TITULO I DE LA LEY DE AYUDA Y DE DESARROLLO COMERCIAL AGRICOLA, Y SUS ENMIENDAS**

El Gobierno de los Estados Unidos de América y el Gobierno del Paraguay:

Reconociendo la conveniencia de extender el comercio de productos agrícolas entre sus dos países y otras naciones amigas de modo que no desplace la usual colocación de dichos productos por parte de los Estados Unidos de América o desbarate, indebidamente, los precios mundiales de productos agrícolas o los moldes normales de intercambio comercial con países amigos;

Considerando que la compra, en guaraníes, de productos agrícolas excedentes producidos en los Estados Unidos de América ayudará a alcanzar dicha expansión del intercambio;

Considerando que los guaraníes resultantes de tal compra serán utilizados de un modo beneficioso para ambos países;

Deseando establecer los acuerdos que regirán las ventas, según se especifica más abajo, de los productos agrícolas al Paraguay de conformidad al Título I de la Ley de Ayuda y de Desarrollo Comercial Agrícola y sus modificaciones (de ahora en adelante mencionada como la Ley) y las medidas que los dos Gobiernos adoptarán individual y colectivamente para fomentar la expansión del comercio de dichos productos;

Han convenido en lo siguiente:

**ARTICULO I**

**VENTAS EN GUARANIES**

- Sujeto a la disponibilidad de productos a incluirse en el programa bajo la Ley y a la distribución por el Gobierno de los Estados Unidos de América, y a la aceptación por el Gobierno del Paraguay de autorizaciones de compra, el Gobierno de los Estados Unidos de América toma a su cargo la financiación de ventas en guaraníes a compradores autorizados por el Gobierno del Paraguay, de los siguientes productos agrícolas determinados como excedentes de conformidad con la Ley en las cantidades indicadas:

Producto	Valor	Mercado	Exportación
Trigo, incluso harina	\$ 5, 400, 000		
Transporte oceánico	" 1, 500, 000		
Total	\$ 6, 900, 000		

2. Las solicitudes de autorizaciones de compra serán hechas dentro de los 90 días del calendario luego de la fecha de efectividad de este Convenio excepto que la solicitud de autorizaciones de compra por cualesquiera productos adicionales o cantidades de productos estipulados en cualquier enmienda a este Convenio serán hechas dentro de los 90 días luego de la fecha de efectividad de dicha enmienda. Las autorizaciones de compra incluirán provisiones relativas a la venta y entrega de los productos, la fecha y circunstancias del depósito de guaraníes resultantes de dicha venta, y otros asuntos pertinentes.
3. Entiéndese que la venta de trigo y/o harina según este Convenio no se hace con la intención de aumentar la disponibilidad de trigo o productos de trigo para exportación y se hace con la condición que ninguna exportación de dichos productos será efectuada desde el Paraguay durante el período que el trigo y/o la harina estén siendo importados y utilizados.

## ARTICULO II

### EMPLEOS DE LOS GUARANIES

1. Los dos Gobiernos convienen que los guaraníes resultantes a favor del Gobierno de los Estados Unidos de América como consecuencia de las ventas hechas de conformidad a este Convenio serán utilizados por el Gobierno de los Estados Unidos de América de tal manera y en el orden de prioridad que el Gobierno de los Estados Unidos de América determinará, para los propósitos siguientes, en las sumas indicadas:
  - a. Para gastos de los Estados Unidos de conformidad a las subsecciones (a), (b), (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), y (r) de la Sección 104 de la Ley o según cualesquiera de dichas subsecciones, 15 por ciento de los guaraníes resultantes de acuerdo al convenio.
  - b. Para préstamos a ser hechos por el Export-Import Bank de Washington bajo la Sección 104 (e) de la Ley y para los gastos administrativos del Export-Import Bank de Washington en el Paraguay incidentes a ellos, cinco por ciento de los guaraníes resultantes de acuerdo al Convenio. Entiéndese que:
    - (1) Los préstamos según la Sección 104 (e) de la Ley serán hechos a firmas de los Estados Unidos y a sucursales, subsidiarias, o afiliadas de dichas firmas en el Paraguay para desarrollo de negocios y expansión comercial en el Paraguay y a firmas de los Estados Unidos y a firmas del Paraguay para el establecimiento de facilidades que ayuden a la utilización, distribución, o bien, aumentar el consumo y colocación de productos agrícolas de los Estados Unidos.
    - (2) Los préstamos deberán ser mutuamente aceptables al Export-Import Bank de Washington y al Gobierno del Paraguay. El Presidente del Banco Central del Paraguay, o una

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persona designada por él, actuará en nombre del Gobierno del Paraguay, y el Presidente del Export-Import Bank de Washington, o una persona designada por él, actuará por el Export-Import Bank de Washington.

(3) Al recibir una solicitud que el Export-Import Bank esté dispuesto a considerar, el Export-Import Bank informará al Banco Central del Paraguay sobre la identidad del solicitante, la naturaleza de la operación propuesta, el monto del préstamo propuesto, y los propósitos generales en los cuales los valores del préstamo serían invertidos.

(4) Cuando el Export-Import Bank esté dispuesto a actuar favorablemente respecto a una solicitud, éste informará así al Banco Central del Paraguay e indicará la tasa de interés y el período de amortización que se empleará bajo el préstamo propuesto. La tasa de interés será similar a la que prevalezca en el Paraguay respecto a préstamos comparables, las fechas de vencimiento estarán de acuerdo con los propósitos de la financiación.

(5) Dentro de los 60 días luego del recibo del aviso que el Export-Import Bank está dispuesto a actuar favorablemente respecto a una solicitud, el Banco Central del Paraguay indicará al Export-Import Bank si el Banco Central del Paraguay tiene alguna objeción o no al préstamo propuesto. A no ser que dentro del período de sesenta días el Export-Import Bank haya recibido tal comunicación del Banco Central del Paraguay, se entenderá que el Banco Central del Paraguay no tiene objeción al préstamo propuesto. Cuando el Export-Import Bank apruebe o niegue el préstamo propuesto, lo notificará al Banco Central del Paraguay.

(6) En el caso que los guaraníes depositados para préstamos según la Sección 104 (e) de la Ley no sean utilizados dentro de los tres años desde la fecha de este Convenio debido a que el Export-Import Bank no haya aprobado préstamos o porque los préstamos propuestos no hayan sido mutuamente aceptables al Export-Import Bank de Washington y al Banco Central del Paraguay, el Gobierno de los Estados Unidos de América podrá utilizar los guaraníes para cualquier propósito autorizado por la Sección 104 de la Ley.

c. Para una donación al Gobierno del Paraguay según la Sección 104 (e) de la Ley, 40 por ciento de los guaraníes resultantes de este Convenio para financiar proyectos tales como para promover un desarrollo económico equilibrado, según pueda convenirse mutuamente.

d. Para un préstamo al Gobierno del Paraguay según la subsección (g) de la Sección 104 de la Ley, 40 por ciento de los guaraníes resultantes de este Convenio para financiar proyectos tales como para promover un desarrollo económico equilibrado, in-

cluso proyectos no comprendidos hasta la fecha en los planes del Gobierno del Paraguay según pueda convenirse mutuamente. En el caso que no se llegue a un acuerdo sobre el uso de los guaraníes para fines de préstamo dentro de los tres años desde la fecha de este Convenio, el Gobierno de los Estados Unidos de América podrá utilizar la moneda local para cualesquiera de los propósitos autorizados por la Sección 104 de la Ley.

### ARTICULO III

#### DEPOSITO DE LOS GUARANIES

1. El depósito de los guaraníes en la cuenta del Gobierno de los Estados Unidos de América en pago de los productos y de los costos de transporte oceánico financiado por el Gobierno de los Estados Unidos de América (excepto los costos en exceso resultantes de los pedidos en el sentido que sean utilizadas embarcaciones de bandera de los Estados Unidos) será hecho al tipo de cambio de dólares de Estados Unidos generalmente aplicable a transacciones de importación (con exclusión de las importaciones que gozan de tipo de cambio preferencial) en vigencia a las fechas del desembolso de dólares hecho por los bancos de los Estados Unidos, o por el Gobierno de los Estados Unidos de América según sea previsto en las autorizaciones de compra.
2. En el caso que un subsiguiente convenio o convenios sobre productos agrícolas sea firmado por los dos Gobiernos de conformidad al Acta, cualesquiera reembolsos de guaraníes que hayan vencido o que venzan según este convenio luego de dos años desde la fecha de efectividad de este convenio serán hechos por el Gobierno de los Estados Unidos de América con fondos disponibles del convenio más reciente sobre productos agrícolas en efecto a la fecha del reembolso.

### ARTICULO IV

#### COMPROMISOS GENERALES

1. El Gobierno del Paraguay conviene que adoptará todas las medidas posibles para impedir la reventa o reembarque a otros países o su uso para otros fines que los nacionales (excepto cuando tal reventa, reembarco o uso sea específicamente aprobado por el Gobierno de los Estados Unidos de América), de los productos agrícolas excedentes comprados de conformidad a las provisiones de este Convenio, y para asegurar que la compra de estos productos no resulte en un aumento de la disponibilidad de éstos o productos similares para naciones no amigas a los Estados Unidos de América.
2. Los dos Gobiernos convienen que tomarán razonables precauciones para asegurar que todas las ventas o compras de productos agrícolas, excedentes, de conformidad al Convenio no desplazarán las colocaciones usuales de los Estados Unidos de América de estos productos, o desbaratarán los precios mundiales de productos agrí-

colas o los moldes normales de intercambio comercial con países amigos.

3. En la ejecución de este Convenio, los dos Gobiernos procurarán asegurar condiciones comerciales que permitan a las empresas privadas funcionar efectivamente y emplearán sus mejores esfuerzos para desarrollar y aumentar la continua demanda del mercado respecto a productos agrícolas.

4. El Gobierno del Paraguay conviene en proveer, a pedido de los Estados Unidos de América, información sobre el progreso del programa, particularmente con respecto a la llegada y condición de los productos y las provisiones respecto al mantenimiento de los medios de colocación habituales, e información relativa a exportaciones de los mismos productos o similares.

#### ARTICULO V

##### CONSULTAS

Los dos Gobiernos, a pedido de uno de ellos, efectuarán consultas respecto a todo asunto relativo a la aplicación de este Convenio o para la ejecución de arreglos realizados de conformidad a este Convenio.

#### ARTICULO VI

##### PUESTA EN VIGENCIA

El Convenio entrará en vigencia al ser firmado.

En testimonio de lo expuesto, los representantes respectivos, debidamente autorizados para tal fin, han firmado el presente Convenio.

FIRMADO en la Ciudad de Asunción, en duplicado, el día siete de julio de mil novecientos sesenta y uno.

POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

ALBERT E CARTER

Albert E. Carter

Encargado de Negocios a.i. de  
los Estados Unidos de América en  
el Paraguay.

POR EL GOBIERNO DEL PARAGUAY:

RAÚL SAPENA PASTOR

Raúl Sapena Pastor

Ministro de Relaciones Exteriores.

[SEAL]

[EXCHANGES OF NOTES]

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Asunción, July 7, 1961

No. 1

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Paraguay signed today.

I wish to confirm my Government's understanding that Paraguay will resume normal imports of wheat from traditional suppliers under bilateral agreements during 1962.

I shall appreciate receiving your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

ALBERT E. CARTER  
*Chargé d'Affaires ad interim*

His Excellency

Dr. RAÚL SAPENA PASTOR,  
*Minister of Foreign Affairs,*  
*Asunción.*

D.O.T.A.I. N° 1038.-

ASUNCIÓN, 7 de julio de 1.961

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el agrado de dirigirme a Vuestra Señoría a fin de avisar recibo de su nota N° 1, de esta misma fecha, cuyo texto en versión española es el siguiente:

"Excelencia:—Tengo el honor de hacer referencia al Convenio sobre Productos Agrícolas entre el Gobierno de los Estados Unidos de América y el Gobierno del Paraguay firmado hoy.

"Deseo confirmar el entendimiento de mi Gobierno en el sentido de que el Paraguay reasumirá las importaciones normales de trigo, de los abastecedores tradicionales según convenio bilaterales, durante 1962.

"Apreciaré recibir la confirmación de Su Excelencia respecto al entendimiento arriba expresado.

"Acepte, Excelencia, las renovadas seguridades de mi más alta consideración."

En respuesta, cúmpleme llevar a conocimiento de Vuestra Señoría la conformidad de mi Gobierno a lo expuesto en su nota transcripta precedentemente, considerando la misma y la presente

nota, como un Acuerdo formal entre nuestros dos Gobiernos sobre el asunto de que se trata.

Hago propicia la oportunidad para reiterar a Vuestra Señoría las seguridades de mi consideración más distinguida.

RAÚL SAPENA PASTOR

[SEAL]

A Su Señoría

Don ALBERT E. CARTER,  
*Encargado de Negocios a.i. de los  
 Estados Unidos de America en el Paraguay.  
 Ciudad.*

*Translation*

D.O.T.A.I. No. 1038.-

ASUNCIÓN, July 7, 1961

MR. CHARGÉ D'AFFAIRES:

I take pleasure in addressing you in order to acknowledge receipt of your note No. 1 of this date, the text of which in Spanish translation reads as follows:

[For the English language text of the note, see *ante*, p. 1407.]

In reply, I am to inform you that my Government agrees to the terms of your note transcribed above and considers that note and this note to be a formal agreement between our two Governments on the matter in question.

I avail myself of the opportunity to renew to you the assurances of my most distinguished consideration.

RAÚL SAPENA PASTOR

[SEAL]

Mr. ALBERT E. CARTER

*Charge d'Affaires ad interim of the  
 United States of America in Paraguay,  
 City.*

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EMBASSY OF THE  
 UNITED STATES OF AMERICA

No. 2 Asunción, July 7, 1961

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Paraguay signed today.

I wish to confirm my Government's understanding of the agreement reached in conversations which have taken place between the representatives of the Government of the United States of America

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and the Government of Paraguay with respect to the use of guaranies accruing under the subject Agreement for agricultural market development purposes by the Government of the United States of America under Section 104(a) of the Agricultural Trade Development and Assistance Act, as amended.

It is understood that the Government of Paraguay will provide facilities for the conversion of up to two percent of the total amount specified in Article I of the Agreement into other currencies. These facilities for conversion are needed for the purpose of securing funds to finance agricultural market development activities of the Government of the United States of America in other countries.

I shall appreciate receiving Your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

ALBERT E. CARTER  
*Charge d'Affaires ad interim*

His Excellency

Dr. RAÚL SAPENA PASTOR,  
*Minister of Foreign Affairs,*  
*Asunción.*

D.O.T.A.I. N° 1039.-

ASUNCIÓN, 7 de Julio de 1.961

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el agrado de dirigirme a Vuestra Señoría a fin de avisar recibo de su nota N° 2, de esta misma fecha, cuyo texto en versión española es el siguiente:

"Excelencia:-Tengo el honor de referirme al Convenio sobre Productos Agrícolas entre el Gobierno de los Estados Unidos de América y el Gobierno del Paraguay firmado hoy.

"Deseo confirmar el entendimiento de mi Gobierno sobre el convenio negociado en conversaciones que se han llevado a cabo entre representantes del Gobierno de los Estados Unidos de América y el Gobierno del Paraguay con respecto al empleo de guaranies resultantes según dicho convenio para propósitos de desarrollo de colocación agrícola por el Gobierno de los Estados Unidos de América según la Sección 104 (a) del Acta de Ayuda y de Desarrollo Comercial Agrícola, y sus modificaciones.

"Queda entendido que el Gobierno del Paraguay proveerá facilidades para la conversión de hasta el dos por ciento del monto total especificado en el Artículo I del Convenio en otras monedas. Estas facilidades para conversión se necesitan con el fin de obtener fondos para financiar actividades de desarrollo de colocación agrícola del Gobierno de los Estados Unidos de América en otros países.

"Apreciaré recibir la confirmación de Su Excelencia respecto al entendimiento expresado anteriormente.

"Acepte, Excelencia, las renovadas seguridades de mi más alta consideración."

En respuesta, cúmpleme llevar a conocimiento de Vuestra Señoría la conformidad de mi Gobierno a lo expuesto en su nota transcripta precedentemente, considerando la misma y la presente nota, como un Acuerdo formal entre nuestros dos Gobiernos sobre el asunto de que se trata.

Hago propicia la oportunidad para reiterar a Vuestra Señoría las seguridades de mi consideración más distinguida.

RAÚL SAPENA PASTOR

[SEAL]

A Su Señoría

Don ALBERT E. CARTER,

*Encargado de Negocios a.i. de los  
Estados Unidos de América en el Paraguay.  
Ciudad.*

*Translation*

D.O.T.A.I. No. 1039.-

ASUNCIÓN, July 7, 1961

MR. CHARGÉ D'AFFAIRES:

I take pleasure in addressing you in order to acknowledge receipt of your note No. 2 of this date, the text of which in Spanish translation reads as follows:

[For the English language text of the note, see *ante*, p. 1408.]

In reply, I am to inform you that my Government agrees to the terms of your note transcribed above and considers that note and this note to be a formal agreement between our two Governments on the matter in question.

I avail myself of the opportunity to renew to you the assurances of my most distinguished consideration.

RAÚL SAPENA PASTOR

[SEAL]

Mr. ALBERT E. CARTER

*Chargé d'Affaires ad interim of the  
United States of America in Paraguay,  
City.*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Asunción, July 7, 1961*

No. 3

**EXCELLENCY:**

I have the honor to refer to the Agricultural Commodities Agreement signed today between the Government of the United States of America and the Government of Paraguay and, with regard to the guarantees accruing to uses indicated under Article II of the Agreement, state that the understanding of the Government of the United States of America is as follows:

With respect to both paragraphs c and d of Article II:

Local currency will be advanced or reimbursed to the Government of Paraguay for financing agreed projects under paragraphs c and d of Article II of the Agricultural Commodities Agreement upon the presentation of such documentation as the Technical Cooperation Mission may specify.

The Government of Paraguay shall maintain or cause to be maintained books and records adequate to identify the goods and services financed for agreed projects pursuant to paragraphs c and d of Article II of the Agricultural Commodities Agreement, to disclose the use thereof in the projects and to record the progress of the projects (including the cost thereof). The books and records with respect to each project shall be maintained for the duration of the project, or until the expiration of three years after final disbursement for the project has been made by USOM, whichever is later. The two Governments shall have the right at all reasonable times to examine such books and records and all other documents, correspondence, memoranda and other records involving transactions relating to agreed projects. The Government of Paraguay shall enable the USOM to observe and review agreed projects and the utilization of goods and services financed under the projects, and shall furnish to the USOM all such information as it shall reasonably request concerning the above-mentioned matters and the expenditures related thereto. The Government of Paraguay shall afford, or arrange to have afforded, all reasonable opportunity for authorized representatives of the Government of the United States to visit any part of the territory of Paraguay for purposes related to agreed projects.

If the USOM determines that any disbursement under paragraphs c and d of Article II of the Agricultural Commodities Agreement made by it for agreed projects is not supported by the documentation submitted by the Government of Paraguay, is not made in accordance with the terms of this agreement or any applicable agreement or arrangement between the Government of the United States and the Government of Paraguay, or is in violation of any applicable laws or regulations of the United States Government, the Government of Paraguay shall pay to the USOM as may be re-

quested by it, an amount in local currency not to exceed the amount of such disbursement. Where any payment is made by the Government of Paraguay to the USOM pursuant to the preceding sentence on the basis of a disbursement which has been charged as an advance under the line of credit established by the loan agreement, the total amount charged as advances under the line of credit shall be reduced by the amount of such payment.

The USOM shall expend funds for agreed projects only in accordance with the applicable laws and regulations of the United States Government. The USOM may decline to make further disbursements for any agreed projects if it determines that further disbursements would not fulfill the purposes of paragraphs c and d of Article II of the Agricultural Commodities Agreement.

I shall appreciate your confirming to me that the contents of this note also represent the understanding of the Government of Paraguay.

Accept, Excellency, the renewed assurances of my highest consideration.

ALBERT E. CARTER  
*Charge d'Affaires ad interim*

His Excellency  
RAÚL SAPENA PASTOR,  
*Minister of Foreign Relations,*  
*Asunción.*

D.O.T.A.I. N° 1040.-

ASUNCIÓN, 7 de Julio de 1.961

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el agrado de dirigirme a Vuestra Señoría a fin de avisar recibo de su nota N° 3, de esta misma fecha, cuyo texto en versión española es el siguiente:

"Excelencia:—Me refiero al Convenio de Productos Agrícolas firmado hoy entre el Gobierno de los Estados Unidos de América y el Gobierno del Paraguay y, con respecto a los guaraníes acumulados para usos indicados según el Artículo II del Convenio, manifiesto que el entendimiento del Gobierno de los Estados Unidos de América es como sigue:

"Con respecto a los párrafos c y d del Artículo II:

"Moneda local será adelantada o reembolsada al Gobierno del Paraguay para financiar proyectos convenidos según párrafos c y d del Artículo II del Convenio de Productos Agrícolas a la presentación de la documentación que la Misión de Cooperación Técnica pueda especificar. El Gobierno del Paraguay mantendrá o hará mantener libros y archivos adecuados para identificar los bienes y servicios financiados para los proyectos convenidos de conformidad a los párrafos c y d del Artículo II del Convenio de Productos

Agrícolas, para conocer el uso de los mismos en los proyectos y para anotar el progreso de los proyectos (inclusive el costo de los mismos). Los libros y archivos con respecto a cada proyecto serán mantenidos mientras dure el proyecto, o hasta la expiración de tres años luego que la Misión de Operaciones de los Estados Unidos haya hecho el desembolso final para el proyecto, cualquiera que sea posterior. Los dos Gobiernos tendrán el derecho, en todo momento dentro de lo razonable, de examinar dichos libros y archivos y todos los otros documentos, correspondencia, memorandums, y otros archivos que cubran transacciones relacionadas con los proyectos convenidos. El Gobierno del Paraguay permitirá a la Misión de Operaciones de los Estados Unidos observar y revisar los proyectos convenidos y la utilización de bienes y servicios financiados bajo los proyectos, y proveerá a la Misión de Operaciones de los Estados Unidos toda otra información que la misma pueda requerir, dentro de lo razonable, relativa a los asuntos mencionados anteriormente y a los gastos relacionados con los mismos. El Gobierno del Paraguay proporcionará, o hará que se proporcione, toda oportunidad dentro de lo razonable para que representantes autorizados del Gobierno de los Estados Unidos de América visiten cualquier parte del territorio del Paraguay para propósitos relacionados con los proyectos convenidos. Si la Misión de Operaciones de los Estados Unidos determinara que cualquier desembolso según los párrafos c y d del Artículo II del Convenio de Productos Agrícolas hechos por el mismo para proyectos convenidos no está apoyado por la documentación suministrada por el Gobierno del Paraguay no está hecho de acuerdo a los términos de este Convenio o cualquier convenio o arreglo aplicable entre el Gobierno de los Estados Unidos y el Gobierno del Paraguay, o es en violación de cualesquiera leyes o reglamentos aplicables del Gobierno de los Estados Unidos, el Gobierno del Paraguay pagará a la Misión de Operaciones de los Estados Unidos de América, según pueda ser requerido por ella, una suma en moneda local que no exceda el monto de dicho desembolso. Donde cualquier pago sea hecho por el Gobierno del Paraguay a la Misión de Operaciones de los Estados Unidos, de conformidad a la sentencia precedente, sobre la base de un desembolso que ha sido imputado como un adelanto bajo el plan de crédito establecido por el convenio de préstamo, el monto total imputado como adelantos bajo el plan de crédito será reducido por el monto de dicho pago. La Misión de Operaciones de los Estados Unidos gastará fondos para proyectos convenidos solamente de acuerdo con las leyes y reglamentos aplicables del Gobierno de los Estados Unidos. La Misión de Operaciones de los Estados Unidos puede declinar a hacer otros desembolsos para cualesquiera proyectos convenidos si ella determinara que otros desembolsos no cumplieran los propósitos de los párrafos c y d del Artículo II del convenio de Productos Agrícolas.

"Apreciaré su confirmación de que el contenido de esta nota también representa el entendimiento del Gobierno del Paraguay.

"Acepte, Excelencia, las renovadas seguridades de mi más alta consideración."

En respuesta, cúmpleme llevar a conocimiento de Vuestra Señoría la conformidad de mi Gobierno a lo expuesto en su nota transcripta precedentemente, considerando la misma y la presente nota, como un Acuerdo formal entre nuestros dos Gobiernos sobre el asunto de que se trata.

Hago propicia la oportunidad para reiterar a Vuestra Señoría las seguridades de mi consideración más distinguida.

RAÚL SAPENA PASTOR

[SEAL]

A Su Señoría

Don ALBERT E. CARTER,  
*Encargado de Negocios a.i. de los  
Estados Unidos de América.  
Ciudad.*

*Translation*

D.O.T.A.I. No. 1040.-

ASUNCIÓN, July 7, 1961

MR. CHARGÉ D'AFFAIRES:

I take pleasure in addressing you in order to acknowledge receipt of your note No. 3 of this date, the text of which in Spanish translation reads as follows:

[For the English language text of the note, see *ante*, p. 1411.]

In reply, I am to inform you that my Government agrees to the terms of your note transcribed above and considers that note and this note to be a formal agreement between our two Governments on the matter in question.

I avail myself of the opportunity to renew to you the assurances of my most distinguished consideration.

RAÚL SAPENA PASTOR

[SEAL]

Mr. ALBERT E. CARTER  
*Chargé d'Affaires ad interim of the  
United States of America,  
City.*

# PHILIPPINES

## Mutual Defense Assistance: Loan of Vessel

*Agreement effected by exchange of notes  
Signed at Manila September 28 and October 4, 1961;  
Entered into force October 4, 1961.*

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*The American Chargé d'Affaires ad interim to the Philippine Secretary of Foreign Affairs*

No. 235

MANILA, September 28, 1961

EXCELLENCY:

I have the honor to refer to conversations between representatives of our two Governments concerning the loan of vessels by the Government of the United States to the Government of the Republic of the Philippines and to confirm the following understandings reached between our Governments on this subject.

1. The Government of the United States will lend to the Government of the Republic of the Philippines for the period set out below, the vessel identified in the Annex to this note.
2. The Government of the Republic of the Philippines will retain possession of, and will use, the vessel subject to the terms and conditions of this note, of the Agreement relating to military assistance between our two Governments signed at Manila on March 21, 1947, [<sup>1</sup>] and of the Agreement between our two Governments effected by an exchange of notes signed on June 26, 1953, [<sup>2</sup>] as said Agreements have been, or may be, extended or amended.
3. The period of the loan for the vessel shall be five years from the date of its delivery to the Government of the Republic of the Philippines. The Government of the United States may, however, request the return of the vessel at an earlier date if such action is necessitated by its own defense requirements. In this event, the Government of the Republic of the Philippines will promptly return the vessel to the Government of the United States.
4. The vessel, together with its available on-board spares and allowances, including consumable stores and fuel, will be delivered to the Government of the Republic of the Philippines at such place and

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<sup>1</sup> TIAS 1662; 61 Stat. (pt. 3) 3283.

<sup>2</sup> TIAS 2834; 4 UST (pt. 2) 1682.

time as may be mutually agreed upon. The delivery shall be evidenced by a delivery certificate. The Government of the Republic of the Philippines shall have the use of all outfitting equipment, appliances, fuel, consumable stores, spares, and replacement parts on board the vessel at the time of its delivery.

5. Title to the vessel and to the items and appurtenances referred to in paragraph 4 of this note, except fuel, consumable stores, spares, and replacement parts, shall remain in the Government of the United States. The Government of the Republic of the Philippines may, however, place the vessel under its flag. The Government of the Republic of the Philippines shall not, without the consent of the Government of the United States, relinquish physical possession of the vessel or any such items and appurtenances.

6. The Government of the Republic of the Philippines renounces all claims against the Government of the United States arising from the transfer, use, or operation of the vessel and will save the Government of the United States harmless from any such claims asserted by third parties.

7. Upon the expiration or termination of the loan, the vessel together with its outfitting equipment, appliances, and available on-board spares and allowances, including consumable stores, replacement parts, and fuel, will be returned to the Government of the United States at a place and a time specified by the Government of the United States, in substantially the same condition, reasonable wear and tear excepted, as when transferred. Any items or appurtenances on board the vessel at the time of its return shall, if they are not already the property of the Government of the United States, become the property of the Government of the United States without compensation.

8. The Government of the Republic of the Philippines will pay the Government of the United States just and reasonable compensation for damages to or loss of the vessel. The Government of the Republic of the Philippines shall not, however, be liable for damage or loss of the vessel arising out of enemy action sustained while in use in accordance with the provisions of paragraph 2 of this note. Should the vessel sustain damages from any cause, such as in the opinion of the Government of the Republic of the Philippines renders it a total loss, the Government of the Republic of the Philippines shall consult with the Government of the United States before declaring said vessel a total loss.

If these understandings are acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two Governments to enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN GORDON MEIN  
*Chargé d'Affaires ad interim*

Attachment:  
Annex A

His Excellency

FELIXBERTO M. SERRANO,  
*Secretary of Foreign Affairs,*  
*Republic of the Philippines.*

ANNEX A

AFDL 20 (Floating Dry Dock)

*The Philippine Secretary of Foreign Affairs to the American Chargé d'Affaires ad interim*

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FOREIGN AFFAIRS

No. 3197-61

MANILA, October 4, 1961

SIR:

This is to acknowledge the receipt of your Note No. 235 of September 28, 1961, reading as follows:

"I have the honor to refer to conversations between representatives of our two Governments concerning the loan of vessels by the Government of the United States to the Government of the Republic of the Philippines and to confirm the following understandings reached between our Governments on this subject.

"1. The Government of the United States will lend to the Government of the Republic of the Philippines for the period set out below, the vessel identified in the Annex to this note.

"2. The Government of the Republic of the Philippines will retain possession of, and will use, the vessel subject to the terms and conditions of this note, of the Agreement relating to military assistance between our two Governments signed at Manila on March 21, 1947,

and of the Agreement between our two Governments effected by an exchange of notes signed on June 26, 1953, as said Agreements have been, or may be, extended or amended.

"3. The period of the loan for the vessel shall be five years from the date of its delivery to the Government of the Republic of the Philippines. The Government of the United States may, however, request the return of the vessel at an earlier date if such action is necessitated by its own defense requirements. In this event, the Government of the Republic of the Philippines will promptly return the vessel to the Government of the United States.

"4. The vessel together with its available on-board spares and allowances, including consumable stores and fuel, will be delivered to the Government of the Republic of the Philippines at such place and time as may be mutually agreed upon. The delivery shall be evidenced by a delivery certificate. The Government of the Republic of the Philippines shall have the use of all outfitting equipment, appliances, fuel, consumable stores, spares, and replacement parts on board the vessel at the time of its delivery.

"5. Title to the vessel and to the items and appurtenances referred to in paragraph 4 of this note, except fuel, consumable stores, spares, and replacement parts, shall remain in the Government of the United States. The Government of the Republic of the Philippines may, however, place the vessel under its flag. The Government of the Republic of the Philippines shall not, without the consent of the Government of the United States, relinquish physical possession of the vessel or any such items and appurtenances.

"6. The Government of the Republic of the Philippines renounces all claims against the Government of the United States arising from the transfer, use, or operation of the vessel and will save the Government of the United States harmless from any such claims asserted by third parties.

"7. Upon the expiration or termination of the loan, the vessel together with its outfitting equipment, appliances, and available on-board spares and allowances, including consumable stores, replacement parts, and fuel, will be returned to the Government of the United States at a place and a time specified by the Government of the United States, in substantially the same condition, reasonable wear and tear excepted, as when transferred. Any items or appurtenances on board the vessel at the time of its return shall, if they are not already the property of the Government of the United States, become the property of the Government of the United States without compensation.

"8. The Government of the Republic of the Philippines will pay the Government of the United States just and reasonable compensation for damages to or loss of the vessel. The Government of the Republic of the Philippines shall not, however, be liable for damage or loss of the vessel arising out of enemy action sustained while in

use in accordance with the provisions of paragraph 2 of this note. Should the vessel sustain damages from any cause, such as in the opinion of the Government of the Republic of the Philippines renders it a total loss, the Government of the Republic of the Philippines shall consult with the Government of the United States before declaring said vessel a total loss.

“If these understandings are acceptable to Your Excellency’s Government, I have the honor to propose that this note and Your Excellency’s reply concurring therein shall constitute an Agreement between our two Governments to enter into force on the date of Your Excellency’s reply.

“Accept, Excellency, the renewed assurances of my highest consideration.”

I am pleased to inform you that the understandings contained in the above-quoted note are acceptable to my Government, and that your note and this reply constitute an Agreement between our two Governments effective on October 4, 1961.

Accept, Sir, the renewed assurances of my high consideration.

F M SERRANO

Felixberto M. Serrano  
*Secretary of Foreign Affairs*

The Honorable

JOHN GORDON MEIN

*Charge d’Affaires ad interim  
of the United States of America  
Manila*

TIAS 4865

## LUXEMBOURG

## **Mutual Defense Assistance**

*Agreement amending annex B to the agreement of January 27, 1950.*

### **Effect of exchange of notes**

*Signed at Luxembourg September 18 and 22, 1961;*

**Entered into force September 22, 1961.**

*The American Ambassador to the Luxembourg Minister of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Luxembourg, September 18, 1961*

## **EXCELLENCY:**

I have the honor to refer to this Embassy's note No. 8, of September 1, 1961, and to note No. 31.11.187, of September 7, 1961 from the Ministry of Foreign Affairs<sup>[1]</sup> regarding a revision of Annex B to the Mutual Defense Assistance Agreement between the United States of America and Luxembourg<sup>[2]</sup> to provide funds for administrative expenses in connection with the Mutual Defense Assistance Program during the year ending June 30, 1962. It was agreed by this exchange of notes that Annex B would be amended to cover the period July 1, 1961 to June 30, 1962, and that no other change in the text need be made. It is accordingly proposed that the text of Annex B be amended to read as follows:

"In implementation of paragraph 1 of Article V of the Mutual Defense Assistance Agreement the Government of Luxembourg in conjunction with the Government of Belgium will deposit Belgian and Luxembourg francs at such times as requested in an account designated by the United States Embassy at Luxembourg and the United States Embassy at Brussels, not to exceed in total the Luxembourg and Belgian franc equivalent of 422,000 U.S. dollars, for their use on behalf of the Government of the United States for administrative expenditures within Luxembourg and Belgium in

<sup>1</sup> Not printed.

<sup>2</sup> TIAS 2014, 4600; 1 UST 78; 11 UST 2246.

connection with carrying out that Agreement for the period July 1, 1961 to June 30, 1962."

Upon receipt of a note from Your Excellency indicating that the foregoing text is acceptable to the Luxembourg Government, the Government of the United States of America will consider that this note and the reply thereto constitute an agreement between the two Governments on this subject which shall enter into force on the date of Your Excellency's note.

Accept, Excellency, the renewed assurance of my highest consideration.

JAMES W. WINE

His Excellency  
EUGÈNE SCHAUS,  
*Minister of Foreign Affairs,*  
*Luxembourg*

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*The Luxembourg Minister of Foreign Affairs to the American Ambassador*

MINISTÈRE  
DES AFFAIRES ETRANGÈRES

31.11.187

LUXEMBOURG, le 22 septembre 1961

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser la réception de la lettre que Votre Excellence a bien voulu m'adresser le 18 septembre 1961 au sujet de la modification de l'annexe B de l'accord pour la Défense Mutuelle entre le Luxembourg et les Etats-Unis d'Amérique.

Je tiens à vous marquer l'accord du Gouvernement luxembourgeois sur le texte suivant :

"En exécution du § 1 de l'article 5 de l'Accord d'Aide pour la Défense Mutuelle le Gouvernement luxembourgeois, conjointement avec le Gouvernement belge, déposera, lorsqu'il en sera prié, à un compte désigné par l'Ambassade des Etats-Unis à Luxembourg et l'Ambassade des Etats-Unis à Bruxelles des francs belges et luxembourgeois, dont le total ne dépassera pas la contrevaleur de 422 000 \$ USA pour l'usage de ces dernières, au nom du Gouvernement des Etats-Unis, en vue du règlement des dépenses administratives au Luxembourg et en Belgique, résultant de l'exécution de cet accord pour la période du 1er juillet 1961 au 30 juin 1962."

Je marque également mon accord pour considérer que la lettre de Votre Excellence, en date du 18 septembre 1961 et la présente réponse constituent un accord entre les deux gouvernements à ce sujet, qui entrera en vigueur à la date de ce jour.

Je saisirai cette occasion, Monsieur l' Ambassadeur, pour renouveler à Votre Excellence les assurances de ma très haute considération.

E SCHAUS

Son Excellence

Monsieur JAMES W. WINE

*Ambassadeur des Etats-Unis d'Amérique  
Luxembourg*

*Translation*

MINISTRY OF  
FOREIGN AFFAIRS

31.11.187

LUXEMBOURG, September 22, 1961

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of the note that Your Excellency was good enough to send me on September 18, 1961, regarding the revision of Annex B to the Mutual Defense Agreement between Luxembourg and the United States of America.

I wish to inform you of the agreement of the Luxembourg Government to the following text:

[For the English language text of Annex B, see *ante*, p. 1420.]

I wish also to inform you that I concur in considering Your Excellency's note of September 18, 1961, and this reply as constituting an agreement between the two Governments on this subject, which shall enter into force today.

Accept, Mr. Ambassador, the renewed assurances of my very high consideration.

E SCHAUS

His Excellency

JAMES W. WINE,

*Ambassador of the  
United States of America,  
Luxembourg.*

# FRANCE

**Atomic Energy: Cooperation in Operation of Atomic Weapons Systems for Mutual Defense Purposes**

*Agreement signed at Paris July 27, 1961;  
Entered into force October 9, 1961.*

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## A G R E E M E N T

BETWEEN

**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**

AND

**THE GOVERNMENT OF THE FRENCH REPUBLIC**

FOR COOPERATION IN

**THE OPERATION OF ATOMIC WEAPONS SYSTEMS**

FOR MUTUAL DEFENSE PURPOSES

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## A C C O R D

ENTRE

**LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE**

ET

**LE GOUVERNEMENT DE LA REPUBLIQUE FRANCAISE**

POUR LA COOPERATION DANS

**LA MISE EN OEUVRE DE SYSTEMES D'ARMES ATOMIQUES**

A DES FINS DE DEFENSE MUTUELLE

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The Government of the United States of America and the Government of the French Republic,

Considering that they have concluded a Mutual Defense Assistance Agreement,<sup>[1]</sup> pursuant to which each Government will make available to the other equipment, materials, services, or other military assistance in accordance with such terms and conditions as may be agreed;

Considering that their mutual security and defense require that they be prepared to meet the contingencies of atomic warfare;

Considering that they are participating together in an international arrangement pursuant to which they are making substantial and material contributions to their mutual defense and security;

Recognizing that their common defense and security will be advanced by the exchange of information concerning atomic energy and by the transfer of certain types of equipment;

Believing that such exchange and transfer can be undertaken without risk to the defense and security of either country; and

Taking into consideration the United States Atomic Energy Act of 1954,<sup>[2]</sup> as amended, and all applicable statutes of France, which were enacted or prepared with these purposes in mind;

Have agreed as follows:

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement de la République Française,

Considérant qu'ils ont conclu un accord de défense mutuelle en vertu duquel chaque Gouvernement mettra à la disposition de l'autre l'équipement, les matériels, les services ou toute autre forme d'aide militaire, en accord avec les stipulations et les conditions qui pourront être convenues;

Considérant que leur sécurité et leur défense mutuelles exigent qu'ils soient prêts à faire face aux conditions de la guerre atomique;

Considérant que les deux Gouvernements participent à un accord international en vertu duquel ils apportent des contributions substantielles et matérielles à leur défense et à leur sécurité mutuelles;

Reconnaissant que leur défense et leur sécurité communes seront améliorées par l'échange de renseignements concernant l'énergie atomique et par le transfert de certains types d'équipement;

Convaincus que de tels échanges et transferts peuvent être entrepris sans danger pour la défense et la sécurité de chacun des deux pays; et

Prenant en considération la loi des Etats-Unis sur l'Energie Atomique de 1954, telle qu'elle est amendée, ainsi que toutes les lois et réglements français qui ont été élaborés ou mis en vigueur dans les buts ci-dessus;

Sont convenus de ce qui suit:

<sup>1</sup>TIAS 2012; 1 UST 34.

<sup>2</sup>68 Stat. 919; 42 U.S.C. § 2011 note.

**ARTICLE I****GENERAL PROVISIONS**

While the United States and France are participating in an international arrangement for their mutual defense and security and making substantial and material contributions thereto, each Party will communicate to and exchange with the other Party information and transfer non-nuclear parts of atomic weapons systems involving Restricted Data to the other Party in accordance with the provisions of this Agreement, provided that the communicating or transferring Party determines that such cooperation will promote and will not constitute an unreasonable risk to its defense and security.

**ARTICLE I****STIPULATIONS GENERALES**

Tant que les Etats-Unis et la France seront Parties à un accord international en vue de leur défense et leur sécurité mutuelles et qu'ils y apporteront des contributions substantielles et matérielles, chaque Partie communiquera à l'autre Partie et échangera avec elle des renseignements et transférera des "parties non-nucléaires de systèmes d'armes atomiques" impliquant des "données réservées" à l'autre Partie, conformément aux stipulations du présent Accord, sous réserve que la Partie communiquant ou transférant décide qu'une telle coopération peut améliorer sa défense et sa sécurité sans constituer pour celles-ci de risque grave.

**ARTICLE II****EXCHANGE OF INFORMATION**

Each Party will communicate to or exchange with the other Party such classified information as is jointly determined to be necessary to:

- A. the development of defense plans;
- B. the training of personnel in the employment of and defense against atomic weapons and other military applications of atomic energy;

**ARTICLE II****ECHANGES DE RENSEIGNEMENTS**

Chaque Partie communiquera à l'autre Partie ou échangera avec elle tous "renseignements classifiés" jugés d'un commun accord nécessaires:

- A. au développement des plans de défense;
- B. à l'instruction du personnel à l'emploi des armes atomiques, à la défense contre ces armes et concernant d'autres applications militaires de l'énergie atomique;

- C. the evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy; and
  - D. the development of delivery systems compatible with the atomic weapons which they carry.
- C. à l'évaluation des possibilités d'ennemis éventuels en matière d'emploi d'armes atomiques et en matière d'autres applications militaires de l'énergie atomique; et
  - D. à la mise au point des véhicules adaptés aux armes atomiques qu'ils transportent.

### **ARTICLE III**

**TRANSFER OF NON-NUCLEAR PARTS  
OF ATOMIC WEAPONS SYSTEMS**

The Government of the United States will transfer to the Government of the French Republic, subject to terms and conditions to be agreed, non-nuclear parts of atomic weapons systems involving Restricted Data as such parts are jointly determined to be necessary for the purpose of improving the French state of training and operational readiness.

### **ARTICLE IV**

**CONDITIONS**

A. Cooperation under this Agreement will be carried out by each of the Parties in accordance with its applicable laws.

B. Under this Agreement there will be no transfer by either Party of atomic weapons, non-nuclear parts of atomic weapons, or special nuclear materials.

**TRANSFERT DE "PARTIES NON-NUCLEAIRES DE SYSTEMES D'ARMES ATOMIQUES"**

Le Gouvernement des Etats-Unis transférera au Gouvernement de la République Française, dans des conditions à fixer, des "parties non-nucléaires de systèmes d'armes atomiques" impliquant des "données réservées" dans la mesure où de telles parties seront mutuellement jugées nécessaires à l'amélioration du niveau d'instruction et de préparation au combat des forces françaises.

### **ARTICLE IV**

**CONDITIONS**

A. La coopération prévue par cet Accord sera menée par chaque Partie conformément à ses lois applicables en la matière.

B. L'application du présent Accord n'entrainera pour aucune des Parties le transfert d'"armes atomiques", de "parties non-nucléaires d'armes atomiques" ou de matières nucléaires spéciales.

C. The information communicated or exchanged, or non-nuclear parts of atomic weapons systems transferred, by either Party pursuant to this Agreement shall be used by the recipient Party exclusively for the preparation or implementation of defense plans in the mutual interests of the two countries.

D. Nothing in this Agreement shall preclude the communication or exchange of classified information which is transmissible under other arrangements between the Parties.

#### ARTICLE V

##### GUARANTEES

A. Classified information and non-nuclear parts of atomic weapons systems communicated or transferred pursuant to this Agreement shall be accorded full security protection under applicable security arrangements between the Parties and applicable national legislation and regulations of the Parties. In no case shall either Party maintain security standards for safeguarding classified information and non-nuclear parts of atomic weapons systems, made available pursuant to this Agreement, less restrictive than those set forth in the applicable security arrangements in effect on the date this Agreement comes into force.

B. Classified information communicated or exchanged pursuant to this Agreement will be made available through channels exist-

C. Les renseignements communiqués ou échangés ou les "parties non-nucléaires de systèmes d'armes atomiques" transférées par chacune des Parties en vertu de cet Accord seront utilisés par la Partie récipiendaire exclusivement pour la préparation ou la mise en oeuvre de plans de défense dans l'intérêt mutuel des deux Pays.

D. Rien dans cet Accord n'interdit la communication ou l'échange de "renseignements classifiés" prévus par d'autres accords entre les Parties.

#### ARTICLE V

##### GARANTIES DE SECURITE

A. Les "renseignements classifiés" et les "parties non-nucléaires de systèmes d'armes atomiques" communiqués ou transférés en vertu de cet Accord seront soumis à toutes les règles de sécurité prévues par les accords de sécurité passés entre les Parties ainsi qu'à la législation nationale et aux règlements applicables dans chacun des Pays contractants. Aucune Partie ne pourra, en aucun cas, appliquer, pour la protection des "renseignements classifiés" et des "parties non-nucléaires des systèmes d'armes atomiques" fournis en vertu du présent Accord, des normes de sécurité inférieures à celles prévues par les arrangements de sécurité en vigueur à la date où le présent Accord entrera en application.

B. Les "renseignements classifiés" communiqués ou échangés en vertu du présent Accord le seront par le moyen des canaux existants

ing or hereafter agreed for the communication or exchange of such information between the Parties.

C. Classified information, communicated or exchanged, and any non-nuclear parts of atomic weapons systems transferred pursuant to this Agreement shall not be communicated, exchanged or transferred by the recipient Party or persons under its jurisdiction to any unauthorized persons or, except as provided in Article VI of this Agreement, beyond the jurisdiction of that Party. Each Party may stipulate the degree to which any of the information and non-nuclear parts of atomic weapons systems communicated, exchanged or transferred by it or persons under its jurisdiction pursuant to this Agreement may be disseminated or distributed; may specify the categories of persons who may have access to such information or non-nuclear parts of atomic weapons systems; and may impose such other restrictions on the dissemination or distribution of such information or non-nuclear parts of atomic weapons systems as it deems necessary.

C. Les "renseignements classifiés" communiqués ou échangés et toutes "parties non-nucléaires de systèmes d'armes atomiques" transférées en vertu du présent Accord ne devront être communiqués, échangés ou transférés par la Partie récipiendaire ou toute personne placée sous sa juridiction à aucune personne non habilitée ou, sauf cas prévu à l'Article VI ci-dessous, placée hors de la juridiction de cette Partie. Chaque Partie peut stipuler la mesure dans laquelle tous renseignements et "parties non-nucléaires de systèmes d'armes atomiques" communiqués, échangés ou transférés par Elle ou des personnes placées sous sa juridiction en vertu du présent Accord peuvent être diffusés ou distribués; peut préciser les catégories de personnes pouvant avoir accès à de tels renseignements ou "parties non-nucléaires de systèmes d'armes atomiques"; et peut imposer toute autre restriction à la diffusion ou à la distribution de tels renseignements ou "parties non-nucléaires de systèmes d'armes atomiques" qu'elle jugera nécessaire.

## **ARTICLE VI**

### **DISSEMINATION**

Nothing in this Agreement shall be interpreted or operate as a bar or restriction to consultation or co-operation in any field of defense by either Party with other nations

## **ARTICLE VI**

### **DIFFUSION**

Rien dans cet Accord ne sera interprété ou utilisé pour interdire ou restreindre la consultation ou la coopération dans tous les domaines de la défense entre l'une

or international organizations. Neither Party, however, shall so communicate classified information or transfer or permit access to or use of non-nuclear parts of atomic weapons systems made available by the other Party pursuant to this Agreement unless:

des Parties et d'autres pays ou organisations internationales. Aucune des Parties, toutefois, ne communiquera des "renseignements classifiés" ou ne transférera ou ne permettra d'avoir accès à ou d'utiliser des "parties non-nucléaires des systèmes d'armes atomiques" fournis par l'autre Partie en vertu de cet Accord à moins :

A. It is notified by the originating Party that all appropriate provisions and requirements of the originating Party's applicable laws, including authorization by competent bodies of the originating Party, have been complied with which would be necessary to authorize the originating Party directly so to communicate to, transfer to, permit access to or use by such other nation or international organization; and further that the originating Party authorizes the recipient Party so to communicate to, transfer to, permit access to or use by such other nation or international organization; or

B. The originating Party has informed the recipient Party that the originating Party has so communicated to, transferred to, permitted access to or use by such other nation or international organization.

A. Qu'il ne soit spécifié par la Partie d'origine que toutes les dispositions et stipulations appropriées des lois applicables de la Partie d'origine, y compris l'autorisation par les services compétents de la Partie d'origine, qui seraient nécessaires pour autoriser la Partie d'origine à communiquer directement aux dits pays ou organisations internationales des "renseignements classifiés", à leur transférer ou à leur permettre l'accès aux ou l'utilisation des "parties non-nucléaires des systèmes d'armes atomiques" ont été respectées, et de plus que la Partie d'origine autorise la Partie récipiendaire à faire les communications ou transferts ou à donner les permissions ci-dessus; ou

B. Que la Partie d'origine n'ait informé la Partie récipiendaire qu'Elle a fait les communications ou transferts ou donné les permissions ci-dessus.

## ARTICLE VII

### CLASSIFICATION POLICIES

Agreed classification policies shall be maintained with respect to all classified information and non-nuclear parts of atomic weap-

## ARTICLE VII

### NORMES DE CLASSIFICATION

Des normes de classification convenues seront observées en ce qui concerne tous les "renseignements classifiés" et les "parties non-nu-

ons systems communicated, exchanged or transferred under this Agreement.

cléaires de systèmes d'armes atomiques" communiqués, échangés ou transférés en vertu du présent Accord.

### ARTICLE VIII

#### RESPONSIBILITY FOR USE OF INFORMATION AND NON-NUCLEAR PARTS OF ATOMIC WEAPONS SYSTEMS

The application or use of any information (including design drawings and specifications) or non-nuclear parts of atomic weapons systems communicated, exchanged or transferred under this Agreement shall be the responsibility of the Party receiving it, and the other Party does not provide any indemnity or warranty with respect to such application or use.

### ARTICLE VIII

#### RESPONSABILITE DE L'UTILISATION DES RENSEIGNEMENTS ET DES PARTIES NON-NUCLEAIRES DES SYSTEMES D'ARMES ATOMIQUES

L'exploitation ou l'utilisation de tous renseignements (y compris des plans et des spécifications) ou de "parties non-nucléaires de systèmes d'armes atomiques" communiqués, échangés ou transférés en vertu du présent Accord sera faite sous la responsabilité de la Partie récipiendaire; l'autre Partie ne fournira aucune indemnité ou garantie en rapport avec une telle exploitation ou utilisation.

### ARTICLE IX

#### PATENTS

The recipient Party shall use the classified information communicated, or revealed by equipment transferred hereunder, for the purposes specified herein only. Any inventions or discoveries resulting from possession of such information on the part of the recipient Party or persons under its jurisdiction shall be made available to the other Party for all purposes without charge in accordance with such arrangements as may be agreed and shall be safeguarded in accordance with the provisions of Article V of this Agreement.

### ARTICLE IX

#### BREVETS

La Partie récipiendaire n'utilisera les "renseignements classifiés" communiqués, ou révélés par l'équipement transféré en vertu du présent Accord, que dans les buts qui y sont spécifiés. Toutes inventions ou découvertes résultant de la possession de tels renseignements, faites par la Partie récipiendaire ou des personnes placées sous sa juridiction, seront mises gratuitement à la disposition de l'autre Partie pour tous usages, conformément aux Accords qui pourront être conclus, et devront être protégées conformément aux stipulations de l'Article V du présent Accord.

**ARTICLE X****DEFINITIONS**

For the purpose of this Agreement:

A. "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

B. "Classified information" means information, data, materials, services, or any other matter with the security designation of "Confidential" or higher applied under the legislation or regulations of either the United States or France, including that designated by the Government of the United States as "Restricted Data" or "Formerly Restricted Data" and that designated by the Government of the French Republic as "Atomic".

C. "Non-nuclear parts of atomic weapons" means parts of atomic weapons which are specially designed for them and are not in general use in other end products and which are not made of, in whole or in part, special nuclear material; and "non-nuclear parts of atomic weapons systems involving Restricted Data" means parts of atomic weapons systems, other than non-nuclear parts of atomic weapons, which contain or reveal atomic informa-

**ARTICLE X****DEFINITIONS**

Pour l'application du présent Accord l'expression:

A. "Armes atomiques" signifie tout appareil utilisant l'énergie atomique, à l'exclusion des moyens utilisés pour transporter ou propulser ledit appareil (lorsque un tel moyen constitue une partie séparable et divisible de l'appareil), dont le but principal est d'être utilisé ou développé comme une arme, un prototype d'arme, ou un appareil d'essai d'une arme;

B. "Renseignements classifiés" signifie les renseignements, les données, les matériels, services ou tout autre sujet portant la qualification de sécurité de "secret-confidentiel" ou supérieure, attribuée conformément à la législation ou aux règlements soit des Etats-Unis, soit de la France, y compris ceux désignés par le Gouvernement des Etats-Unis comme "données réservées" ou "données antérieurement réservées" et ceux désignés par le Gouvernement de la République Française comme "atomiques";

C. "Parties non-nucléaires d'armes atomiques" signifie des parties d'armes atomiques qui ont été spécialement conçues pour elles et n'ont pas d'utilisation générale dans d'autres produits finis et qui ne sont pas constituées en tout ou en partie de matières nucléaires spéciales; et "parties non-nucléaires de systèmes d'armes atomiques impliquant des données réservées" signifie des parties de systèmes d'armes atomiques, autres que les "parties non-nucléaires

tion and which are not made of, in whole or in part, special nuclear material.

D. As used in this Agreement, the term "atomic information" means:

1. So far as concerns information provided by the Government of the United States, information which is designated "Restricted Data" and "Formerly Restricted Data".
2. So far as concerns information provided by the Government of the French Republic, information which is designated "Atomic".

## **ARTICLE XI**

### **DURATION**

This Agreement shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all legal requirements for the entry into force of this Agreement,<sup>[1]</sup> and shall remain in force until terminated by agreement of both Parties except that either Party may terminate its cooperation under Articles II or III upon the expiration of the North Atlantic Treaty.<sup>[2]</sup>

d'armes atomiques", qui contiennent ou révèlent des "informations d'ordre atomiques" et qui ne sont pas constituées, en tout ou en partie, de matières nucléaires spéciales;

D. Tel qu'il est utilisé dans cet Accord, le terme "information d'ordre atomique" signifie:

1. en ce qui concerne l'information fournie par le Gouvernement des Etats-Unis, l'information qualifiée de "données réservées" et "données antérieurement réservées";
2. en ce qui concerne l'information fournie par le Gouvernement de la République Française, l'information qualifiée d'"atomique".

## **ARTICLE XI**

### **DUREE**

Le présent Accord prendra effet à la date à laquelle chaque Gouvernement aura reçu de l'autre Gouvernement notification écrite qu'il a rempli toutes les exigences d'ordre légal nécessaires à la mise en application du présent Accord et restera valable jusqu'à ce qu'il y soit mis fin par accord des deux Parties, à moins que l'une ou l'autre des Parties ne mette fin à la coopération prévue aux Articles II et III du présent Accord, lors de l'expiration du Traité de l'Atlantique Nord.

<sup>1</sup> Oct. 9, 1961. For the waiver of certain provisions of the Atomic Energy Act of 1954 regarding entry into force, see Public Law 87-363, approved Oct. 4, 1961 (75 Stat. 782).

<sup>2</sup> TIAS 1964; 63 Stat. (pt. 2) 2241.

IN WITNESS WHEREOF, the under-signed, duly authorized, have signed this Agreement.

DONE at Paris, in duplicate, in the English and French languages, both texts being equally authentic, this 27th day of July 1961.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

CECIL B. LYON

[SEAL]

CECIL B. LYON

FOR THE GOVERNMENT OF THE FRENCH REPUBLIC:

ERIC DE CARBONNEL

[SEAL]

ERIC DE CARBONNEL

EN FOI DE QUOI, les soussignés, duement mandatés, ont signé cet Accord.

FAIT à Paris en double exemplaire, en langues anglaise et française, les deux textes faisant également foi, le 27 juillet 1961.

# UNITED ARAB REPUBLIC

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of September 2, 1961.*

*Effectuated by exchange of notes*

*Signed at Cairo October 7, 1961;*

*Entered into force October 7, 1961.*

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*The American Ambassador to the Minister of Economy and Treasury  
of the United Arab Republic*

CAIRO, October 7, 1961

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement of September 2, 1961,[<sup>1</sup>] between the Government of the United States of America and the Government of the United Arab Republic.

The Government of the United States of America, in response to a request from the Government of the United Arab Republic, proposes to amend Article I of the Agreement by adding the commodity "tobacco" in the amount of "\$6.5 million", by increasing the amount for ocean transportation to "\$7.8 million" and by increasing the total amount to "\$70.8 million".

It is also proposed to amend the notes relating to wheat and corn exchanged September 2, 1961,[<sup>2</sup>] by adding the following paragraph after the last numbered paragraph:

"4. The Government of the United Arab Republic further agrees that, in addition to the tobacco provided under this Agreement, the United Arab Republic (Southern Region) will procure and import between July 1, 1961 and June 30, 1962, from the United States of America and countries friendly to it, not less than 5,500 metric tons of tobacco including not less than 1,500 metric tons from the United States of America."

If the foregoing is acceptable to Your Excellency's Government, it is proposed that this note together with Your Excellency's affirmative reply shall constitute an Agreement between our two Governments on this matter to enter into force on the date of Your Excellency's note in reply.

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<sup>1</sup> Also TIAS 4881; *post*, p. 1661.

<sup>2</sup> TIAS 4844; *ante*, p. 1240.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN S. BADEAU

His Excellency

**ABDEL MONEIM EL-KAISOUNI,**  
*Minister of Economy and Treasury*  
*of the United Arab Republic,*  
*Cairo.*

*The Minister of Economy and Treasury of the United Arab Republic  
 to the American Ambassador*

UNITED ARAB REPUBLIC  
 MINISTRY OF ECONOMY & TREASURY  
 OFFICE OF THE MINISTER

OCTOBER 7, 1961

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of October 7, 1961 which reads as follows:

"I have the honor to refer to the Agricultural Commodities Agreement of September 2, 1961, between the Government of the United States of America and the Government of the United Arab Republic.

"The Government of the United States of America, in response to a request from the Government of the United Arab Republic, proposes to amend Article I of the Agreement by adding the commodity "tobacco" in the amount of "\$6.5 million", by increasing the amount for ocean transportation to "\$7.8 million" and by increasing the total amount to "\$70.8 million".

"It is also proposed to amend the notes relating to wheat and corn exchanged September 2, 1961, by adding the following paragraph after the last numbered paragraph:

'4. The Government of the United Arab Republic further agrees that, in addition to the tobacco provided under this Agreement, the United Arab Republic (Southern Region) will procure and import between July 1, 1961 and June 30, 1962, from the United States of America and countries friendly to it, not less than 5,500 metric tons of tobacco including not less than 1,500 metric tons from the United States of America.'

"If the foregoing is acceptable to Your Excellency's Government, it is proposed that this note together with Your Excellency's affirmative reply shall constitute an Agreement between our two Governments on this matter to enter into force on the date of Your Excellency's note in reply."

TIAS 4868

I have the honor to inform Your Excellency that the terms of the foregoing note are acceptable to the Government of the United Arab Republic and that the Government of the United Arab Republic considers Your Excellency's note and the present reply as constituting an Agreement between our two Governments on this subject, the Agreement to enter into force on today's date.

Accept, Excellency, the renewed assurances of my highest consideration.

A KAISSOUNI

His Excellency

JOHN S. BADEAU,

*Ambassador of the  
United States of America,  
Cairo.*

# BOLIVIA

## Surplus Agricultural Commodities

*Agreement signed at La Paz April 7, 1961;  
Entered into force April 7, 1961.  
With exchange of notes.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF BOLIVIA UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Bolivia:

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in those commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for bolivianos of surplus agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the bolivianos accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of surplus agricultural commodities to the Government of Bolivia pursuant to Title I of the Agricultural Trade Development and Assistance Act, [1] as amended, (hereinafter referred to as the Act) and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

#### ARTICLE I

##### SALES FOR BOLIVIANOS

1. Subject to the availability of commodities for programming under the Act and to issuance by the Government of the United States

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<sup>1</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

of America and acceptance by the Government of Bolivia of purchase authorizations, the Government of the United States of America undertakes to finance the sales for bolivianos to purchasers authorized by the Government of Bolivia of the following agricultural commodity determined to be surplus pursuant to the Act, in the amount indicated:

<u>Commodity</u>	<u>Export Market Value</u> (Million)
Wheat flour	\$3.0
Ocean transportation (estimated)	.3
<b>TOTAL</b>	<b>\$3.3</b>

2. Applications for purchase authorizations will be made within 90 calendar days after the effective date of this Agreement, except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment or supplement to this Agreement will be made within 90 days after the effective date of such amendment or supplement. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the bolivianos accruing from such sale, and other relevant matters.

3. It is understood that the sale of wheat flour under this agreement is not intended to increase the availability of this or like commodities for export and is made on the condition that no export of such commodities will be made from Bolivia during the period that the wheat flour is being imported and utilized.

## ARTICLE II

### USES OF BOLIVIANOS

1. The two Governments agree that the bolivianos accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes, in the amounts shown:

a. For United States expenditures under subsection (a), (b), (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r) of Section 104 of the Act, or under any of such subsections, the boliviano deposit equivalent of 25 per cent of the total.

b. For a loan to the Government of Bolivia under subsection (g) of Section 104 of the Act, the boliviano deposit equivalent of 75 per cent of the total for financing such projects to promote economic development, including projects not heretofore included in plans of the Government of Bolivia, as may be mutually agreed. In the event that agreement is not reached on the use of the bolivianos for

loan purposes within three years from the date of this Agreement, the Government of the United States of America may use the local currency for any purposes authorized by Section 104 of the Act.

### ARTICLE III

#### DEPOSIT OF BOLIVIANOS

The deposit of bolivianos to the account of the Government of the United States of America in payment for the commodities and for ocean transportation costs financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) shall be made at the rate of exchange for United States dollars generally applicable to import transactions (excluding imports granted a preferential rate) in effect on the date of dollar disbursement by United States banks, or by the Government of the United States of America, as provided in the purchase authorizations.

### ARTICLE IV

#### GENERAL UNDERTAKINGS

1. The Government of Bolivia agrees that it will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America), of the surplus agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities to nations unfriendly to the United States of America.

2. The two Governments agree that they will take reasonable precautions to assure that all sales or purchases of surplus agricultural commodities pursuant to the Agreement will not displace usual marketings of the United States of America in these commodities, or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement, the two Governments will seek to assure conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

4. The Government of Bolivia agrees to furnish, upon request of the Government of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and the provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

ARTICLE VCONSULTATION

The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

ARTICLE VIENTRY INTO FORCE

The Agreement shall enter into force upon signature.

**IN WITNESS WHEREOF**, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

**DONE** at La Paz in duplicate this seventh day of April 1961.

FOR THE GOVERNMENT OF  
THE UNITED STATES OF  
AMERICA:

CARL W. STROM

[SEAL]

FOR THE GOVERNMENT OF  
BOLIVIA:

E ARZE Q.

[SEAL]

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**CONVENIO SOBRE PRODUCTOS AGRICOLAS DE CONSUMO  
ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE  
AMERICA Y EL GOBIERNO DE BOLIVIA CONFORME AL  
TITULO I DE LA LEY DE AYUDA Y FOMENTO DEL  
COMERCIO AGRICOLA Y SUS ENMIENDAS**

El Gobierno de los Estados Unidos de América y el Gobierno de Bolivia:

Reconociendo la conveniencia de ensanchar el intercambio comercial de productos agrícolas de consumo entre sus dos países y entre estos y otras naciones amigas, en una forma que no disloque las transacciones mercantiles usuales de los Estados Unidos de América en esos productos, ni perturbe irregularmente los precios mundiales de los productos agrícolas o los patrones normales del intercambio comercial con las naciones amigas;

Considerando que la compra con moneda boliviana de productos agrícolas excedentes de los Estados Unidos de América contribuirá a lograr esa expansión comercial;

Considerando que los fondos en moneda boliviana provenientes de tales adquisiciones van a ser utilizadas en forma que beneficie a ambos países;

Deseando establecer las convenciones que gobernarán las ventas, en la forma específica más abajo, de esos productos agrícolas excedentes al Gobierno de Bolivia, de conformidad con el Título I de la Ley de Ayuda y Fomento del Comercio Agrícola y sus enmiendas (que en adelante se llamará la Ley), así como las medidas que ambos Gobiernos adoptarán individual y colectivamente para promover la expansión del intercambio comercial en lo relativo a dichos productos de consumo;

Han acordado lo siguiente:

### ARTICULO I

#### VENTAS EN BOLIVIANOS

1. Sujeto a la disponibilidad de productos de consumo que pueden incluirse en el programa contemplado en la Ley y a la emisión de autorización por el Gobierno de los Estados Unidos de América y su aceptación por el Gobierno de Bolivia, el Gobierno de los Estados Unidos de América se compromete a financiar la venta en moneda boliviana a compradores autorizados por el Gobierno de Bolivia del siguiente producto que se determinará ser excedente de acuerdo a Ley, en la cantidad que se indica.

<u>PRODUCTOS</u>	<u>VALOR EN EL MERCADO DE EXPORTACION (Millones)</u>
Harina de trigo	3.0
Transporte Marítimo (estimado)	0.3
TOTAL:	<u>3.3</u>

2. Las solicitudes para el otorgamiento de las autorizaciones de compra se presentarán dentro del plazo de 90 días calendarios después de la fecha en que entre en vigencia el presente Convenio, excepto en tratándose de las solicitudes de autorización para la compra de cualesquier productos adicionales o cantidades adicionales de productos que se estipularan en cualquier enmienda o suplemento a este Convenio, las cuales se presentarán dentro del plazo de 90 días después de la fecha de entrada en vigencia de la susodicha enmienda o suplemento. Las autorizaciones de compra incluirán estipulaciones respecto a la venta y a la entrega de los productos, el tiempo y las circunstancias del depósito de los fondos en moneda boliviana provenientes de dicha venta, y otros pormenores pertinentes.

3. Se entiende que la venta de harina de trigo a efectuarse bajo este Convenio no tiene por objeto aumentar las disponibilidades de este o iguales productos para la exportación y se hace bajo la condición de que no se efectuarán exportaciones de tal producto, desde Bolivia, durante el período en que la harina de trigo esté siendo importada y utilizada.

ARTICULO IIEMPLEO DE FONDOS EN BOLIVIANOS

1. Los dos Gobiernos acuerdan que los fondos en moneda boliviana que resulten en favor de los Estados Unidos de América como consecuencia de las ventas efectuadas en cumplimiento del presente Convenio, serán utilizados por el Gobierno de los Estados Unidos de América en la forma y en el orden prioridad que lo determine el Gobierno de los Estados Unidos de América, en los propósitos y en las cantidades que se especifican a continuación:

a) Para gastos de los Estados Unidos de América conforme a las subsecciones (a), (b), (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), y (r), de la sección 104 de la Ley, o conforme a cualquiera de dicha subsecciones, el equivalente en moneda boliviana del 25% del total.

Para el otorgamiento de un empréstito al Gobierno de Bolivia con arreglo a la subsección (g) de la Sección 104 de la Ley, el equivalente en moneda boliviana de una cantidad no mayor al 75% del total, destinado a financiar aquellos proyectos que llegaran a convenirse mutuamente, para promover el desarrollo económico, incluyendo proyectos no comprendidos hasta ahora, en los planes del Gobierno de Bolivia. En caso de no llegarse a un acuerdo sobre el empleo de los fondos en moneda boliviana, destinados al empréstito, dentro de los tres años posteriores a la fecha de este Convenio, el Gobierno de los Estados Unidos de América podrá hacer uso de la moneda local en cualesquier propósito autorizados por la Sección 104 de la Ley.

ARTICULO IIIDEPOSITO DE LOS FONDOS EN BOLIVIANOS

El depósito de los fondos en moneda boliviana a la cuenta del Gobierno de los Estados Unidos de América en pago de los productos de consumo y del transporte marítimo financiado por el Gobierno de los Estados Unidos (exceptuando las costas de demasía resultantes del requisito de que se deben utilizar buques de bandera norteamericana), se efectuará al tipo de cambio del dólar norteamericano generalmente aplicable para transacciones de importación (excluyendo aquellas importaciones para las que hubiera otorgado un tipo preferente) que se halle en vigor en las fechas en que los bancos de los Estados Unidos de América o el Gobierno de los Estados Unidos de América según lo estipulado en las autorizaciones de compra, efectúen los desembolsos en dólares.

ARTICULO IVCOMPROMISOS GENERALES

1. El Gobierno de Bolivia conviene en tomar las medidas posibles a fin de evitar la reventa o reembarque a otras naciones, o el uso para otros propósitos que no sean los domésticos (excepto cuando tal reventa, reembarque o uso haya sido específicamente aprobado por el Gobierno de los Estados Unidos de América), de los productos agrícolas excedentes adquiridos en conformidad con las estipulaciones del presente Convenio, así como para asegurar que la adquisición de dichos productos no conduzcan a un aumento en la disponibilidad de estos o iguales productos en beneficio de naciones hostiles a los Estados Unidos de América.

2. Los dos gobiernos convienen en tomar precauciones razonables a fin de asegurar que todas las ventas y compras de productos agrícolas excedentes que se realicen conforme al presente Convenio no lleguen a dislocar transacciones mercantiles usuales de los Estados Unidos de América en estos productos, ni perturben irregularmente los precios mundiales de los productos agrícolas o los patrones normales del intercambio comercial con las naciones amigas.

3. En la ejecución de este Convenio, los dos Gobiernos procurarán asegurar condiciones de comercio tales que permitan a los comerciantes particulares operar eficazmente, y empeñar sus mejores esfuerzos a fin de desarrollar y ensanchar la continua demanda mercantil para los productos agrícolas.

4. El Gobierno de Bolivia conviene en proporcionar al Gobierno de los Estados Unidos de América, a pedido de este último, las informaciones que sean necesarias sobre el progreso del programa, particularmente con respecto a la llegada y condición de los productos de consumo y sobre las disposiciones adoptadas para el fin de mantener las transacciones mercantiles usuales, así como información concerniente a las exportaciones de estos mismos o similares productos del consumo.

ARTICULO VCONSULTAS

Los dos Gobiernos, a solicitud de cualquiera de ellos, establecerá entre sí consultas respecto a cualquier asunto relacionado con la aplicación del presente Convenio o con la operación de los arreglos puestos en práctica para la ejecución del presente Convenio.

ARTICULO VIENTRADA EN VIGENCIA

El Convenio entrará en vigencia desde la fecha de su firma.

EN FE DE LO CUAL, lo respectivos representantes, debidamente autorizados para ello, firmaron el presente Convenio.

Dado en La Paz, en duplicado, el día siete de abril de 1961

CARL W. STROM

E ARZE Q.

POR EL GOBIERNO DE LOS  
ESTADOS UNIDOS DE AMERICA

POR EL GOBIERNO DE BOLIVIA

[SEAL]

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*The American Ambassador to the Bolivian Minister of Foreign Affairs  
and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*La Paz, April 7, 1961*

No. 228

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement between the Government of the United States of America and the Government of Bolivia signed today.

I wish to confirm my Government's understanding of the agreement reached in conversations which have taken place between representatives of this Embassy and of the Government of Bolivia with respect to the use of bolivianos accruing under the subject Agreement for agricultural market development purposes by the Government of the United States of America under Section 104(a) of the Agricultural Trade Development and Assistance Act, as amended.

It is understood that the Government of Bolivia will provide facilities for the conversion into other currencies of up to \$66,000 worth of the bolivianos reserved by Article II, paragraph 1 (a) of the subject Agreement for United States expenditures. These facilities for conversion are needed for the purpose of securing funds to finance agricultural market development activities of the Government of the United States in other countries.

I shall appreciate receiving Your Excellency's confirmation of the above understanding.

Accept, Excellency, the renewed assurances of my highest consideration.

CARL W. STROM

His Excellency

Dr. EDUARDO ARZE QUIROGA,

*Minister of Foreign Affairs and Worship,  
La Paz.*

*The Bolivian Minister of Foreign Affairs and Worship to the American  
Ambassador*

REPÚBLICA DE BOLIVIA

MINISTERIO DE RELACIONES EXTERIORES  
Y CULTO

LA PAZ, 7 de abril de 1961.

SEÑOR EMBAJADOR:

Tengo el honor de referirme a la nota de Vuestra Excelencia sobre el Convenio de Productos Agrícolas de Consumo, suscrito el día de hoy, que en su letra dice:

“Al Sr. Dn. Eduardo Arze Quiroga, Ministro de Estado en el Despacho de Relaciones Exteriores y Culto.---Presente.---Excellencia: Tengo el honor de referirme al Convenio sobre Productos Agrícolas de Consumo, suscrito el día de hoy entre el Gobierno de los Estados Unidos de América y el Gobierno de Bolivia.---Deseo confirmar la interpretación de mi Gobierno sobre el acuerdo a que se ha llegado en las conversaciones sostenidas entre representantes de esta Embajada y del Gobierno de Bolivia, con respecto al empleo de los fondos en moneda boliviana provenientes del Convenio de mención en los fines de fomento del mercado Agrícola por parte del Gobierno de los Estados Unidos de América, de acuerdo con lo dispuesto por la Sección 104 (a) de la ley de Ayuda y Fomento del Comercio Agrícola y sus enmiendas.---Se entiende que el Gobierno de Bolivia proveerá las facilidades para la conversión a otras monedas, hasta una cantidad equivalente de \$us. 66.000.---de los Bolivianos reservados por el Artículo II, párrafo I (a) del Acuerdo para gastos de los Estados Unidos de América.---Estas facilidades de conversión son necesarias para el propósito de procurar fondos con destino a financiar las actividades que desarrolla el Gobierno de los Estados Unidos de América para fomentar el mercado agrícola en otras naciones.---Agradeceré recibir una confirmación de Vuestra Excelencia sobre la anterior interpretación de los puntos mencionados.---Con este motivo, renuevo a Vuestra Excelencia las seguridades de mi más alta consideración.---(Fdo) Carl Strom.”

Sobre el particular, tengo el honor de comunicar a Vuestra Excelencia que el Gobierno de Bolivia está de acuerdo con el entendimiento dado por el Gobierno de Vuestra Excelencia a los acuerdos mencionados en la nota de referencia.

Con este motivo, renuevo a Vuestra Excelencia las seguridades de mi consideración más distinguida.

E ARZE Q.

Al Excmo. Sr. CARL STROM

*Embajador Extraordinario y Plenipotenciario de  
los Estados Unidos de América,  
Presente.-*

*Translation*

REPUBLIC OF BOLIVIA

MINISTRY OF FOREIGN AFFAIRS  
AND WORSHIP

LA PAZ, April 7, 1961

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's note concerning the Agricultural Commodities Agreement signed today, which note reads as follows:

[For the English language text of the note, see *ante*, p. 1444.]

In this respect I have the honor to inform Your Excellency that the Government of Bolivia concurs with the understanding of Your Excellency's Government in relation to the agreements mentioned in the aforesaid note.

I renew to Your Excellency the assurances of my most distinguished consideration.

E ARZE Q.

His Excellency

CARL STROM,

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America,  
La Paz.*

# ICELAND

## Surplus Agricultural Commodities

*Agreement amending the agreement of May 3, 1958, as  
supplemented.*

*Effectuated by exchange of notes*

*Signed at Reykjavik October 3, 1961;  
Entered into force October 3, 1961.*

---

*The American Ambassador to the Icelandic Minister for Foreign  
Affairs*

No. 18

REYKJAVIK, October 3, 1961.

**EXCELLENCY:**

I have the honor to refer to the Agricultural Commodities Agreement of May 3, 1958, between our two Governments, as supplemented,<sup>[1]</sup> and to propose that Article II of that agreement be amended as follows:

1. In sub-paragraph 1(b), substitute "\$552,000" for "\$750,000".
2. Insert the following as a new sub-paragraph 1(d) :

"(d) For grant to the Government of Iceland under sub-section (e) of Section 104 of the Act,<sup>[2]</sup> the kronur equivalent of \$198,000 for financing such projects to promote economic development as may be mutually agreed."

I have the honor to propose that, if these amendments are acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein constitute an agreement between our two Governments on this matter to enter into force upon the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES K. PENFIELD

His Excellency

GUDMUNDUR I. GUDMUNDSSON,  
Minister for Foreign Affairs,  
Reykjavik.

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<sup>1</sup> TIAS 4027, 4065; 9 UST 515, 974.  
<sup>2</sup> 68 Stat. 456; 7 U.S.C. § 1704(e).

*The Icelandic Minister for Foreign Affairs to the American Ambassador*

UTANRÍKISRÁÐUNEYTÍÐ<sup>[1]</sup>

REYKJAVÍK  
October 3, 1961.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your Excellency's Note of October 2, 1961, reading as follows:

"I have the honor to refer to the Agricultural Commodities Agreement of May 3, 1958, between our two Governments, as supplemented, and to propose that Article II of that agreement be amended as follows:

1. In sub-paragraph 1(b), substitute "\$552,000" for "\$750,000".
2. Insert the following as a new sub-paragraph 1(d):

"(d) For grant to the Government of Iceland under sub-section (e) of Section 104 of the Act, the kronur equivalent of \$198,000 for financing such projects to promote economic development as may be mutually agreed."

I have the honor to propose that, if these amendments are acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein constitute an agreement between our two Governments on this matter to enter into force upon the date of Your Excellency's note in reply."

In reply, I have the honor to signify on behalf of the Government of Iceland its concurrence in the foregoing proposals and to confirm that Your Excellency's Note and this Note shall constitute an Agreement between our two Governments on this matter, effective from today's date.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Minister  
AGNAR KL JÓNSSON

His Excellency

JAMES K. PENFIELD,

*Ambassador Extraordinary and Minister Plenipotentiary of  
the United States of America, Reykjavík.*

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<sup>[1]</sup> Ministry for Foreign Affairs.

# MULTILATERAL

Postal Union of the Americas and Spain [<sup>1</sup>]

*Convention, Final Protocol, and Regulations of Execution with appended Rules and Regulations*

*Signed at Buenos Aires October 14, 1960; [<sup>2</sup>]*

*Ratified and approved by the Acting Postmaster General of the United States of America May 31, 1961;*

*Approved by the President of the United States of America July 26, 1961;*

*Entered into force March 1, 1961.*

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## UNION POSTAL DE LAS AMERICAS Y ESPAÑA

### CONVENIO

celebrado entre:

Argentina, Bolivia, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos del Brasil, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, República de Venezuela y Uruguay.

Los infrascritos, Plenipotenciarios de los Gobiernos de los Países mencionados, reunidos en Congreso en la ciudad de Buenos Aires, capital de la República Argentina, en virtud de lo dispuesto por el artículo 9 del Convenio de la Unión Postal de las Américas y España, firmado en Bogotá, capital de la República de Colombia el 9 de noviembre de mil novecientos cincuenta y cinco, y en ejercicio del derecho que les concede el Convenio de la Unión Postal Universal, inspirándose en el deseo de extender, facilitar y perfeccionar sus relaciones postales, de establecer una solidaridad de acción capaz de representar eficazmente en los Congresos, Conferencias y demás reuniones de la Unión Postal Universal sus intereses comunes en lo que se refiere a sus comunicaciones por correo y de armonizar los esfuerzos de los Países miembros para el logro de esos fines comunes, han determinado celebrar, "ad referéndum" el Convenio siguiente:

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<sup>1</sup> Also TIAS 4872, 4873; post, pp. 1561, 1604.

<sup>2</sup> Texts as certified by the Director of the International Office of the Postal Union of the Americas and Spain, Montevideo.

## PRIMERA PARTE

### DISPOSICIONES ORGANICAS Y DE ORDEN GENERAL DE LA UNION POSTAL DE LAS AMERICAS Y ESPAÑA

#### TITULO I

#### DISPOSICIONES ORGANICAS

##### CAPITULO I

##### CONSTITUCION DE LA UNION

###### ARTICULO 1

###### Constitución de la Unión

Los Países miembros constituyen, bajo la denominación de Unión Postal de las Américas y España, un solo territorio postal.

###### ARTICULO 2

###### Personería jurídica

Dentro de cada País miembro, y con sujeción a la legislación interna de cada uno, la Unión Postal de las Américas y España, gozará de la capacidad jurídica que sea necesaria para el ejercicio de sus funciones y la realización de sus propósitos.

###### ARTICULO 3

###### Sede de la Unión

La sede de la Unión y de la Oficina Internacional de la misma, se halla en Montevideo, capital de la República Oriental del Uruguay.

###### ARTICULO 4

###### Privilegios e Inmunidades

1. La Unión Postal de las Américas y España gozará en el territorio del País sede, de los privilegios e inmunidades necesarios para la realización de sus propósitos.

2. En los casos en que los Congresos de la Unión se realicen fuera del País sede, la Oficina Internacional gestionará ante el

gobierno respectivo, el otorgamiento de los privilegios e inmunidades que correspondan.

3. La Oficina Internacional de la Unión podrá gestionar ante cualquier País miembro, los privilegios e inmunidades que sus funcionarios puedan necesitar en el cumplimiento de misiones oficiales.

#### **ARTICULO 5**

##### **Ambito de la Unión**

Forman parte de la Unión:

- a) los Países que en la actualidad ya tienen la calidad de miembros;
- b) los Países que se admitan conforme a las disposiciones del artículo 6;
- c) las oficinas de correos establecidas por los Países miembros en territorios no comprendidos en la Unión;
- d) los demás territorios que, sin ser miembros de la Unión, dependan desde el punto de vista postal de los Países miembros.

#### **ARTICULO 6**

##### **Nuevas admisiones**

1. Todo País soberano de las Américas puede solicitar su admisión en calidad de miembro de la Unión.

2. La solicitud debe dirigirse por la vía diplomática al Gobierno de la República Oriental del Uruguay, que la comunicará a los demás Países miembros de la Unión.

3. Para ser admitido como miembro se requerirá que la solicitud sea aprobada, como mínimo, por los dos tercios de los Países miembros.

4. Se considerará que se abstienen aquellos Países miembros que no hubieren respondido en el plazo de cuatro meses.

5. La admisión en calidad de miembro será notificada por el Gobierno de la República Oriental del Uruguay a los Gobiernos de todos los Países miembros de la Unión.

#### **ARTICULO 7**

##### **Idioma oficial**

1. El idioma oficial para los documentos de la Unión es el español. En su correspondencia de servicio, los Países miembros cuyo idioma no fuese aquél, podrán usar el propio.

2. Para las deliberaciones de los Congresos, Conferencias y Reuniones de la Unión, además del idioma español, se admitirán los idiomas francés, inglés y portugués. Queda a criterio de los organizadores de la reunión, la elección del sistema de traducción a emplear.

#### **ARTICULO 8**

##### **Uniones restringidas**

Los Países miembros podrán establecer entre sí uniones más estrechas, con el fin de reducir tarifas o introducir otras mejoras sobre cualesquiera de los servicios a que se refiere el presente Convenio y/o los Acuerdos, a los que esos Países hayan adherido.

#### **ARTICULO 9**

##### **Retiro de la Unión**

1. Cada País miembro tiene el derecho de retirarse de la Unión mediante aviso dado por su Gobierno al de la República Oriental del Uruguay el cual lo hará saber a los demás Países miembros.

2. La salida de la Unión se hará efectiva al cumplirse el plazo de un año, contado a partir del día de la recepción de la notificación por el Gobierno de la República Oriental del Uruguay.

#### **CAPITULO II**

#### **ORGANIZACION DE LA UNION**

##### **ARTICULO 10**

##### **Congresos**

1. Los Congresos se celebrarán, a más tardar, dos años después de cada Congreso postal universal, con el fin de revisar o completar, si hubiere lugar, las Actas de la Unión y tratar cuantos asuntos de interés para la Unión juzgaren necesario.

2. Cada País miembro se hará representar en los Congresos por uno o varios delegados plenipotenciarios. Podrá así mismo, hacerse representar por la delegación de otro País miembro. La delegación de un País no podrá representar más de dos Países incluido el suyo propio.

3. Cada País tendrá un solo voto.

4. Cada Congreso fijará el lugar en que deba realizarse el Congreso siguiente. Todos los Países miembros deberán ser convocados, directamente o por intermedio de un tercer País, por el

Gobierno del País en el que el Congreso deba tener lugar, previa inteligencia con la Oficina Internacional de la Unión. Dicho Gobierno se encargará de notificar a todos los Gobiernos de los Países miembros las resoluciones adoptadas por el Congreso.

5. La fecha final para la presentación de proposiciones para los Congresos, será cuatro meses antes de la fecha de apertura del Congreso, como lo indique la marca postal del País remitente, siempre que se emplee la vía más rápida.

6. Las proposiciones que hayan de ser sometidas a la deliberación de cada Congreso, serán publicadas y distribuidas por la Oficina Internacional, a todas las Administraciones, por lo menos, tres meses antes de la fecha señalada para el comienzo de las sesiones.

7. Las proposiciones enviadas después del plazo indicado en el párrafo 5, no se tomarán en consideración a menos que estén debidamente justificadas y cuenten con el apoyo de otras dos Administraciones.

8. Se exceptúan las proposiciones de tipo redaccional, las cuales deberán ostentar en el encabezamiento, la letra "R" y pasarán a la Comisión de Redacción del Congreso.

## **ARTICULO 11**

### **Congresos extraordinarios**

1. Si el intervalo entre dos Congresos Postales Universales se extendiera más allá de cinco años, podrá convocarse, por intermedio de la Oficina Internacional y con el consentimiento de los 2/3 de los Países miembros, un Congreso extraordinario.

2. Igualmente, a pedido de tres o más Países miembros y con el consentimiento de sus 2/3, podrá celebrarse en cualquier momento un Congreso extraordinario. El lugar de reunión se fijará de acuerdo con la Oficina Internacional.

## **ARTICULO 12**

### **Conferencias**

1. A pedido de por lo menos tres Administraciones postales y con el consentimiento de sus 2/3, podrán celebrarse conferencias para el examen de cuestiones técnicas o administrativas.

2. El lugar de reunión de la conferencia será fijado por las Administraciones postales que hayan tomado la iniciativa, de

acuerdo con la Oficina Internacional de la Unión. La Administración del País sede de la Conferencia cursará las invitaciones correspondientes.

### **ARTICULO 13**

#### **Conferencias previas a los Congresos Postales Universales**

1. Los Delegados de los Países miembros de la Unión Postal de las Américas y España ante los Congresos Postales Universales, deberán reunirse en la ciudad designada como sede de éstos, quince días antes de la fecha de su inauguración, para celebrar una conferencia en la que se determinen los procedimientos de acción conjunta a seguir.

2. Con el objeto de facilitar estos procedimientos, los Países miembros remitirán a la Oficina Internacional, las observaciones que les merezcan las proposiciones que se presenten a los Congresos de la Unión Postal Universal y que se refieran a intereses de la Unión Postal de las Américas y España.

3. La Oficina Internacional, a su vez, distribuirá oportunamente, entre los Países miembros, tales observaciones, según lo dispuesto en el párrafo 6, letra b) del artículo 101 del Reglamento de Ejecución del Convenio.

4. Serán discutidas en la Conferencia previa únicamente las proposiciones presentadas individual o colectivamente por los Países miembros, así como también aquellas de los Países extraños a la Unión, sobre las cuales los Países miembros hayan presentado observaciones.

5. La Oficina Internacional suministrará a los Países miembros un resumen de los resultados de la Conferencia previa, así como también los textos de las Actas de la Unión Postal Universal que hayan sufrido modificaciones de fondo, o que sean absolutamente nuevos.

### **ARTICULO 14**

#### **Comisión Técnica Consultiva**

1. En el intervalo de los Congresos, se reunirá por lo menos dos veces, en Montevideo, una Comisión Técnica Consultiva con el objeto de planificar y asegurar la continuidad de los trabajos.

2. Estará integrada por cinco miembros, que ejercerán sus funciones en nombre y en el interés de la Unión. Los Países miembros serán designados por el Congreso, sobre la base de un reparto geográfico equitativo. Tres de los miembros serán renovados en cada Congreso. Ningún País podrá ser reelegido sucesivamente más de una vez.

3. El representante de cada uno de los Países miembros de la Comisión será designado por la Administración postal de su País. Este representante deberá ser un funcionario calificado de la Administración postal.

4. Las funciones de miembro de la Comisión son gratuitas. Los gastos de funcionamiento de ésta estarán a cargo de la Unión. Los representantes de los Países miembros tendrán derecho al reembolso del precio del pasaje de ida y vuelta, en primera clase, por vía aérea, marítima o terrestre.

5. El Director de la Oficina Internacional actuará como Secretario general de la Comisión y tomará parte en los debates sin derecho a voto.

6. En su primera reunión, convocada por el Presidente del último Congreso, la Comisión elegirá un Presidente y un Vicepresidente y redactará el reglamento necesario para sus deliberaciones y trabajos.

7. Con la finalidad de lograr los propósitos enunciados en el preámbulo del Convenio, las atribuciones de la Comisión serán las siguientes:

- a) mantener contacto con la Comisión Ejecutiva y de Enlace y la Comisión Consultiva de Estudios Postales de la Unión Postal Universal y con las Uniones restringidas, para resolver los problemas técnicos y de organización peculiares a los Países miembros de la Unión;
- b) establecer contacto con la Unión Postal Universal y con los organismos especializados de las Naciones Unidas, con el objeto de recopilar bibliografía, para ser distribuida entre los Países miembros, acerca de las relaciones públicas y del trabajo;
- c) resolver acerca de los documentos que deba publicar la Oficina Internacional y que sean de importancia para las Administraciones postales de los Países miembros;
- d) actuar en carácter de fondo de elementos técnicos mecánicos y de cualquier otra naturaleza que algunas Administraciones retiren del uso e interesaren a otras, con el fin de negociar su canje, arriendo o adquisición.

## **ARTICULO 15**

### **Reglamentos internos de los Congresos y Conferencias**

Cada Congreso y cada Conferencia aprueban el reglamento

interno necesario para sus trabajos. Hasta la adopción de este reglamento se rige por el último aprobado.

#### **ARTICULO 16**

##### **Oficina Internacional de la Unión**

Con el nombre de Oficina Internacional de la Unión Postal de las Américas y España funciona, en la sede de la Unión, bajo la alta inspección de la Dirección General de Correos de la República Oriental del Uruguay o del organismo que haga sus veces, una oficina central que actúa como órgano de estudio, relación, información, consulta, asesoramiento y asistencia técnica de las Administraciones de los Países miembros.

#### **ARTICULO 17**

##### **Oficina Internacional de Transbordos**

1. Funciona en Panamá, capital de la República de Panamá, con el nombre de Oficina Internacional de Transbordos, una Oficina a la cual corresponde recibir y reexpedir los despachos postales originarios de las Administraciones de los Países miembros y que transitando por el Istmo den lugar a operaciones de transbordo.

2. Todos los despachos cerrados de los Países miembros que deban ser transbordados en el Istmo de Panamá serán manejados por la Oficina, utilizando las vías más rápidas disponibles conforme a las normas de la Unión Postal Universal, con excepción de los despachos provenientes de las Administraciones que tengan servicios propios, de acuerdo con convenios bilaterales firmados con la República de Panamá.

3. La organización y funcionamiento de la Oficina Internacional de Transbordos quedan sometidos a la vigilancia y fiscalización de la Dirección General de Correos y Telecomunicaciones de Panamá y de la Oficina Internacional de la Unión, a la cual incumbe, además, actuar como mediadora y asesora en cualquier situación que surja entre la Administración postal de Panamá y las Administraciones postales de los Países miembros que efectúen operaciones de transbordo en el Istmo.

#### **ARTICULO 18**

##### **Gastos de la Unión**

1. Los gastos de la Unión se clasifican en gastos ordinarios y gastos extraordinarios.

2. Considéranse gastos extraordinarios los que resulten de trabajos especiales confiados a la Oficina Internacional, los motivados por la reunión de un Congreso, de una Conferencia, de una

Comisión, o reunión relacionados con el servicio postal internacional de la Unión o de la Unión Postal Universal.

3. Los gastos ordinarios y los extraordinarios serán sufragados en común por todos los Países miembros de la Unión.

4. Estos son clasificados, a este efecto, en tres categorías, cada una de las cuales contribuye al pago de los gastos en la proporción siguiente:

- |                                |               |
|--------------------------------|---------------|
| 1 <sup>a</sup> categoría ..... | 8 unidades;   |
| 2 <sup>a</sup> categoría ..... | 4 unidades; y |
| 3 <sup>a</sup> categoría ..... | 2 unidades.   |

5. En caso de nueva adhesión, el Gobierno de la República Oriental del Uruguay, de común acuerdo con la Oficina Internacional y el Gobierno del País interesado, determinará el grupo en el cual debe ser éste incluido, a los efectos del reparto de los gastos de la Unión.

6. Tres meses antes del fin de cada año, la Oficina Internacional de la Unión, hará un presupuesto, en francos oro, que cubra los gastos ordinarios y los gastos extraordinarios de la Oficina y presentará tales presupuestos a los Países miembros, para que en lo posible cubran por anticipado los respectivos gastos. Este presupuesto será autorizado por las tres cuartas partes del total de las Administraciones de los Países miembros y regirá desde el 1<sup>o</sup> de enero al 31 de diciembre, del año siguiente. Las Administraciones de los Países miembros que no hubieren contestado en el plazo de dos meses, serán consideradas como habiéndolo aceptado.

7. Los gastos que demande el sostenimiento de la Oficina Internacional de Transbordos estarán a cargo de los Países miembros, repartidos aquéllos proporcionalmente al número de sacos propios que intercambien por su mediación.

### CAPITULO III

#### ACTAS DE LA UNION

##### Artículo 19

###### Convenio y Acuerdos de la Unión

1. El Convenio es el Acta constitutiva de la Unión.
2. Las disposiciones del Convenio regulan en todo lo pre visto, los servicios relativos a objetos de correspondencia.
3. Los demás servicios se regirán por los Acuerdos de la Unión, por los que sobre el particular firmaren entre sí los Países o, en su defecto, por los de la Unión Postal Universal.

**ARTICULO 20****Participación en los Acuerdos**

Los Países miembros tienen derecho a dejar de participar en uno o varios Acuerdos, según el procedimiento estipulado en el artículo 9 de este Convenio.

**ARTICULO 21****Reglamentos de Ejecución**

Las Administraciones postales de los Países miembros determinan de común acuerdo, en los Reglamentos de Ejecución, las medidas de orden y detalle necesarias para la ejecución del Convenio y de los Acuerdos.

**ARTICULO 22****Votos**

Los votos carecen de fuerza obligatoria. Las Administraciones que los hagan efectivos tienen la obligación de comunicarlo a las demás por intermedio de la Oficina Internacional de la Unión.

**ARTICULO 23****Ratificación**

1. Las Actas adoptadas por un Congreso serán ratificadas en el más breve plazo posible por los Países firmantes. La ratificación será comunicada por la vía diplomática al Gobierno del País sede del Congreso y por éste a los Gobiernos de los demás Países signatarios.

2. En el caso en que una o varias de las Actas no fueren ratificadas por uno o varios de los Países miembros, aquéllas no dejarán de ser válidas para los que las hayan ratificado.

3. Sin perjuicio del procedimiento señalado en el párrafo precedente, los Países firmantes podrán ratificar las Actas en forma provisional, dando aviso de ello, por correspondencia, a la Oficina Internacional de la Unión.

**ARTICULO 24****Vigencia de las Actas**

1. Las Actas serán puestas en ejecución simultáneamente y tendrán la misma duración.

2. A partir de la fecha fijada para que entren en vigencia las Actas adoptadas por un Congreso, todas las del Congreso precedente quedarán derogadas.

## CAPITULO IV

### MODIFICACION O INTERPRETACION DE LAS ACTAS

#### ARTICULO 25

##### **Proposiciones durante el intervalo de los Congresos**

1. Las Actas de la Unión podrán ser modificadas en el intervalo de los Congresos, siguiendo un procedimiento equivalente al establecido en el Convenio de la Unión Postal Universal.

2. Para que las proposiciones tengan fuerza ejecutiva deberán obtener:

- a) la unanimidad de votos si se trata de la modificación de las disposiciones de los artículos 1 al 21, 23 al 28, 30, 33, 37, 39 al 41, 44 al 48, 53 y 54 del Convenio y de los Artículos 109, 113 y 115 de su Reglamento de Ejecución y de los artículos 24 y 32 del Reglamento de la Oficina Internacional de la Unión;
- b) los dos tercios de los votos si se trata de la modificación de fondo de disposiciones del Convenio y de su Reglamento de Ejecución distintas de las mencionadas en el apartado a) y las modificaciones al Reglamento de la Oficina Internacional de la Unión, excepto lo indicado en el inciso precedente;
- c) la mayoría de votos si se trata:
  - 1º de modificaciones de orden redaccional de las disposiciones del Convenio y de su Reglamento distintas de las mencionadas en al apartado a);
  - 2º de interpretación de las disposiciones del Convenio, del Protocolo Final y de su Reglamento, salvo el caso de disentimiento que haya de someterse al arbitraje previsto en el artículo 30;
  - 3º los Acuerdos fijan las condiciones a las cuales está subordinada la aprobación de las proposiciones que a ellos se refieren.

**CAPITULO V****LEGISLACION Y REGLAS SUBSIDIARIAS****ARTICULO 26****Aplicación de la legislación postal universal**

Todos los asuntos que se relacionen con la ejecución del servicio postal y que no estén previstos en las Actas de la Unión se sujetarán a las disposiciones de las Actas de la Unión Postal Universal en vigencia.

**ARTICULO 27****Legislación interna**

La legislación interna de los Países miembros se aplicará en todo aquello que no haya sido previsto expresamente en las Actas de la Unión o en la legislación postal universal.

**ARTICULO 28****Acuerdos especiales**

Las Administraciones postales de los Países miembros podrán concertar acuerdos especiales:

- a) para mejorar los servicios postales establecidos en el Convenio y los Acuerdos de la Unión a los cuales hayan adherido;
- b) para establecer en sus relaciones recíprocas aquellos servicios postales que realicen en su régimen interno y no estén previstos en las Actas de la Unión.

**ARTICULO 29****Modificaciones y enmiendas**

Las modificaciones o resoluciones adoptadas por los Países miembros, aun aquellas de orden interno que afecten al servicio internacional, tendrán fuerza ejecutiva tres meses después de la fecha en que se comunicaren por la Oficina Internacional de la Unión.

**CAPITULO VI**  
**DEL ARBITRAJE**

**ARTICULO 30**

**Arbitrajes**

Todo conflicto o desacuerdo que se suscite en las relaciones postales de los Países miembros será resuelto por juicio arbitral, que se tramitará conforme a lo dispuesto por el Convenio postal universal en vigor.

**CAPITULO VII**

**FUNCIONARIOS POSTALES**

**ARTICULO 31**

**Intercambio de funcionarios**

1. Las Administraciones de los Países miembros directamente o por intermedio de la Oficina Internacional se pondrán de acuerdo para efectuar el intercambio o envío unilateral de funcionarios, con fines de aprendizaje o para realizar estudios aplicables al perfeccionamiento de los servicios postales.

2. Una vez convenido el intercambio o envío unilateral de funcionarios, las Administraciones interesadas acordarán la forma en que deban sufragarse los gastos correspondientes.

3. Las Administraciones otorgarán toda clase de facilidades a los funcionarios que acojan en cumplimiento del párrafo 1 que antecede.

4. Cuando el intercambio o envío unilateral de funcionarios se realice en forma directa, las Administraciones interesadas darán aviso de ello a la Oficina Internacional.

**ARTICULO 32**

**Colaboración con la Oficina Internacional de la Unión**

Las Administraciones de los Países miembros podrán enviar, por el tiempo indispensable y con cargo a los gastos extraordinarios de la Oficina, funcionarios técnicos para colaborar en la realización de trabajos especiales, a la Oficina Internacional de la Unión, cuando ésta lo requiera en casos notoriamente justificados.

**CAPITULO VIII****REUNIONES POSTALES UNIVERSALES****ARTICULO 33****Unidad de acción**

Los Países miembros se obligan a dar instrucciones a sus delegados ante los Congresos Postales Universales y ante las demás reuniones organizadas por la Unión Postal Universal para que sostengan, unánime y firmemente, todos los principios establecidos en la Unión Postal de las Américas y España.

**ARTICULO 34****Proposiciones para los Congresos**

Las Administraciones de todos los Países miembros comunicarán a la Oficina Internacional de la Unión al mismo tiempo que lo hagan a la Oficina Internacional de la Unión Postal Universal, las proposiciones que formulen para los Congresos Postales Universales.

**ARTICULO 35****Intercambio de observadores**

1. La Unión podrá enviar observadores a los Congresos, Conferencias y Reuniones de la Unión Postal Universal, a la Comisión Ejecutiva y de Enlace y a la Comisión Consultiva de Estudios Postales.

2. Observadores de la Unión Postal Universal serán acogidos en los Congresos, Congresos extraordinarios y Conferencias de la Unión, a que se refieren los artículos 10, 11 y 12.

3. En las mismas condiciones del párrafo 2 precedente, se admitirán observadores de las Uniones restringidas que ofrezcan reciprocidad.

**ARTICULO 36****Colaboración con Organismos Internacionales**

A fin de contribuir a una mayor coordinación en materia postal, la Unión colaborará con los organismos internacionales que tengan intereses y actividades conexos.

## TITULO II

### DISPOSICIONES DE ORDEN GENERAL

#### CAPITULO I

### REGLAS RELATIVAS A LOS SERVICIOS POSTALES INTERNACIONALES

#### ARTICULO 37

##### **Libertad de tránsito**

1. La libertad de tránsito postal es garantizada por los Países miembros en todo el territorio de la Unión con las limitaciones establecidas en el Convenio Postal Universal vigente.

2. Los Países miembros se comprometen a cursar los envíos de los demás Países por las vías y conductos más rápidos utilizables para sus propios envíos.

#### ARTICULO 38

##### **Propiedad de los objetos de correspondencia**

Los objetos de correspondencia pertenecen al remitente mientras tanto no sean entregados al destinatario, salvo disposición en contrario de la legislación interna de cualquier País miembro.

#### ARTICULO 39

##### **Atribución de las tasas**

Salvo los casos expresamente previstos por el Convenio y los Acuerdos, cada Administración guardará para sí por entero las tasas que hubiere percibido.

#### ARTICULO 40

##### **Tasas y derechos**

Las únicas tasas y derechos que pueden percibirse por los diferentes servicios postales internacionales son los previstos en el Convenio y los Acuerdos de la Unión.

#### ARTICULO 41

##### **Moneda tipo**

El franco oro tomado como unidad monetaria en las disposiciones del Convenio y los Acuerdos de la Unión, es el definido en el Convenio vigente de la Unión Postal Universal.

**ARTICULO 42****Formularios**

Es obligatorio el uso de los distintos formularios establecidos en las Actas de la Unión y, en los demás casos, los que rigen en el orden de la Unión Postal Universal, salvo que las Administraciones interesadas hayan celebrado acuerdo sobre el particular.

**ARTICULO 43****Cooperación para el transporte de la correspondencia en tránsito**

Las Administraciones de los Países miembros estarán obligadas a prestarse, entre sí, previa solicitud, la cooperación que necesiten sus empleados encargados del transporte de correspondencia en tránsito por tales Países.

**ARTICULO 44****Sellos de correo**

1. Las Administraciones están obligadas a enviar a la Oficina Internacional tres ejemplares de los sellos postales, aeropostales y conmemorativos que emitan, acompañados de un informe de los datos de emisión, así como las impresiones tipo de sus máquinas franqueadoras.

2. Dicha Oficina organizará en la forma que juzgue más conveniente una exhibición permanente de los sellos arriba expresados y centralizará la información filatélica de la Unión.

**SEGUNDA PARTE****DISPOSICIONES RELATIVAS A LOS OBJETOS DE CORRESPONDENCIA****CAPITULO I****DISPOSICIONES GENERALES****ARTICULO 45****Objetos de correspondencia**

La denominación de objetos de correspondencia se aplica a las cartas, tarjetas postales sencillas y con respuesta pagada, papeles de negocios, impresos, impresiones en relieve para el uso de los ciegos, muestras de mercaderías, pequeños paquetes y fonopostales.

## **ARTICULO 46**

### **Obligatoriedad del servicio**

Es obligatoria la admisión, transmisión y recepción de los objetos de correspondencia. Sin embargo, el intercambio de pequeños paquetes y fonopostales quedará limitado a los Países que convengan en realizarlo, ya sea en sus relaciones recíprocas o en una sola dirección.

## **ARTICULO 47**

### **Gratuidad de tránsito**

1. La gratuidad de tránsito territorial es absoluta en el territorio de la Unión; en consecuencia los Países miembros se obligan a transportar a través de sus territorios, sin cargo alguno para los Países miembros, toda la correspondencia que éstos expidan con cualquier destino dentro de la Unión Postal de las Américas y España.

2. La gratuidad del tránsito marítimo será absoluta siempre que el transporte se realice en buques de bandera o matrícula de algún País miembro y los envíos sean originarios de y vayan destinados a Países miembros de la Unión.

3. Los Países miembros no se limitarán al empleo exclusivo de buques pertenecientes a bandera o matrícula de Países miembros, cuando pueda asegurarse el transporte marítimo de manera más rápida por buques de otras nacionalidades.

4. Cuando algún País miembro conceda a los buques, abanderados o matriculados en otro País miembro, "patente de privilegio postal", u otro análogo, que obligue al buque a transportar gratuitamente la correspondencia, la Administración postal del País otorgante lo notificará sin demora a aquella otra en que el buque esté abanderado o matriculado.

## **ARTICULO 48**

### **Tarifas**

1. Las tasas y derechos postales aplicables a los objetos de correspondencia del servicio interior de cada País regirán en las relaciones entre los Países miembros, excepto cuando sean superiores a los que se apliquen a la correspondencia destinada a los Países de la Unión Postal Universal, caso en que regirán estos últimos.

2. También regirá la tarifa internacional cuando se trate de servicios que no existan en el régimen interior.

**ARTICULO 49****Correspondencia escolar**

1. Los objetos de correspondencia intercambiados entre los alumnos de las escuelas, aún cuando tengan el carácter de correspondencia actual y personal, serán admitidos con la tarifa de los papeles de negocio, a condición de que usen como intermediarios a los directores de las escuelas interesadas.

2. Sin embargo, si existe reciprocidad, los objetos de correspondencia, a excepción de los pequeños paquetes, que intercambien las direcciones de las escuelas o los alumnos de éstas por intermedio de sus directores, podrán gozar de una tarifa equivalente al 50 % de la ordinaria, cuando su peso no exceda de un kilogramo y reúnan las restantes condiciones que corresponden a su clasificación postal.

**ARTICULO 50****Franquicias**

1. Los Países miembros convienen en conceder franquicia de porte en el servicio interno y en el servicio amérícoespañol:

- a) a la correspondencia relativa al servicio postal que expidan las Administraciones de los Países miembros y sus oficinas, la Oficina Internacional de la Unión y la Oficina Internacional de Transbordos;
- b) a la correspondencia de los miembros del Cuerpo Diplomático de los Países miembros;
- c) a la correspondencia oficial que los Cónsules y Vicecónsules en funciones remitan a sus respectivos Países; a la que cambien entre sí; a la que dirijan a las autoridades del País en que estuvieren acreditados y a la que intercambien con sus respectivas Embajadas y Legaciones, siempre que exista reciprocidad;
- d) a la correspondencia oficial de las Comisiones Nacionales de Cooperación Intelectual constituidas bajo los auspicios de los Gobiernos, de acuerdo con Convenciones panamericanas y universales vigentes;
- e) a la correspondencia oficial de la Organización de los Estados Americanos;
- f) a los impresos que expidan los editores o autores con destino a las Oficinas de Información establecidas por las Administraciones de los Países miembros, así como los que remitan gratuitamente a las bibliotecas y demás centros culturales nacionales, oficialmente reconocidos por los Gobiernos de los Países miembros;

- g) a los impresos en relieve para uso de los ciegos y los objetos a ellos asimilados, conforme a las disposiciones del Convenio postal universal vigente;
- h) a los objetos de correspondencia dirigidos a los prisioneros de guerra, a los beligerantes y civiles internados y a los objetos por ellos expedidos.

2. La correspondencia a que se refieren los incisos a), b) y c) del párrafo anterior podrá ser expedida con carácter certificado, exenta del pago del derecho respectivo, pero sin que haya lugar a indemnización alguna.

3. La correspondencia oficial de los Gobiernos Centrales de los Países miembros que conforme a sus leyes interiores circule libre de porte en su régimen interno, se admitirá con igual franquicia en el País de destino sin ningún gravamen en el mismo, siempre que se observe una estricta reciprocidad.

4. El intercambio de correspondencia del Cuerpo Diplomático, entre las Secretarías de Estado de los respectivos Países y sus Embajadas o Legaciones, tendrá el carácter de reciprocidad entre los Países miembros y será efectuado al descubierto o por medio de valijas diplomáticas, gozando en ambos casos de franquicias y de todas las garantías de los envíos oficiales.

5. Salvo acuerdo en contrario, la franquicia que concede el presente artículo no alcanza a la sobretasa aérea ni a los servicios especiales existentes en el régimen de la Unión o en el interno de los Países miembros. Tampoco es obligatoria para los envíos aéreos procedentes de Países que usen las tasas combinadas.

## **ARTICULO 51**

### **Peso y dimensiones**

Los límites de peso y las dimensiones de los objetos de correspondencia se ajustarán a lo preceptuado en el Convenio de la Unión Postal Universal, con excepción de los impresos, cuyo peso máximo se fija en 5 kilogramos y en 10 para las obras en un solo volumen. Sin embargo, podrán aceptarse impresos de un peso mayor, aun no tratándose de obras en un solo volumen, previo acuerdo entre las Administraciones.

## **ARTICULO 52**

### **Devolución de objetos rezagados**

Los envíos no entregados a los destinatarios por cualquier circunstancia y que deban ser devueltos a origen quedarán exentos del pago de los derechos postales, y facultativamente, de los de aduana.

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**CAPITULO II****ENVIOS CERTIFICADOS****ARTICULO 53****Derechos de certificación**

Los objetos a que se refiere el artículo 45 podrán ser expedidos con el carácter de certificados, mediante el pago de un derecho igual al establecido para el servicio interno del País de origen, salvo que fuere más elevado que el que se aplique según el Convenio de la Unión Postal Universal, en cuyo caso regirá este último.

**ARTICULO 54****Responsabilidad**

En caso de responsabilidad de las Administraciones por la pérdida de un envío certificado, el remitente tendrá derecho a una indemnización equivalente a 10 francos oro en la moneda del País que deba hacerla efectiva, pudiendo no obstante reclamar una indemnización menor.

**CAPITULO III****TRANSPORTE AEREO DE LOS ENVIOS POSTALES****ARTICULO 55****Franqueo de la correspondencia aérea**

Los procedimientos de franqueo de la correspondencia aérea se establecerán de acuerdo con las disposiciones de la Unión Postal Universal.

**ARTICULO 56****Entrega de la correspondencia aérea**

Para su entrega a los destinatarios la correspondencia aérea se incluirá en el reparto inmediato a su llegada a la oficina distribuidora.

**ARTICULO 57****Unidad de peso**

1. Para la aplicación de las tasas de franqueo del servicio aéreo, se fija como unidad de peso para la correspondencia aérea con sobretasa o tasa aérea combinada, la de cinco gramos o múltiplos de cinco gramos.

2. Sin embargo, los Países miembros que no tengan establecido el sistema métrico decimal podrán adoptar su equivalencia conforme al sistema de pesos que tengan en vigor en su servicio postal interno.

#### **ARTICULO 58**

##### **Cálculo de las remuneraciones de las valijas diplomáticas**

Salvo en los casos que los Países miembros tengan acuerdos al respecto, a los efectos del cálculo de las sobretasas y de las remuneraciones del transporte por vía aérea, las valijas diplomáticas se considerarán como correspondencia de la clase AO.

#### **ARTICULO 59**

##### **Tratamiento preferente por eventualidades**

1. La correspondencia del servicio aéreo internacional recibirá tratamiento preferente en su curso en el País de destino, cuando por circunstancias eventuales o de fuerza mayor no pueda conducirse en dicho País en los aviones por los que normalmente debiera ser remitida.

2. Cuando por fuerza mayor los aviones no puedan aterrizar en el País de destino los despachos de cualquier origen que conduzcan, serán desembarcados en uno de los Países inmediatos que ofrezcan más garantías para su curso, por las vías más rápidas que éste tenga disponibles.

### **TERCERA PARTE**

#### **DISPOSICIONES FINALES**

#### **ARTICULO 60**

##### **Entrada en vigencia y duración del Convenio**

El presente Govenio empezará a regir el día 1º de marzo del año 1961 y quedará en vigencia, sin limitación de tiempo, quedando derogadas a partir de esta fecha, las estipulaciones del Convenio de la Unión Postal de las Américas y España, suscrito en Bogotá, República de Colombia, el 9 de noviembre de 1955.

En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los Países arriba citados suscriben el presente Convenio en la ciudad de Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre del año mil novecientos sesenta.

Por ARGENTINA:

  
PEDRO GIÚ



EGIDIO NICOLÁS PERRETTA



JORGE E. M. TENREYRO



JUAN T. ARREGUI



RICARDO A. JUSTO

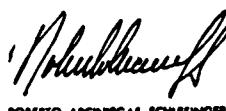
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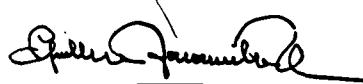
  
B. J. FARRELL

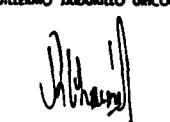
  
H. N. PEARL

  
R. GOSELLIN

Por COLOMBIA:

  
ROBERTO ARCINIEGAS SCHLESINGER

  
GUILLERMO ARAMILLO URIBE

  
RAFAEL CHACÓN ZORRILLA

Por BOLIVIA:

  
LUIS GUILLERMO CLAVELL

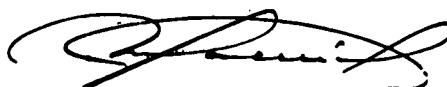
  
RODOLFO APÓSTOL TOSAR

Por COSTA RICA

Ramiro Mata  
RAMIRO MATA  
  
Armando Arauz  
ARMANDO ARAUZ

Por EL SALVADOR

J. RICARDO SALAVERRIA

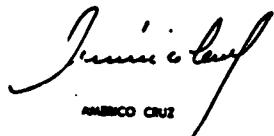


J. RICARDO SALAVERRIA

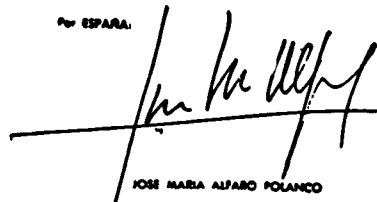


SALVADOR ROJAS

Por CUBA:

  
AMÉRICO CRUZ  
LAZARO MARTINEZ CHACON

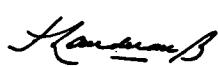
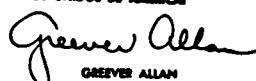
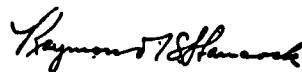
Por ESPAÑA:

  
JOSE MARIA ALFARO POLANCO  
FRANCISCO BERENGUER MAS

Por CHILE:

  
BERNARDO ATALA ROMAN  
ANIBAL MARTIN GARCIA  
LUIS CARVAJAL CRUZAT  
MARCELO FRAGA IRIBARNE

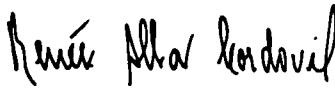
Por ESTADOS UNIDOS DE AMERICA:

  
JUAN LUIS LANDREAU SALLO  
GREVER ALLAN  
RAYMOND E. HANCOCK

Por ECUADOR:

  
RODRIGO VALDEZ BAQUERO  
ARMANDO J. ROJAS

Por ESTADOS UNIDOS DEL BRASIL:



RENÉ ALBA CORDERO

Por PARAGUAY:



RUBÉN ALVARENGA CABANA



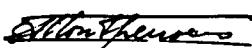
PAULA ESTELA SILVA BALDASSARI

Por GUATEMALA:



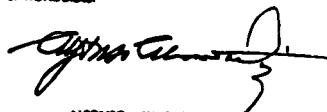
JUAN ALFREDO RENDÓN MALDONADO

Por HAITÍ:



ARNOLD MONTPIEROUS

Por HONDURAS:

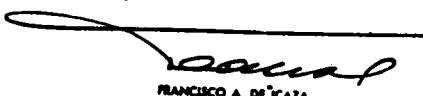


ALFONSO ALVARADO O.

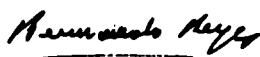


ARTURO RENDÓN

Por MÉJICO:



FRANCISCO A. DE LA CAZA



BERNARDO REYES

Por NICARAGUA:



FRANCISCO GAITÁN C.

Por PANAMÁ:



FRANCISCO A. RUIZ

Por PERÚ:



HILDEBRANDO MERINO M.

Por REPÚBLICA DOMINICANA:



RAÚL PLAZA SOSA

Por REPÚBLICA DE VENEZUELA:



DAVID PACHECO VIVAS

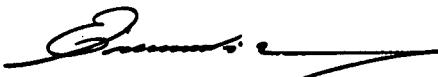


FRANCISCO VELEZ SALAS



OSCAR MISIÉ

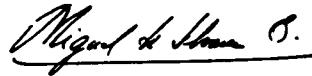
Por URUGUAY:



EDUARDO VÁZQUEZ



MIGUEL ÁNGEL SALINAS



MIGUEL ÁNGEL ÁLVAREZ EASTMAN

## PROTOCOLO FINAL DEL CONVENIO

En el momento de firmar el Convenio celebrado por el VIII Congreso de la Unión Postal de las Américas y España, los Plenipotenciarios que suscriben han convenido lo siguiente:

I

Canadá formula una reserva a los párrafos 2 y 3 del artículo 4, "Privilegios e inmunidades", ya que no puede cumplir sus estipulaciones.

II

Colombia formula una reserva al párrafo 3 del artículo 23, "Ratificación", ya que en Colombia los Convenios internacionales sólo pueden ser ratificados previa aprobación del Congreso Nacional.

III

Estados Unidos de América formula una reserva al artículo 47, "Gratuidad de tránsito", ya que no puede cumplir con sus estipulaciones.

IV

Estados Unidos de América formula una reserva al artículo 48, "Tarifas", ya que no puede cumplir con las estipulaciones contenidas en este artículo.

V

La Delegación de El Salvador formula expresa reserva al artículo 48, "Tarifas", en el sentido de dejar a salvo la facultad de su Gobierno para aplicar o no, según lo considere conveniente, las tarifas del servicio interior a los Países que formulen reservas al artículo 47, "Gratuidad de tránsito".

VI

Estados Unidos de América formula una reserva al artículo 50, "Franquicias", en el sentido de que no puede aceptar los incisos d) y f) del párrafo 1.

**VII**

Canadá formula una reserva al artículo 50, "Franquicias", en el sentido de que no puede aceptar los incisos d), e) y f) del párrafo 1 y el párrafo 3 de este artículo.

**VIII**

Argentina, Bolivia, Colombia, Costa Rica, Cuba, Chile, El Salvador, España, Estados Unidos del Brasil, Haití, Honduras, México, Paraguay, Perú y Uruguay hacen constar que, de acuerdo con el principio general de reciprocidad, aplicarán las mismas medidas restrictivas o de excepción que establezcan otros Países miembros, bien en este Protocolo final o en el momento de la ratificación formal de las Actas.

**IX**

La Delegación de El Salvador suscribe el Convenio emanado de este VIII Congreso de la Unión Postal de las Américas y España con las reservas del caso frente a todo aquello que discrepe con las disposiciones de la Constitución Política y demás leyes vigentes en El Salvador.

Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre del año mil novecientos sesenta.

Por ARGENTINA:

PEDRO GILI

JUAN T. ARREGUI

EGIDIO NICOLÁS PERRETTA

JORGE E. M. TENREYRO

RICARDO A. JUSTO

Por BOLIVIA:



Luis Guillermo Clavei

Por COSTA RICA:



Ramiro Mata

RAMIRO MATA



Armando Arauz

ARMANDO ARAUZ

Por CANADA:



S. J. FARRELL



H. N. PEARL



E. GOSSELIN

Por CUBA:



Américo Cruz

AMÉRICO CRUZ



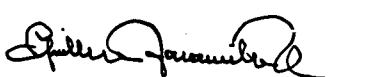
Lazaro Martinez Chacon

LAZARO MARTINEZ CHACON

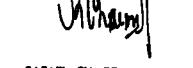
Por COLOMBIA:



ROBERTO ARCINIEGAS SCHLESINGER



Guillermo Jaramillo Uriostechea



RAFAEL CHACON ZORRILLA

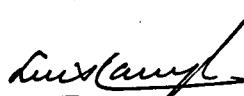


RODOLFO AFANADOR TOBAR

Por CHILE:



BERNARDINO AYALA ROMAN



Luis Carvajal Cruzat

JUAN LUIS LANDREAU BALLO

Por ECUADOR:



RODRIGO VALDEZ BAQUERO

Por EL SALVADOR:

J. RICARDO SALAVERRIA

Por ESTADOS UNIDOS DEL BRASIL:

RENEE ALBA CORDOVIL

SAVIDOR ROVIRA

PAULO DE PAULA E SILVA SALDANHA

Por ESPAÑA:

JOSE MARIA ALFARO POLANCO

FRANCISCO BERENGUER MAS

ANIBAL MARTIN GARCIA

MARCELO FRAGA IRIBARNE

Por GUATEMALA:

JUAN ALFREDO RENDON MALDONADO

Por HAITI:

ARNOLD MONTPEIROUS

Por HONDURAS:

ALFONSO ALVARADO O.

ARTURO RENDON

Por ESTADOS UNIDOS DE AMERICA:

GREEVER ALLAN

RAYMOND K. HANCOCK

ARMAND J. RIOUX

Por MEXICO:

FRANCISCO A. DE ICASA

BERNARDO REYES MORALES

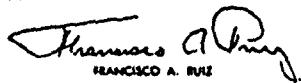
Por NICARAGUA:

  
Francisco GAITAN C.

Por REPUBLICA DE VENEZUELA:

  
DAVID PACHECO VIVAS

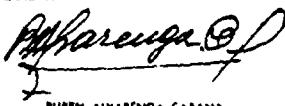
Por PANAMA:

  
FRANCISCO A. RUIZ

  
FRANCISCO VELEZ SALAS

  
OSCAR MISE

Por PARAGUAY:

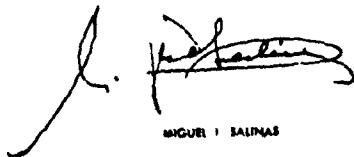
  
RUBEN ALVARENCIA CABANA

Por URUGUAY:

  
EDUARDO VAZQUEZ

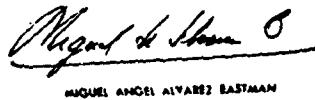
Por PERU:

  
HILDEBRANDO MEDINA AL.

  
MIGUEL I. SALINAS

Por REPUBLICA DOMINICANA:

  
RAUL PIÑER SOSA

  
MIGUEL ANGEL ALVAREZ EASTMAN

**REGLAMENTO DE EJECUCION DEL CONVENIO DE LA UNION  
POSTAL DE LAS AMERICAS Y ESPAÑA**

**celebrado entre:**

Argentina, Bolivia, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos del Brasil, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, República de Venezuela y Uruguay.

Los infrascritos, en nombre de las Administraciones que representan, han aprobado las siguientes reglas para asegurar la ejecución del Convenio precedente:

**PRIMERA PARTE**

**DISPOSICIONES GENERALES**

**CAPITULO I**

**OFICINA INTERNACIONAL DE LA UNION**

**ARTICULO 101**

**Atribuciones de la Oficina**

1. La Oficina Internacional deberá reunir, coordinar, publicar y distribuir los datos de toda clase que interesen al servicio postal américaespañol. A pedido de las Administraciones, realizará encuestas para conocer la opinión de las otras sobre determinadas cuestiones y proporcionará toda la información que le soliciten.

2. Prestará asesoramiento y asistencia técnica a las Administraciones que lo requieran.

3. Dará curso a las peticiones de modificación o interpretación de las Actas de la Unión y notificará los resultados.

4. Cuando las partes interesadas lo requieran emitirá su opinión en cuestiones litigiosas. Por propia iniciativa o a solicitud de una Administración podrá opinar sobre cualquier asunto relacionado con los intereses generales de la Unión.

5. Redactará y distribuirá anualmente una Memoria de los trabajos que realice.

6. En relación con los Congresos, Reuniones y Conferencias de la Unión, la Oficina Internacional cumplirá las siguientes funciones:

a) intervendrá en la organización y realización de los Congresos, Reuniones y Conferencias de la Unión y de las

Conferencias previas a los Congresos Postales Universales. En este último caso, cursará las invitaciones pertinentes con la debida antelación, e igualmente informará a los Países miembros, tan pronto como sea posible, con respecto a los asuntos a que se refiere el párrafo 5 del artículo 13 del Convenio;

- b) distribuirá las proposiciones que las Administraciones le remitan para los Congresos, Reuniones y Conferencias de la Unión, así como las observaciones a que alude el párrafo 3 del artículo 13 del Convenio, en relación con los Congresos Postales Universales;
- c) sugerirá proposiciones para los Congresos, Reuniones y Conferencias de la Unión, en lo posible, seis meses antes de la fecha de apertura de éstos. Uno o más Países miembros deberán adoptarlas para que puedan ser consideradas;
- d) informará a cada Congreso acerca de la labor cumplida desde el Congreso anterior;
- e) publicará los Documentos de los Congresos, Reuniones y Conferencias de la Unión.

7. La Oficina Internacional publicará y distribuirá regularmente:

- a) la tarifa de portes del servicio interior de cada uno de los Países miembros, con las respectivas equivalencias en francos oro;
- b) una recopilación oficial de todas las informaciones relativas a la ejecución de las Actas de la Unión;
- c) un cuadro en que figuren los servicios marítimos dependientes de los Países miembros que puedan ser utilizados gratuitamente para el transporte de su correspondencia en las condiciones señaladas por el artículo 47 del Convenio.

8. La Oficina se encargará de traducir al castellano y publicar al precio de coste los siguientes documentos:

- a) las Actas de la Unión Postal Universal;
- b) los documentos de interés general que la Comisión Técnica Consultiva le encargue publicar y distribuir entre las Administraciones de los Países miembros;
- c) la versión al castellano y/u otros idiomas, de aplicación en el ámbito de la Unión, de los documentos que cualquier Administración le solicite por su cuenta.

9. Organizará una sección filatélica, de acuerdo con lo dispuesto por el artículo 44, párrafo 2 del Convenio.

10. Confeccionará y distribuirá un distintivo con la insignia de la Unión, para uso personal de los funcionarios de las Administraciones.

## **ARTICULO 102**

### **Atribuciones del Director**

1. El Director de la Oficina Internacional de la Unión, con el personal de la misma que considere necesario, concurrirá a los Congresos, Reuniones y Conferencias de la Unión, pudiendo tomar parte en las discusiones sin derecho a voto.

2. El Director, con el personal de la Oficina que considere necesario, podrá concurrir en carácter de Observador, de conformidad con lo dispuesto por el Convenio de la Unión Postal Universal vigente, a los Congresos de la Unión Postal Universal. Asimismo, podrá concurrir con igual carácter, a las reuniones de la Comisión Ejecutiva y de Enlace, de la Comisión Consultiva de Estudios Postales y de las Uniones restringidas a que sea invitado, donde se debatan problemas que puedan afectar los intereses generales de la Unión, pudiendo delegar su facultad en otro funcionario de la Oficina o en el representante de algún País miembro de la Unión.

3. El Director podrá reunirse con los representantes de las líneas aéreas de los Países miembros o con un Comité que las represente, para discutir los temas que las Administraciones le planteen con el fin de mejorar el servicio postal por la vía aérea.

4. El Director, de común acuerdo con los representantes de las líneas aéreas, fijará la sede de estas reuniones, cuyos resultados serán comunicados a todos los Países miembros por la Oficina Internacional.

## **ARTICULO 103**

### **Documentos e informes que se remitirán a la Oficina Internacional de la Unión**

1. Las Administraciones de los Países miembros deberán enviar regular y oportunamente, a la Oficina Internacional de la Unión:

- a) todos los informes que solicite la propia Oficina Internacional para las publicaciones, memorias y demás asuntos de su competencia, en forma tal que permitan la ejecución de su cometido en el más breve plazo;

- b) las leyes y reglamentos postales y sus modificaciones sucesivas;
- c) la guía postal cada vez que se edite;
- d) el texto de las proposiciones que sometan a la consideración de los Congresos Postales Universales;
- e) un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los Países miembros que puedan ser utilizados gratuitamente por los demás para el transporte de su correspondencia;
- f) las variaciones que se operen en su tarifa interna así como en las equivalencias, tan pronto como se produzcan;
- g) tres ejemplares de los sellos postales que emitan de acuerdo a lo dispuesto en el párrafo 1 del artículo 44 del Convenio.

2. La información que se remita en cumplimiento del párrafo 1 precedente deberá mantenerse actualizada y a tal fin las Administraciones comunicarán sin demora toda modificación que introduzcan.

3. Las Administraciones de los Países miembros, asimismo, informarán a la Oficina Internacional de la Unión, con tres meses de anticipación a la fecha de la celebración de cada Congreso, de las gestiones realizadas con el fin de hacer efectivos en sus respectivos Países los votos y recomendaciones del último Congreso.

#### **ARTICULO 104**

##### **Documentos e informes que se remitirán a la Oficina Internacional de la Unión relativos al servicio aéreo**

1. Las Administraciones de los Países miembros a requerimiento de la Oficina Internacional de la Unión deberán enviar regular y oportunamente todos los datos e informaciones que, refiriéndose al servicio aéreo de la Unión, interesen a las demás Administraciones y especialmente:

- a) las sobretasas y tasas aéreas combinadas que hayan fijado de acuerdo con la equivalencia de su moneda respecto al franco oro y las unidades de peso que hubieren adoptado;
- b) las líneas aéreas que dependan directa o indirectamente de su Administración y que puedan utilizarse para el transporte de los envíos postales;
- c) los contratos que hayan celebrado para el transporte de la correspondencia aérea;

- d) las escalas que establezcan dentro de su territorio, así como las oficinas habilitadas para el tráfico de despachos cerrados;
  - e) una nómina de las provincias, departamentos o localidades importantes de su País, por orden alfabético, que permita la correcta formación de los despachos.
2. Toda modificación ulterior de los informes a que se refiere el párrafo 1 deberá notificarse sin demora.

## **ARTICULO 105**

### **Publicaciones**

La Oficina Internacional de la Unión distribuirá gratuitamente, entre las Administraciones postales de los Países miembros y enviará a la Oficina Internacional de la Unión Postal Universal y a la Secretaría General de la Organización de los Estados Americanos, los documentos que publique, debiendo remitir a cada Administración el número de ejemplares que le corresponda, en proporción a las unidades con que contribuye. Los ejemplares supplementarios de los documentos que soliciten las Administraciones serán abonados por ellas a precio de coste.

## **ARTICULO 106**

### **Funcionamiento de la Oficina Internacional de la Unión**

La Oficina Internacional de la Unión funcionará de acuerdo con su Reglamento, cuyo texto figura en anexo y forma parte integrante de las presentes disposiciones.

## **ARTICULO 107**

### **Jubilaciones y pensiones del personal de la Oficina Internacional de la Unión**

1. Las jubilaciones y pensiones del personal de la Oficina serán pagadas del fondo propio que para tal objeto tiene destinado la misma. En el caso de que dicho fondo fuese insuficiente, serán pagadas conforme a los párrafos 3 y 4 del artículo 18 del Convenio.

2. Las condiciones, montos y demás garantías de esas jubilaciones y pensiones se regirán por lo dispuesto en el Reglamento dictado por el Gobierno de la República Oriental del Uruguay, con fecha 20 de marzo de 1942 y en lo que no estuviere allí establecido, por lo dispuesto por las leyes sobre pasividades y beneficios de retiro vigentes en el Uruguay, para los funcionarios públicos de la Administración central.

3. La Caja de Jubilaciones y Pensiones Civiles procederá a reformar de oficio las cédulas de los jubilados y pensionistas cuyas pasividades hayan sido liquidadas sobre la base de sueldos anteriores, cada vez que se produzca una modificación en los sueldos asignados al personal de la Oficina, considerada la categoría del cargo que desempeñaba el beneficiario o causahabiente en el momento de producida la pasividad, con una rebaja del 15 % sobre el resultado así obtenido.

## CAPITULO II

### OFICINA INTERNACIONAL DE TRANSBORDOS

#### ARTICULO 108

##### Nombramiento y remoción de los funcionarios

1. El Director de la Oficina Internacional de Transbordos será nombrado por el Gobierno de la República de Panamá, previa consulta a las Administraciones de los Países miembros usuarios y entre los candidatos que éstas propongan.

2. Los demás empleados de la Oficina serán nombrados por la Dirección de Correos y Telecomunicaciones de Panamá, a propuesta del Director de la Oficina.

3. El personal indicado tendrá carácter inamovible conforme a las disposiciones que al respecto establece el Reglamento de la Oficina.

#### ARTICULO 109

##### Jubilaciones y pensiones

El personal de la Oficina tendrá los mismos derechos y obligaciones que las leyes de la República de Panamá dispongan o hayan dispuesto sobre jubilaciones y pensiones y sean aplicables a los empleados de la Dirección de Correos y Telecomunicaciones.

#### ARTICULO 110

##### Funcionamiento de la Oficina

La Oficina Internacional de Transbordos funcionará de acuerdo con su Reglamento, cuyo texto figura en anexo y forma parte integrante de las presentes disposiciones, el cual será revisado por las Administraciones de los Países miembros usuarios, incluyendo a la Administración postal de Panamá y al Director de la Oficina Internacional de la Unión.

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**CAPITULO III****GASTOS DE LA UNION****ARTICULO 111*****Gastos de la Oficina Internacional de la Unión***

1. Los gastos ordinarios y extraordinarios no podrán exceder de la cantidad que se apruebe para el presupuesto presentado por la Oficina Internacional de la Unión, en la forma prevista por el artículo 18, párrafo 6 del Convenio, incluyéndose en dicha cantidad los aportes para la constitución de un fondo para jubilación del personal de la misma.
2. Los gastos que ocasionen la asistencia y asesoría técnica, que se indica en el artículo 16 del Convenio, serán sufragados por los solicitantes.

**ARTICULO 112*****Distribución de los gastos***

1. A los efectos de la distribución de los gastos, los Países quedarán repartidos de la manera siguiente:

- 1er. grupo: Argentina, Canadá, España, Estados Unidos de América, Estados Unidos del Brasil y Uruguay;
- 2º grupo: Colombia, Costa Rica, Cuba, Chile, México, Panamá, Perú y República de Venezuela;
- 3er. grupo: Bolivia, Ecuador, El Salvador, Guatemala, Haití, Honduras, Nicaragua, Paraguay y República Dominicana.

2. Los gastos de sostenimiento de la Oficina Internacional de Transbordos, incluidos los aportes destinados a la formación de un fondo jubilatorio para el personal de la misma, se repartirán de acuerdo a lo dispuesto por el artículo 18, párrafo 7 del Convenio.

**ARTICULO 113*****Fiscalizaciones y anticipos***

1. La Dirección General de Correos de la República Oriental del Uruguay fiscalizará los gastos de la Oficina Internacional de la Unión y el Gobierno de dicho País le hará los anticipos que ésta necesite.

2. Lo mismo hará la Dirección de Correos y Telecomunicaciones de Panamá con respecto a la Oficina Internacional de Transbordos.

#### **ARTICULO 114**

##### **Formulación de cuentas**

1. La Oficina Internacional de la Unión formulará anualmente la cuenta de los gastos de la Unión, que deberá ser verificada por la autoridad de alta inspección.

2. La cuenta de los gastos de la Oficina Internacional de Transbordos será formulada y enviada, trimestralmente, por esta Oficina a las Administraciones usuarias.

#### **ARTICULO 115**

##### **Pago de los anticipos**

1. Las cantidades que no obstante lo dispuesto en el artículo 18 del Convenio, fuere necesario adelantar por el Gobierno de la República Oriental del Uruguay y por la Administración Postal de Panamá en concepto de anticipos, se abonarán por las Administraciones postales deudoras tan pronto como sea posible y, a más tardar, antes de seis meses a partir de la fecha en que el País interesado reciba la cuenta.

2. Despues de esa fecha, las cantidades adeudadas devengarán interés a razón de cinco por ciento al año, a contar del día de expiración de dicho plazo.

3. Los Países miembros se comprometen a incluir en sus presupuestos una cantidad anual destinada a atender puntualmente el pago de las cuotas que les corresponda sufragar.

### **CAPITULO IV**

#### **ARREGLO DE CUENTAS**

##### **ARTICULO 116**

###### **Compensación de cuentas y liquidación de saldos**

1. Sin perjuicio de las formas establecidas en la legislación postal universal, las Administraciones postales podrán cancelar por vía de compensación los saldos deudores y acreedores relativos a los distintos servicios, inclusive el de telecomunicaciones cuando éste dependa directa o indirectamente de ellas. Si así no fuere, para este último servicio deberá requerirse la previa conformidad de la Administración postal interesada.

2. En la oportunidad de disponerse un pago en cualesquiera de las formas establecidas, las Administraciones quedan obligadas a dar aviso de la cancelación que efectúan, suministrando la acreedora los informes relativos a la misma, debiendo esta última acusar recibo, y en el caso de compensación de saldos, la debida conformidad, dentro del más breve plazo posible.

3. Todas las cuentas formuladas entre las Administraciones podrán ser compensadas anualmente por la Oficina Internacional de la Unión, debiendo los saldos deudores ser liquidados tan pronto como sea posible, dentro del plazo de tres meses de la fecha en que el País interesado reciba el balance.

## CAPITULO V

### DISPOSICIONES DIVERSAS

#### ARTICULO 117

##### **Tarifas internas y equivalencias**

1. Las Administraciones fijarán las equivalencias en francos oro de sus tarifas internas o de las tarifas establecidas para el régimen americano-español. Fijarán asimismo el coeficiente de conversión del franco oro en la moneda de su País.

2. Las equivalencias o sus cambios no entrarán en vigor sino un día primero de mes y lo más pronto, quince días después de su notificación por la Oficina Internacional de la Unión, a la cual deberán las Administraciones interesadas efectuar las comunicaciones respectivas.

#### ARTICULO 118

##### **Plazo de conservación de los documentos**

1. Los documentos del servicio internacional deberán conservarse durante el plazo mínimo de dieciocho meses, a contar del día siguiente a la fecha de tales documentos.

2. Los documentos relativos a un litigio o una reclamación se conservarán hasta la liquidación del asunto. Si la Administración reclamante, debidamente informada del resultado de la investigación, deja pasar seis meses, a partir de la fecha de la comunicación, sin formular objeciones, el asunto se considera terminado.

#### ARTICULO 119

##### **Direcciones telegráficas**

1. Las direcciones telegráficas para las comunicaciones de las Administraciones entre sí, serán las señaladas en el Reglamento de Ejecución del Convenio de la Unión Postal Universal.

2. La Dirección telegráfica de la Oficina Internacional de la Unión es: "Upae" - Montevideo.

3. La dirección telegráfica de la Oficina Internacional de Transbordos es: "Oitrans" - Panamá.

## SEGUNDA PARTE

### DISPOSICIONES RELATIVAS A LOS OBJETOS DE CORRESPONDENCIA

#### CAPITULO I

##### CONDICIONES DE ACEPTACION

###### ARTICULO 120

###### **Envíos sujetos a intervención aduanera**

1. Es obligatorio adherir, en el anverso de las piezas de correspondencia cerradas sujetas a control aduanero, una etiqueta verde conforme al modelo C 1 establecido en la legislación postal universal.

2. Para los envíos abiertos, excepto los pequeños paquetes, no es obligatorio el uso de la etiqueta C 1, sin perjuicio de la intervención de la aduana del País de destino.

3. Es facultativo el empleo de la declaración de aduana C 2, conforme al modelo establecido en la legislación postal universal, para todos los envíos.

###### ARTICULO 121

###### **Correspondencia diplomática y consular**

La correspondencia diplomática y consular deberá llevar las siguientes indicaciones: el nombre de la Embajada, Legación o Consulado remitente y la inscripción muy ostensible de "Correspondencia diplomática" o "Correspondencia consular", además de la declaración "Libre de Porte", que constará debajo de aquella inscripción. Estos envíos serán autenticados con el sello de la Embajada, Legación o Consulado.

###### ARTICULO 122

###### **Valijas diplomáticas**

1. Las valijas diplomáticas no podrán pesar más de 20 kilogramos, ni exceder de los siguientes límites de dimensiones: largo,

ancho y alto, sumados, 140 centímetros, sin que la dimensión mayor exceda de 60 centímetros.

2. Las valijas diplomáticas estarán provistas de cerraduras, candados u otros medios de seguridad apropiados.

3. Estas valijas serán depositadas en la Oficina de Correos, en carácter de certificadas.

4. Las valijas diplomáticas serán preferentemente de color verde oscuro, para facilitar su correcto y rápido manejo.

## CAPITULO II

### INTERCAMBIO DE CORRESPONDENCIA

#### ARTICULO 123

##### **Intercambio de despachos**

1. Las Administraciones de los Países miembros podrán expedirse recíprocamente, por mediación de una o varias de ellas, tanto despachos cerrados como correspondencia al descubierto, en las condiciones fijadas en la legislación postal universal.

2. Las etiquetas de los sacos ostentarán siempre la mención del número del despacho a que pertenezcan, y cuando éste se componga de varios sacos, se hará constar en la etiqueta, además del número del despacho, el total de sacos de que se componga éste.

#### ARTICULO 124

##### **Transmisión de valijas diplomáticas**

1. Las valijas diplomáticas serán cursadas por las mismas vías que utilice la Administración expedidora para el envío de su correspondencia a la Administración de destino.

2. La Oficina de Cambio expedidora anotará en la columna "Observaciones" de la lista especial de certificados las palabras "Valija diplomática" y el número de éstas, si fueren varias.

3. Dicho envío será anunciado por medio de una nota consignada en la hoja de aviso del despacho que lo contenga.

#### ARTICULO 125

##### **Sacos vacíos**

Los sacos utilizados por las Administraciones para el envío de la correspondencia se devolverán vacíos, por las Oficinas de cambio destinatarias a las de origen, en la forma prevista por la legislación postal universal. Sin embargo, las Administraciones podrán ponerse de acuerdo con el fin de utilizarlos para el envío de su propia correspondencia.

**CAPITULO III****TRANSITO****ARTICULO 126****Estadística de derechos de tránsito**

Los despachos que se intercambien con arreglo a las prescripciones del artículo 47 del Convenio no serán incluidos en operaciones de estadística, por Países intermediarios, excepto por medio de acuerdos entre los Países interesados. Las Administraciones de origen se ajustarán a las disposiciones de la legislación postal universal cuando los despachos estén dirigidos a Países extraños a la Unión, o, aun cuando su destino sea un País miembro, si los despachos han de circular en tránsito por servicios terceros ajenos a la Unión.

**ARTICULO 127****Cuentas por gastos de tránsito**

1. Cuando las Administraciones intermediarias deban percibir de las de origen los gastos de tránsito de la correspondencia, formularán las cuentas respectivas sin rebasar en ningún caso los derechos que fija el Convenio de la Unión Postal Universal y con arreglo a las normas establecidas en su Reglamento de Ejecución.

2. En todos los casos deberá indicarse número y fecha de expedición de origen del despacho y vía de recepción.

**TERCERA PARTE****DISPOSICIONES FINALES****ARTICULO 128****Vigencia y duración del Reglamento**

El presente Reglamento empezará a regir en la misma fecha que el Convenio y tendrá igual duración que éste.

En la ciudad de Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre del año mil novecientos sesenta.

Por ARGENTINA:

PEDRO GILI

EGIDIO NICOLAS PERETTA

JORGE E. M. TENREYRO

JUAN T. ARREGUI

RICARDO A. JUSTO

Por BOLIVIA:

LUIS GUILLERMO CLAVEI

Por CANADA:

D. J. FARRELL

H. N. PEARL

R. GOSSÉLIN

Por COLOMBIA:

ROBERTO ARCHINIEGAS SCHLESINGER

GUILLERMO JARAMILLO URIBECHEA

RAFAEL CHACON ZORRILLA

RODOLFO AFANADOR TOBAS

Por COSTA RICA:

RAMIRO MATA

ARMANDO ARAUZ

Por CUBA:

AMÉRICO CRUZ

LAZARO MARTINEZ CHACON

Por CHILE:

BERNARDINO AYALA ROMAN

LUIS CARVAJAL CRUZAT

JUAN LUIS LANDREAU BALLO

Por ESPAÑA:

JOSE MARIA ALFARO POLANCO

FRANCISCO BERENGUER MAS

ANIBAL MARTIN GARCIA

Por ECUADOR:

RODRIGO VALDEZ BAQUERO

MARCELO FRAGA IRIBARNE

Por EL SALVADOR:

J. RICARDO SALAVERRIA

SALVADOR ROVIRA

Por ESTADOS UNIDOS DE AMERICA:

GREEVER ALLAN

RAYMOND K. HANCOCK

ARMAND J. RIoux

Por ESTADOS UNIDOS DEL BRASIL:

RENEE ALBA CORDOVIL

PAULO DE PAULA E SILVA SALDANHA

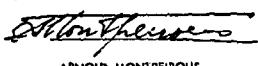
Por GUATEMALA:

  
JUAN ALFREDO RENDON MALDONADO

Por PARAGUAY:

  
RUBEN ALVARENGA CABANA

Por HAITI:

  
ARNOLD MONTPIEROUS

Por REPUBLICA DOMINICANA:

  
RAUL PUYSER SOSA

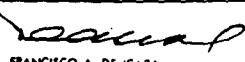
Por HONDURAS:

  
ALFONSO ALVARADO O.

Por REPUBLICA DE VENEZUELA:

  
DAVID PACHECO VIVAS  
ARTURO RENDON  
FRANCISCO VELEZ SALAS

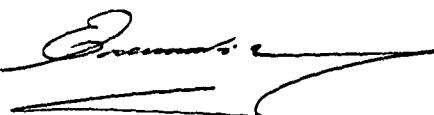
Por MEXICO:

  
FRANCISCO A. DE ICaza

OSCAR MISLE

  
BERNARDO REYES MORALES

Por URUGUAY:

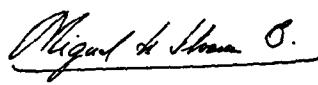
  
EDUARDO VAZQUEZ

Por NICARAGUA:

  
FRANCISCO GAITAN C.

MIGUEL I. SALINAS

Por PANAMA:

  
FRANCISCO A. RUIZ  
MIGUEL ANGEL ALVAREZ EASTMAN

**REGLAMENTO DE LA OFICINA INTERNACIONAL DE LA UNION  
POSTAL DE LAS AMERICAS Y ESPAÑA**

**I N D I C E**

**CAPITULO I**

**Generalidades**

Artículos 1, 2, 3, 4, 5 y 6

**CAPITULO II**

**Presupuesto y Contabilidad**

Artículos 7, 8, 9, 10, 11, 12, 13 y 14

**CAPITULO III**

**Disponibilidades**

Artículos 15, 16, 17 y 18

**CAPITULO IV**

**Del Control**

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Artículos 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 y 34

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Artículos 35, 36, 37, 38 y 39.

**REGLAMENTO DE LA OFICINA INTERNACIONAL DE LA UNION  
POSTAL DE LAS AMERICAS Y ESPAÑA**

**CAPITULO I**

**GENERALIDADES**

**ARTICULO 1**

La organización y el funcionamiento de la Oficina Internacional de la Unión Postal de las Américas y España y las relaciones con el Gobierno de la República Oriental del Uruguay, en su carácter de País sede, y con la autoridad de alta inspección, se rigen por las disposiciones de este Reglamento, sin perjuicio de las contenidas en el Convenio de la Unión y en su Reglamento de Ejecución.

**ARTICULO 2**

Para facilitar el funcionamiento de la Oficina Internacional de la Unión y de sus Organismos, el Gobierno de la República Oriental del Uruguay:

- a) concederá a la Oficina y a sus empleados, los privilegios e inmunidades necesarios para el cumplimiento de sus fines;
- b) adelantará el dinero necesario para el funcionamiento de la Oficina Internacional, de acuerdo con lo dispuesto en los artículos 18 del Convenio y 113 de su Reglamento de Ejecución;
- c) nombrará al Director y Subdirector-Secretario General, según lo establecido en el artículo 24 del presente Reglamento;
- d) adoptará toda otra medida necesaria para el cumplimiento de los cometidos de la Oficina Internacional.

**ARTICULO 3**

A la Dirección General de Correos del Uruguay en su carácter de autoridad de alta inspección de la Oficina Internacional, le compete:

- a) nombrar al Asesor Letrado, al Oficial de Secretaría, al Oficial Traductor y demás personal de la Oficina, según lo establecido en el artículo 24 del presente Reglamento;

- b) formular las observaciones que estime procedentes, al Director de la Oficina Internacional sobre cualquier aspecto del funcionamiento de la Oficina;
- c) poner en conocimiento de los Países miembros, en el caso en que las observaciones formuladas de acuerdo al inciso b), no fueren tenidas en cuenta por la Dirección de la Oficina Internacional;
- d) efectuar el control "a posteriori" de todas las contrataciones, gastos, movimientos de fondos, pagos, asientos contables, etc., de la Oficina Internacional;
- e) tomar las medidas necesarias para que se haga efectivo el adelanto de fondos para el funcionamiento de la Oficina Internacional;
- f) vigilar el cumplimiento de lo establecido en el presupuesto anual de gastos ordinarios y extraordinarios aprobado por las Administraciones de los Países miembros, de acuerdo a las estipulaciones del Convenio;
- g) aprobar las rendiciones de cuentas anuales de los gastos de la Oficina Internacional;
- h) resolver en definitiva las reclamaciones del personal de la Oficina contra las resoluciones de la Dirección de la misma;
- i) adoptar cualquier otra medida necesaria para el cumplimiento de sus funciones de alta inspección.

#### **ARTICULO 4**

Las relaciones de los Países miembros con la autoridad de alta inspección y viceversa se efectuarán por intermedio de la Oficina Internacional, salvo lo previsto en el artículo 3, inciso c) de este Reglamento.

#### **ARTICULO 5**

Al Director de la Oficina Internacional le compete la dirección y administración de la Oficina, de la cual es el representante legal, comprometiéndola con su firma. Le corresponden todos los asuntos que no están reservados al Gobierno de la República Oriental del Uruguay o a la autoridad de alta inspección, y especialmente:

- a) organizar y dirigir todos los trabajos de la Oficina Internacional;
- b) efectuar las propuestas para el nombramiento del personal, conforme a lo establecido en el artículo 24;
- c) conceder licencias, vacaciones, fijar días y horarios de trabajo;
- d) contratar empleados y obreros, con carácter eventual, dando cuenta a la autoridad de alta inspección;
- e) imponer sanciones al personal de la Oficina, y proponer las destituciones que correspondan;
- f ) organizar el legajo o foja de cada empleado, y ordenar las anotaciones en el mismo, previa vista del interesado;
- g) preparar los proyectos de presupuestos anuales y someterlos a la consideración de los Países miembros, con la antelación necesaria;
- h) contratar o comprometer los gastos y autorizar los pagos de la Oficina, previo cumplimiento de las formalidades del caso;
- i ) resolver acerca de las bonificaciones establecidas en el capítulo VI del presente Reglamento;
- j ) resolver los desplazamientos del personal de la Oficina por motivos de servicio, y fijar los viáticos y gastos respectivos conforme a lo previsto en el presupuesto vigente. En los casos no previstos y atendida la necesidad de un desplazamiento requerirá el acuerdo de la autoridad de alta inspección para la regulación del gasto respectivo;
- k) rendir cuenta a la autoridad de alta inspección de la ejecución del presupuesto aprobado por los Países miembros;
- l ) elevar a la autoridad de alta inspección las reclamaciones que los empleados de la Oficina interpongan contra las resoluciones de la Dirección.

#### **ARTICULO 6**

El Subdirector - Secretario General es el subrogante legal del Director y lo reemplaza con sus mismas atribuciones.

## CAPITULO II

### PRESUPUESTO Y CONTABILIDAD

#### ARTICULO 7

1. El proyecto de presupuesto, que deberá ser presentado de acuerdo a lo estipulado en el Convenio, contendrá información detallada y ordenada de todos los gastos previstos para el ejercicio a que se aplicará el presupuesto, comparativamente con el presupuesto del ejercicio anterior.

2. La exposición de motivos que acompañará al proyecto de presupuesto, contendrá todas las disposiciones y detalles necesarios para la comprensión y apreciación de las modificaciones propuestas.

#### ARTICULO 8

El ejercicio presupuestal abarcará el período correspondiente al lapso que va del 1º de enero al 31 de diciembre de cada año.

#### ARTICULO 9

1. El presupuesto será fijado en francos oro.  
2. La equivalencia del franco oro con la moneda nacional uruguaya, a los efectos del presupuesto de la Unión y del cumplimiento de este Reglamento, será fijada por semestres y directamente por el Banco de la República Oriental del Uruguay, sin otro trámite o autorización ulterior. Tomará como base el contenido en oro del franco oro (artículo 41 del Convenio de la Unión) y el contenido en oro del dólar de los Estados Unidos de América o de otra moneda de libre convertibilidad y la cotización de esta moneda en el mercado libre absoluto de la República Oriental del Uruguay.

#### ARTICULO 10

En el caso de no ser aprobado alguno de los rubros del proyecto de presupuesto presentado por la Oficina, continuará rigiendo lo autorizado en el presupuesto anterior.

#### ARTICULO 11

No podrá comprometerse gasto ni celebrarse contrato alguno sin que exista, en el momento de contraer el compromiso, disponibilidad suficiente a tales efectos en el rubro que ha de soportar la erogación, ni afectar los mismos a recursos de ejercicios venideros.

Cuando la naturaleza del gasto exija apartarse de la norma expresa, deberá recabarse previamente la conformidad de la autoridad de alta inspección.

#### **ARTICULO 12**

1. Toda compra, así como todo contrato sobre trabajos, obras o suministros, se hará en todos los casos mediante el procedimiento de la licitación pública, salvo las excepciones siguientes:

- a) las compras, trabajos, obras o suministros cuyo importe no exceda de 1.500 francos oro;
- b) los contratos que se celebren con personas jurídicas de derecho público;
- c) cuando existan razones de urgencia de naturaleza imprescindible;
- d) cuando por la naturaleza de la contratación o por circunstancias de hecho resulte imposible o innecesario el llamado a licitación;
- e) cuando las compras, trabajos, obras o suministros se celebren en el extranjero;
- f) cuando una licitación hubiera sido declarada desierta por segunda vez o cuando se hubiere efectuado un primer llamado sin la concurrencia de ningún proponente.

2. En los casos de los incisos c), d) y f) deberá recabarse la conformidad de la autoridad de alta inspección previamente a la contratación directa. En el caso del inciso e) deberá solicitarse la colaboración de la Administración postal del País donde el trabajo se realice.

3. Queda prohibido el fraccionamiento de compras, obras, suministros o trabajos cuyo monto dentro del ejercicio exceda de 1.500 francos oro.

#### **ARTICULO 13**

En las compras, obras, trabajos o suministros cuyo monto sea superior a 150 francos oro, deberán recabarse, por lo menos, tres cotizaciones, las cuales serán agregadas al expediente respectivo. En caso de no poder obtenerse las tres cotizaciones, o de no ser conveniente seguir tal procedimiento, el Director de la Oficina podrá resolver las adquisiciones sin necesidad de dichas tres cotizaciones.

#### **ARTICULO 14**

Toda enajenación a título oneroso o arrendamiento de bienes propiedad de la Unión, deberá hacerse en subasta o licitación pública, y previa tasación.

#### **CAPITULO III**

#### **DISPONIBILIDADES**

#### **ARTICULO 15**

El monto de los gastos ordinarios del presupuesto aprobado, incluidas en el mismo las cantidades destinadas al Fondo de Reserva para jubilaciones y pensiones, será puesto a disposición de la Oficina Internacional por el Gobierno de la República Oriental del Uruguay por trimestres adelantados, depositando la suma que corresponda en moneda uruguaya en una cuenta especial que se abrirá en el Banco de la República Oriental del Uruguay.

#### **ARTICULO 16**

El monto de los gastos extraordinarios será depositado por el Gobierno de la República Oriental del Uruguay a la orden de la Oficina Internacional, en la cuenta indicada en el artículo anterior, con la debida antelación.

#### **ARTICULO 17**

La Oficina Internacional girará contra la referida cuenta de acuerdo con las necesidades del servicio, solamente mediante cheques que deberán tener la firma del Director y del funcionario que esté a cargo de la contabilidad de la Oficina.

#### **ARTICULO 18**

Los giros, cheques, transferencias de fondos provenientes de los Países miembros o cualquier otra entrada de dinero a favor de la Oficina, deberán ser depositados a más tardar el próximo día hábil siguiente al de su recepción.

#### **CAPITULO IV**

#### **DEL CONTROL**

#### **ARTICULO 19**

1. El control que corresponde a la autoridad de alta inspección sobre el movimiento de fondos de la Oficina Internacional, será de carácter formal y material.

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2. El control formal comprenderá:
  - a) el examen de los libros de contabilidad y de los recibos y documentos justificativos;
  - b) la revisión de los asientos, movimientos y transferencias contables;
  - c) la comprobación del efectivo, valores, cuentas bancarias, inventario y demás bienes de la Oficina;
  - d) la verificación de si las entradas y salidas son adecuadas al presupuesto aprobado;
  - e) cualquier otro procedimiento de control formal.

3. El control material comprende el examen de la conformidad de las entradas y salidas a las disposiciones en vigor.

#### **ARTICULO 20**

La Oficina Internacional efectuará estados semestrales de movimiento de fondos que serán sometidos a examen y aprobación de la autoridad de alta inspección.

#### **ARTICULO 21**

Operada la clausura definitiva del ejercicio se procederá a la formulación de la rendición de cuentas, la cual comprenderá:

- a) un estado de los ingresos;
- b) un estado de los egresos, en el cual se especificará lo legalmente autorizado, las trasposiciones efectuadas, las sumas efectivamente pagadas, las sumas pendientes de pago;
- c) un estado de los importes comprometidos durante el ejercicio;
- d) los saldos existentes a la iniciación y a la clausura del ejercicio;
- e) el resultado de la gestión total del ejercicio.

#### **ARTICULO 22**

Una copia de la rendición de cuentas será enviada por la Oficina Internacional a los Países miembros con la constancia de su aprobación o, en su defecto, de las observaciones que hubiera merecido.

## CAPITULO V

### PERSONAL

#### ARTICULO 23

Los empleados de la Oficina Internacional se dividen en dos categorías:

- a) empleados permanentes;
- b) empleados no permanentes.

#### ARTICULO 24

1. El Director de la Oficina Internacional será nombrado por el Gobierno de la República Oriental del Uruguay, en su carácter de País sede, de acuerdo con el resultado de la consulta previa a las Administraciones postales de los Países miembros y con arreglo al siguiente procedimiento:

- a) al producirse la vacante, la Oficina Internacional, por vía de nota circular, hará conocer esta circunstancia a las Administraciones postales. Ellas, dentro del plazo de tres meses a contar de la fecha de la comunicación, tendrán derecho a proponer un candidato acompañando sus antecedentes;
- b) la Oficina Internacional remitirá a todas las Administraciones postales la nómina de los candidatos junto con sus antecedentes, para que se pronuncien sobre uno de ellos;
- c) se considerará que se abstienen aquellas Administraciones postales que no hubieren dado respuesta en el lapso de cuarenta y cinco días a contar de la fecha de la comunicación a que se refiere la letra b);
- d) resultará elegido el candidato que en la primera votación obtenga la mayoría absoluta de los votos emitidos;
- e) si ninguno lo lograse, se hará una segunda votación, en la que bastará la simple mayoría, siguiendo el mismo procedimiento establecido en la letra c);
- f) En caso de empate, esos candidatos tendrán derecho a ser propuestos;
- g) la Oficina Internacional hará conocer al Gobierno de la República Oriental del Uruguay el resultado de la votación y solicitará la designación del candidato que haya obtenido la mayoría absoluta o, en su defecto, del más

votado. En el caso previsto en la letra f), dará la nómina de los diversos candidatos para que el Gobierno decida.

2. Igual procedimiento se seguirá para cubrir la vacante de Subdirector-Secretario General de la Oficina.

3. En caso de que la vacancia de los cargos de Director y Subdirector-Secretario General ocurriera dentro de los noventa días antes de la apertura de un Congreso, la proposición y elección de candidatos deberá efectuarse durante la celebración de éste.

4. Para ser candidato a Director o a Subdirector-Secretario General de la Oficina Internacional se requerirá:

- a) poseer una vasta experiencia de la organización y la ejecución de los servicios postales adquirida en la Administración de un País miembro; o,
- b) pertenecer al personal superior de la Oficina Internacional de la Unión.

5. Las vacantes de Asesor Letrado, de Oficial de Secretaría y de Oficial Traductor serán cubiertas por la autoridad de alta inspección, a propuesta del Director de la Oficina y previo concurso de antecedentes entre funcionarios de las Administraciones postales de los Países miembros y del personal de la Oficina.

6. El resto del personal será nombrado por la autoridad de alta inspección, a propuesta del Director de la Oficina.

#### **ARTICULO 25**

Los empleados de la Oficina Internacional no podrán ejercer otras actividades lucrativas sino mediante el asentimiento de la autoridad de alta inspección. Esta autorización no será otorgada si estas ocupaciones accesorias impiden el normal cumplimiento de sus obligaciones en la Oficina Internacional.

#### **ARTICULO 26**

1. Los empleados que no cumplen con los deberes de su cargo, ya sea intencionalmente, ya sea por negligencia o imprudencia, o incurran en delito, estarán sujetos a sanciones disciplinarias de acuerdo con el grado de la falta.

2. Las sanciones disciplinarias serán:

- a) observación;
- b) descuento en el sueldo;
- c) privación del sueldo;

- d) suspensión con reducción o privación del sueldo;
- e) destitución.

3. Las sanciones de los incisos b), c) y d) del párrafo anterior no podrán ser impuestas por un plazo mayor de seis meses.

4. El producto de los descuentos a que se refieren las letras b), c) y d) del párrafo 2, ingresarán al Fondo de Reserva para jubilaciones y pensiones.

#### **ARTICULO 27**

1. La destitución de un empleado se hará a propuesta de la autoridad de alta inspección. Esta propuesta conjuntamente con una copia de las actuaciones cumplidas de acuerdo a lo dispuesto en el artículo 28 será comunicada a las Administraciones postales de los Países miembros.

2. Para que la destitución se haga efectiva será necesario que las dos terceras partes de las Administraciones así lo decidan. En tal caso, el Gobierno de la República Oriental del Uruguay o la autoridad de alta inspección, si correspondiere, declararán destituído al empleado.

3. Si el hecho tuviere lugar dentro de los noventa días anteriores a la apertura del Congreso, la destitución será cumplida por éste.

#### **ARTICULO 28**

Las sanciones disciplinarias deberán imponerse por resolución motivada, después de haberse instruído un sumario y haberse dado vista del mismo al empleado acusado, debiendo asegurarse el derecho de defensa.

#### **ARTICULO 29**

El empleado que viole los deberes de su cargo será responsable de los daños que cause.

#### **ARTICULO 30**

La jornada de trabajo será la que rija para los empleados de la Administración Pública de la República Oriental del Uruguay, y podrá ser extendida hasta cuarenta y cuatro horas de trabajo semanales sin derecho a retribución especial. Los horarios de trabajo serán fijados por el Director de la Oficina, de acuerdo con las necesidades del servicio.

**ARTICULO 31**

1. Cada empleado tendrá derecho a vacaciones anuales con goce de sueldo por un plazo de tres semanas.
2. El empleado deberá tener un año de antigüedad en la Oficina para tener derecho a vacaciones.
3. Cada cinco años de antigüedad en la Oficina, el empleado tendrá derecho a tres días más de vacaciones al año, sin que el total de las vacaciones pueda exceder de 30 días consecutivos.

**ARTICULO 32**

1. Los sueldos mensuales de los empleados presupuestados de la Oficina serán los siguientes:

Director .....	1.470 francos oro
Subdirector - Secretario General .....	1.225 francos oro
Asesor Letrado .....	1.075 francos oro
Oficial de Secretaría .....	765 francos oro
Oficial traductor .....	615 francos oro
Auxiliares .....	445 francos oro
Portero .....	355 francos oro

2. Los sueldos del personal contratado y de los jornaleros serán fijados por el Director de la Oficina, de conformidad con la autoridad de alta inspección.

**ARTICULO 33**

En caso de nombrarse un empleado que no sea uruguayo y que se encuentre domiciliado fuera del Uruguay, tendrá derecho al reembolso de los gastos del viaje y de la mudanza para él y para los miembros de familia a su cargo. Tendrá derecho a los mismos gastos cuando regrese a su país de origen en caso de jubilación. En caso de muerte del empleado la familia gozará de los mismos derechos. Asimismo la Unión se hará cargo de los gastos de repatriación de los restos del empleado fallecido. Por regla general los gastos de viaje y de instalación no serán reembolsados si la repatriación tiene lugar después de un plazo de seis meses a contar del día en que el empleado se haya jubilado o haya fallecido.

#### **ARTICULO 34**

1. Con excepción de lo dispuesto en el artículo 31 del presente Reglamento, el régimen de licencias del personal de la Oficina será el establecido en el Uruguay para los empleados de la Dirección General de Correos.

2. Las licencias del Director serán concedidas por la autoridad de alta inspección.

3. Los empleados no uruguayos tendrán derecho, una vez cada dos años, al reembolso por la Unión de los gastos de viaje a su País de origen por la vía más rápida, y más corta, para ellos, y eventualmente, para su esposa y sus hijos menores de veinte años.

#### **CAPITULO VI**

#### **BONIFICACIONES**

#### **ARTICULO 35**

Los empleados de la Oficina tendrán derecho a una asignación por cada hijo menor de dieciocho años o incapacitado física o mentalmente a su cargo y que no tenga ocupación remunerada. Esta asignación será de 84 francos oro por hijo y por año.

#### **ARTICULO 36**

Los empleados de la Oficina que no sean de nacionalidad uruguaya tendrán derecho a una indemnización de expatriación equivalente a un mes de sueldo por año.

#### **ARTICULO 37**

1. Los empleados de la Oficina que tengan más de veinticinco años de servicios en la Oficina y/o en las Administraciones postales, tendrán derecho a una gratificación equivalente a un mes de sueldo al año.

2. Los empleados con más de cuarenta años de servicio en la Oficina y/o en las Administraciones postales, tendrán derecho a una gratificación equivalente a dos meses de sueldo al año.

#### **ARTICULO 38**

El Director de la Oficina percibirá la suma anual de 1.470 francos oro pagaderos por duodécimos, por concepto de gastos de representación.

## ARTICULO 39

Los sueldos, las bonificaciones del personal de la Oficina de que trata el presente título y las jubilaciones, pensiones, subsidios y demás beneficios pagados por el Fondo de Reserva estarán exentos de toda clase de gravámenes, creados o por crearse.

En Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre de mil novecientos sesenta.

Por ARGENTINA:

PEDRO GILI

EGIDIO NICOLAS PERRETTA

JORGE E. M. TENREYRO

JUAN T. ARREGUI

RICARDO A. JUSTO

Por BOLIVIA:

LUIS GUILLERMO CLAVEI

Por CANADA:

B. J. FARRELL

H. N. PEARL

R. GOSELLIN

Por COLOMBIA:

ROBERTO ARCIÑIEGAS SCHLESINGER

GUILLERMO JARAMILLO URICOECHEA

RAFAEL CHACON ZORRILLA

RODOLFO APANADOR TOBAS

Por COSTA RICA:

RAMIRO MATA

ARMANDO ARAUZ

Por CUBA:

AMÉRICO CRUZ

LAZARO MARTINEZ CHACON

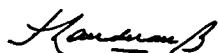
Por CHILE:



BERNARDINO AYALA ROMAN

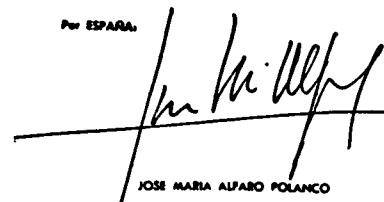


LUIS CARVAJAL CRUZAT

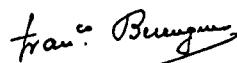


JUAN LUIS LANDREAU BALLO

Por ESPAÑA:



JOSE MARIA ALFARO POLANCO



FRANCISCO BERENGUER MAS



AMIBAL MARTIN GARCIA



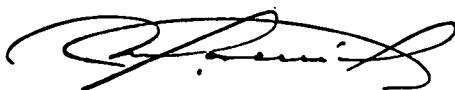
MARCELO PRAGA IRIBARNE

Por ECUADOR:



RODRIGO VALDEZ BAQUERO

Por EL SALVADOR:



J. RICARDO SALAVERRIA



SALVADOR ROVIRA

Por ESTADOS UNIDOS DE AMERICA:



GREEVER ALLAN

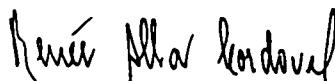


RAYMOND K. HANCOCK



ARMAND J. RIoux

Por ESTADOS UNIDOS DEL BRASIL:



RENEE ALBA CORDOVIL



PAULO DE PAULA E SILVA SAIDANNA

Por GUATEMALA:

  
JUAN ALFREDO RENDON MALDONADO

Por PERU:

  
HILDEBRANDO MERINO M.

Por HAITI:

  
ARNOLD MONTPEIROUS

Por HONDURAS:

  
ALFONSO ALVARADO O.


  
ARTURO RENDON

Por REPUBLICA DOMINICANA:

  
RAUL PLEYER SOSA

Por MEXICO:

  
FRANCISCO A. DE ICASA


  
BERNARDO REYES MORALES

Por REPUBLICA DE VENEZUELA:

  
DAVID PACHECO VIVAS


  
FRANCISCO VELEZ SALAS


  
OSCAR MISLE

Por NICARAGUA:

  
FRANCISCO GAITAN C.

Por URUGUAY:

  
EDUARDO VAZQUEZ

Por PANAMA:

  
FRANCISCO A. RUIZ


  
MIGUEL I. SALINAS

Por PARAGUAY:

  
RUBEN ALVARENGA CABANA

MIGUEL ANGEL ALVAREZ EASTMAN

## **REGLAMENTO DE LA OFICINA INTERNACIONAL DE TRANSBORDOS**

### **I N D I C E**

Artículos 1, 2, 3, 4, 5, 6 y 7

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## **REGLAMENTO DE LA OFICINA INTERNACIONAL DE TRANSBORDOS**

### **ARTICULO 1**

La Oficina Internacional de Transbordos funcionará y ejecutará sus tareas de acuerdo con lo establecido en el Convenio y respectivo Reglamento de Ejecución.

### **ARTICULO 2**

El personal de la Oficina Internacional de Transbordos, será el siguiente y percibirá la remuneración que en cada caso se indica:

- un Director con la asignación mensual de 1.400 francos oro;
- un Jefe de transbordos, con la asignación mensual de 1.100 francos oro;
- un Primer ayudante de transbordos, con una asignación mensual de 1.000 francos oro;
- un Secretario, con la asignación mensual de 900 francos oro;
- un Segundo ayudante de transbordos, con la asignación mensual de 700 francos oro;
- un Mensajero, con la asignación mensual de 300 francos oro.

### **ARTICULO 3**

El personal a que se refiere el artículo anterior será designado según lo establecido en el artículo 108 del Reglamento de Ejecución del Convenio y no podrá ser destituido sino por mala conducta

comprobada, deficiencia notoria en el servicio o en virtud de pena impuesta por sentencia judicial.

#### **ARTICULO 4**

El Director de la Oficina Internacional de Transbordos tendrá a su cargo las siguientes obligaciones:

- a) la dirección de la labor confiada a la Oficina, relativa a todas y cada una de las operaciones de recepción, entrega y encaminamiento de los despachos consignados a la misma;
- b) la formación detallada de las estadísticas del movimiento de despachos en tránsito;
- c) la formación de las cuentas trimestrales para cada País, de conformidad con lo dispuesto en el Convenio;
- d) la presentación a la Dirección General de Correos y Telecomunicaciones de Panamá, de un estado trimestral con indicación de las cuotas contributivas que cada una de las Administraciones que hayan utilizado los servicios de la Oficina, deban reintegrar por concepto de gastos de sostenimiento de la misma;
- e) tener a su cargo la vigilancia directa de las tareas del personal de la Oficina, a quien impartirá las órdenes correspondientes para el debido cumplimiento de sus obligaciones;
- f) rendir semestralmente a la Dirección General de Correos y Telecomunicaciones de Panamá un informe detallado de la labor realizada por la Oficina, con las observaciones precisas relativas a las deficiencias advertidas y la forma de subsanarlas; y
- g) arbitrar todas las medidas conducentes a la buena marcha de la Oficina.

#### **ARTICULO 5**

Los empleados de la Oficina tendrán como obligaciones las que fije el Director de la misma, en uso de la facultad que le acuerda el artículo precedente.

#### **ARTICULO 6**

Al anticipar, la Administración Postal de Panamá, conforme al artículo 113, inciso 2, del Reglamento de Ejecución del Convenio,

las cantidades necesarias para el servicio de la Oficina Internacional de Transbordos, verificará por mensualidades vencidas el pago de los sueldos del personal designado y suministrará al Director de la expresada Oficina los anticipos que éste solicite para cubrir los gastos de alquiler de local, como los de movilización del personal de la Oficina y el de peones, transporte, fletes, etc., de los despachos en tránsito. Estos anticipos serán legalizados por el Director de la Oficina, mensualmente, previa presentación de los comprobantes que acrediten los gastos verificados.

#### ARTICULO 7

La Oficina Internacional de la Unión, comunicará anualmente a las Administraciones interesadas los datos estadísticos que suministre la Oficina de Transbordos, relativos al movimiento de esta Oficina, así como los informes de interés general suministrados por la mencionada Oficina.

En Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre de mil novecientos sesenta.

Por ARGENTINA:



PEDRO GILI



EGIDIO NICOLAS PERRETTA



JORGE E. M. TENREYRO



JUAN T. ARREGUI



RICARDO A. JUSTO

Por BOLIVIA

LUIS GUILLERMO CLAVEL

Por CANADA.

B. J. FARRELL

B. J. FARRELL

M. N. PEARL

E. GOSELLIN

Por COLOMBIA:

ROBERTO ARCINIEGAS SCHLESINGER

GUILLERMO JARAMILLO URIBOCHEA

RAFAEL CHACON ZORRILLA

EDDOLOFO AFANADOR TOSAR

Por COSTA RICA:

RAMIRO MATA

ARMANDO ARAUZ

Por CUBA:

AMERICO CRUZ

LAZARO MARTINEZ CHACON

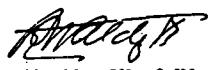
Por CHILE:

BERNARDINO AYALA ROMAN

LUIS CARVAJAL CRUZAT

JUAN LUIS LANDREAU BALLO

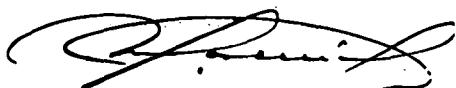
Por ECUADOR:

  
RICARDO VALDEZ BAQUERO

Por ESTADOS UNIDOS DE AMERICA:

  
Grever Allan  
GEEVER ALLAN

Por EL SALVADOR:

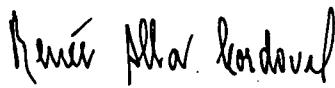


J. RICARDO SALAVERRIA

  
F. Rovira

SALVADOR ROVIRA

Por ESTADOS UNIDOS DEL BRASIL:

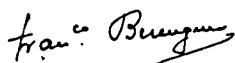
  
René Alba Cerdova

RENEE ALBA CORDOVIL

  
Paulo de Paula e Silva Saldanha  
PAULO DE PAULA E SILVA SALDANHA

Por ESPAÑA:

  
JOSE MARIA ALFARO POLANCO

  
Francisco Berenguer Mas

FRANCISCO BERENGUER MAS

  
Anibal Martin Garcia

ANIBAL MARTIN GARCIA

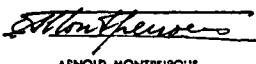
  
Marcelo Fraga Iribarne

\*MARCELO FRAGA-IRIBARNE

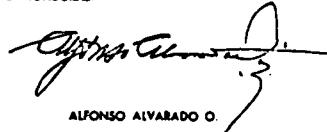
Por GUATEMALA:

  
Juan Alfredo Rendon Maldonado

Por HAITI:

  
Arnold Montpeirous

Por HONDURAS:



Alfonso Alvarado O.

ALFONSO ALVARADO O.

Por PERU:



Hildebrando Merino M.

HILDEBRANDO MERINO M.



Arturo Rendon

ARTURO RENDON

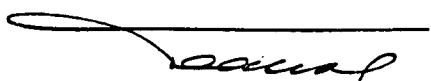
Por REPUBLICA DOMINICANA:



Luis Pluyer Sosa

LUIS PLUYER SOSA

Por MEXICO:



Francisco A. de ICAZA

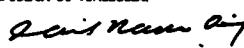
FRANCISCO A. DE ICAZA



Bernardo Reyes

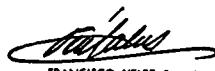
BERNARDO REYES MORALES

Por REPUBLICA DE VENEZUELA:



David Pacheco Vivas

DAVID PACHECO VIVAS



Francisco Velez Salas

OSCAR MILE

OSCAR MILE

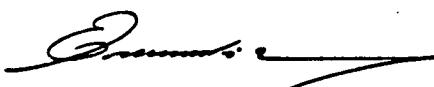
Por NICARAGUA:



Francisco Gaitan C.

FRANCISCO GAITAN C.

Por URUGUAY:



Eduardo Vazquez



Miguel I. Salinas

MIGUEL I. SALINAS

Por PANAMA:



Francisco A. Ruiz

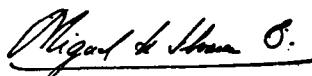
FRANCISCO A. RUIZ

Por PARAGUAY:



Ruben Ayaranga Cabana

RUBEN AYARANGA CABANA



Miguel Angel Alvarez Eastman

MIGUEL ANGEL ALVAREZ EASTMAN

Having examined and considered the provisions of the foregoing Convention, the Final Protocol thereto, the Regulations of Execution of that Convention, and the Rules and Regulations of the International Office of the Postal Union of the Americas and Spain and those of the International Transfer Office, appended to the Regulations of Execution and forming an integral part thereof, signed in the city of Buenos Aires, Argentina on the fourteenth day of October, 1960, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 31st day of May, 1961.

H W BRAWLEY  
*Acting Postmaster General*

[SEAL]

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I hereby approve the foregoing Convention, the Final Protocol thereto, the Regulations of Execution of that Convention, and the Rules and Regulations of the International Office of the Postal Union of the Americas and Spain and those of the International Transfer Office, appended to the Regulations of Execution.

IN WITNESS WHEREOF, I have caused the Seal of the United States to be hereto affixed.

[SEAL]

JOHN F KENNEDY

By the President:

DEAN RUSK

*Secretary of State*

WASHINGTON, July 26, 1961

TIAS 4871

*Translation prepared by the Post Office Department*

## **POSTAL UNION OF THE AMERICAS AND SPAIN**

### **CONVENTION**

Concluded between:

Argentina, Bolivia, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Brazil, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, the Republic of Venezuela, and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, assembled in Congress in the city of Buenos Aires, capital of the Argentine Republic, by virtue of the provisions of Article 9 of the Convention of the Postal Union of the Americas and Spain signed in Bogota, capital of the Republic of Colombia, on November 9, 1955,<sup>[1]</sup> and in exercise of the right granted them by the Convention of the Universal Postal Union,<sup>[2]</sup> inspired by the desire to extend, facilitate, and perfect their postal relations, to establish a solidarity of action capable of representing efficaciously their mutual interests in the Congresses, Conferences, and other meetings of the Universal Postal Union insofar as it concerns their communications by mail, and to harmonize the efforts of the member countries towards the attainment of those mutual aims, have decided to conclude, *ad referendum*, the following Convention:

### **FIRST PART**

#### **ORGANIC AND GENERAL PROVISIONS OF THE POSTAL UNION OF THE AMERICAS AND SPAIN**

##### **Title I**

##### **ORGANIC PROVISIONS**

##### **Chapter I**

##### **CONSTITUTION OF THE UNION**

##### **Article 1**

##### **CONSTITUTION OF THE UNION**

The member countries constitute, under the name of Postal Union of the Americas and Spain, a single postal territory.

<sup>1</sup> TIAS 3653; 7 UST 2655.

<sup>2</sup> TIAS 4202; 10 UST 413.

## Article 2

### JURIDICAL STATUS

Within each member country, and subject to the domestic legislation of each one, the Postal Union of the Americas and Spain shall enjoy the legal capacity which may be necessary for the exercise of its functions and the realization of its aims.

## Article 3

### SEAT OF THE UNION

The seat of the Union and of the International Office of same is located in Montevideo, capital of the Oriental Republic of Uruguay.

## Article 4

### PRIVILEGES AND IMMUNITIES

1. The Postal Union of the Americas and Spain shall enjoy, in the territory of the country which is the seat of the Union, the privileges and immunities necessary for the achievement of its aims.
2. When Congresses of the Union are held outside the country which is the seat of the Union, the International Office shall endeavor to obtain from the respective Government the granting of the relative privileges and immunities.
3. The International Office of the Union may seek to obtain from any member country the privileges and immunities which its officials may need in the fulfillment of official missions.

## Article 5

### EXTENT OF JURISDICTION OF THE UNION

The following form part of the Union:

- a) Those countries which are already members;
- b) Countries which may be admitted in accordance with the provisions of Article 6;
- c) Post offices established by member countries in territories not included in the Union;
- d) Other territories which, without being members of the Union, come under the jurisdiction of member countries from the postal viewpoint.

## Article 6

### NEW ADMISSIONS

1. Any sovereign country of the Americas may request admission as a member of the Union.
2. The request should be transmitted through diplomatic channels to the Government of the Oriental Republic of Uruguay, which shall make it known to the other member countries of the Union.

3. In order to be accepted as a member, the request must be approved by at least two thirds of the member countries.

4. Member countries failing to reply within four months shall be considered as abstaining.

5. Admission to membership shall be made known by the Government of the Oriental Republic of Uruguay to the Governments of all the member countries of the Union.

### **Article 7**

#### **OFFICIAL LANGUAGE**

1. The official language for the documents of the Union is Spanish. In their official correspondence, member countries whose language is not Spanish may use their own.

2. For the deliberations of the Congresses, Conferences, and Meetings of the Union, French, English and Portuguese shall be permitted, in addition to Spanish. Selection of the translating system to be used is left to the judgment of the organizers of the meeting.

### **Article 8**

#### **RESTRICTED UNIONS**

Member countries may establish among themselves closer unions, with a view to reducing rates or introducing other improvements in any of the services referred to in the present Convention and/or the Agreements to which those countries may have adhered.

### **Article 9**

#### **WITHDRAWAL FROM THE UNION**

1. Each member country has the right to withdraw from the Union by means of a notice given by its Government to that of the Oriental Republic of Uruguay, which shall make it known to the other member countries.

2. Withdrawal from the Union shall become effective upon completion of the period of one year, counting from the date of receipt of the notification by the Government of the Oriental Republic of Uruguay.

## **Chapter II**

### **ORGANIZATION OF THE UNION**

#### **Article 10**

#### **CONGRESSES**

1. Congresses shall be held, at the latest, two years after the holding of each Universal Postal Congress, in order to revise or complete the Acts of the Union, if necessary, and to deal with such matters of interest to the Union as may be deemed necessary.

2. Each member country shall be represented at the Congresses by one or more plenipotentiary delegates. It may also be represented by the delegation of another member country. The delegation of one country may not represent more than two countries, including its own.

3. Each country shall have a single vote.

4. Each Congress shall determine the place at which the next Congress is to be held. All the member countries must be convened, directly or through the intermediary of a third country, by the Government of the country in which the Congress is to take place, after reaching an understanding with the International Office of the Union. The said Government shall undertake to notify all the Governments of the member countries of the resolutions adopted by the Congress.

5. The final date for the submission of propositions for Congresses shall be four months prior to the opening date of the Congress, as shown by the postmark of the country sending them, provided the most rapid means are used.

6. The propositions to be submitted for the deliberation of each Congress shall be published and distributed by the International Office to all the Administrations at least three months prior to the date designated for the beginning of the sessions.

7. Propositions sent after the date indicated in Section 5 shall not be taken into consideration unless they are duly justified and are supported by two other Administrations.

8. An exception is made with regard to propositions of an editorial nature, which should show the letter "R" in their heading, and which shall be referred to the Editing Committee of the Congress.

## **Article 11**

### **EXTRAORDINARY CONGRESSES**

1. If the interval between two Universal Postal Congresses should exceed five years, an extraordinary Congress may be convened through the intermediary of the International Office and with the consent of two thirds of the member countries.

2. An extraordinary Congress may likewise be held at any time at the request of three or more member countries and with the consent of two thirds of the countries. The place of meeting shall be determined by agreement with the International Office.

## **Article 12**

### **CONFERENCES**

1. At the request of at least three postal Administrations, and with the consent of two thirds of the Administrations, Conferences to examine technical or administrative matters may be held.

2. The place of meeting of the Conference shall be determined by the Postal Administrations which took the initiative, by agreement

with the International Office of the Union. The Administration of the country where the Conference is to be held shall extend the appropriate invitations.

### Article 13

#### PRELIMINARY CONFERENCES TO UNIVERSAL POSTAL CONGRESSES

1. Delegates of the member countries of the Postal Union of the Americas and Spain to Universal Postal Congresses shall meet in the city designated as the site of those Congresses fifteen days before the opening date of same, in order to hold a Conference at which the procedures for joint action to be followed shall be determined.

2. With a view to facilitating those procedures, the member countries shall send to the International Office any observations called for by the propositions submitted to the Congresses of the Universal Postal Union which are of interest to the Postal Union of the Americas and Spain.

3. The International Office, in its turn, shall distribute those observations in proper time among the member countries, as prescribed in Section 6, letter b), of Article 101 of the Regulations of Execution of the Convention.

4. Only the propositions submitted individually or collectively by the member countries shall be discussed at the preliminary Conference, as well as those from countries outside the Union concerning which the member countries have made observations.

5. The International Office shall furnish the member countries with a summary of the results of the preliminary Conference, as well as the texts of the Acts of the Universal Postal Union which have undergone basic modifications or which are absolutely new.

### Article 14

#### TECHNICAL CONSULTATIVE COMMITTEE

1. In the interval between Congresses, a Technical Consultative Committee shall meet at least twice in Montevideo for the purpose of planning and ensuring the continuity of the work.

2. It shall be composed of five members, who shall perform their duties in behalf and in the interest of the Union. The member countries shall be designated by the Congress on the basis of an equitable geographic division. Three of the members shall be replaced by new ones at each Congress. No country may be re-elected successively more than once.

3. The representative of each one of the member countries of the Committee shall be appointed by the Postal Administration of his country. This representative must be a qualified official of the Postal Administration.

4. The functions of a Committee member are gratuitous. The operating expenses of the Committee shall be borne by the Union. The

representatives of the member countries shall be entitled to reimbursement of the cost of a first-class, round-trip ticket, by air, sea, or land.

5. The Director of the International Office shall act as Secretary General of the Committee and shall take part in the debates without the right to vote.

6. At the first meeting, convened by the President of the last Congress, the Committee shall elect a Chairman and a Vice-Chairman, and shall draw up the rules of procedure necessary for its deliberations and work.

7. With a view to achieving the objectives proclaimed in the preamble of the Convention, the functions of the Committee shall be as follows:

a) To maintain contact with the Executive and Liaison Committee and the Consultative Committee on Postal Studies of the Universal Postal Union, and with the restricted Unions, in order to solve technical and organizational problems peculiar to the member countries of the Union.

b) To establish contact with the Universal Postal Union and with the specialized agencies of the United Nations, in order to compile a bibliography concerning public and labor relations, to be distributed among the member countries.

c) To decide about the documents which the International Office is to publish and which are of importance for the Postal Administrations of the member countries.

d) To act as clearing house for mechanical technical items and those of any other kind which some Administrations may withdraw from service and others might be interested in, for the purpose of negotiating their exchange, rental, or acquisition.

## Article 15

### RULES OF PROCEDURE OF CONGRESSES AND CONFERENCES

Each Congress and each Conference shall approve the Rules of Procedure necessary for their work. Until these Rules of Procedure are adopted, they shall be governed by the last ones approved.

## Article 16

### INTERNATIONAL OFFICE OF THE UNION

Under the name of International Office of the Postal Union of the Americas and Spain, at the seat of the Union, under the supervision of the Direction General of Posts of the Oriental Republic of Uruguay or of the agency which may take its place, there operates a central Office which acts as medium of study, liaison, information, consultation, legal advice, and technical assistance for the Administrations of the member countries.

**Article 17****INTERNATIONAL TRANSFER OFFICE**

1. Under the name of International Transfer Office, an Office operates in Panama, capital of the Republic of Panama, upon which it devolves to receive and forward the dispatches of mail originating in Administrations of the member countries which, upon passing in transit through the Isthmus, give rise to transfer operations.

2. All the closed mails of the member countries which have to be transferred at the Isthmus of Panama shall be handled by the Office, utilizing the most rapid means available, in accordance with the stipulations of the Universal Postal Union, with the exception of dispatches from Administrations which have their own services, in accordance with bilateral Agreements signed with the Republic of Panama.

3. The organization and operation of the International Transfer Office are subject to the supervision and control of the Direction General of Posts and Telecommunications of Panama and of the International Office of the Union, upon which latter it is incumbent, moreover, to act as mediator and legal adviser in any situation which may arise between the Postal Administration of Panama and the Postal Administrations of the member countries which carry out transfer operations at the Isthmus.

**Article 18****EXPENSES OF THE UNION**

1. The expenses of the Union are divided into ordinary and extraordinary expenses.

2. Those expenses which result from special tasks entrusted to the International Office, and those caused by the meeting of a Congress, a Conference, a Committee, or any meeting having to do with the international postal service of the Union or of the Universal Postal Union, are considered as extraordinary expenses.

3. The ordinary and extraordinary expenses shall be defrayed jointly by all the member countries of the Union.

4. The latter are classified, for this purpose, into three categories, each of which contributes towards the payment of the expenses in the following proportion:

1st. category	.....	8 units;
2nd. "	.....	4 " ; and
3rd. "	.....	2 "

5. In case of a new adherence, the Government of the Oriental Republic of Uruguay, by mutual agreement with the International Office and the Government of the country concerned, shall determine the group in which the latter should be included, for the purpose of sharing in the expenses of the Union.

6. Three months before the end of each year, the International Office of the Union shall prepare a budget, in gold francs, covering the ordinary and extraordinary expenses of the Office, and shall submit such budget to the member countries, in order that they may pay the respective charges in advance, if possible. This budget shall be authorized by three fourths of the total number of Administrations of the member countries and shall govern from January 1 to December 31 of the following year. Administrations of the member countries failing to reply within two months shall be considered as having accepted it.

7. The expenses required for the maintenance of the International Transfer Office shall be borne by the member countries, apportioned in proportion to the number of their own sacks exchanged through its intermediary.

### **Chapter III**

## **ACTS OF THE UNION**

### **Article 19**

#### **CONVENTION AND AGREEMENTS OF THE UNION**

1. The Convention is the constitutive Act of the Union.
2. The provisions of the Convention govern, in all matters provided for, the services relative to articles of correspondence.
3. The other services shall be governed by the Agreements of the Union, by those which the countries may sign with one another in the matter, or, in lieu thereof, by those of the Universal Postal Union.

### **Article 20**

#### **PARTICIPATION IN THE AGREEMENTS**

Member countries have the right not to participate in one or more Agreements, in accordance with the procedure stipulated in Article 9 of this Convention.

### **Article 21**

#### **REGULATIONS OF EXECUTION**

The postal Administrations of the member countries determine, by mutual agreement, in the Regulations of Execution, the measures of procedure and detail necessary for the execution of the Convention and Agreements.

### **Article 22**

#### **RESOLUTIONS**

The resolutions are not binding. The Administrations which put them into effect are obligated to make that fact known to the others through the intermediary of the International Office of the Union.

**Article 23****RATIFICATION**

1. The Acts adopted by a Congress shall be ratified as soon as possible by the signatory countries. The ratification shall be made known, through diplomatic channels, to the Government of the country which was the seat of the Congress, and by the latter to the Governments of the other signatory countries.

2. In the event that one or more of the Acts should not be ratified by one or more of the member countries, those Acts shall nevertheless be valid for those which did ratify them.

3. Without prejudice to the procedure designated in the preceding Section, the signatory countries may ratify the Acts provisionally, giving notice thereof, by correspondence, to the International Office of the Union.

**Article 24****PERIOD OF EFFECTIVENESS OF THE ACTS**

1. The Acts shall become effective simultaneously and shall have the same duration.

2. Effective on the date set for the entry into force of the Acts adopted by a Congress, all those of the preceding Congress shall be abrogated.

**Chapter IV****MODIFICATION OR INTERPRETATION OF THE ACTS****Article 25****PROPOSITIONS DURING THE INTERVAL BETWEEN CONGRESSES**

1. The Acts of the Union may be modified in the interval between Congresses, following a procedure equivalent to the one established in the Convention of the Universal Postal Union.

2. In order for the propositions to become effective, they must obtain:

- a) A unanimity of votes, if it is a question of modifying the provisions of Articles 1 to 21, 23 to 28, 30, 33, 37, 39 to 41, 44 to 48, 53, and 54 of the Convention, and of Articles 109, 113, and 115 of its Regulations of Execution, and of Articles 24 and 32 of the Rules and Regulations of the International Office of the Union;
- b) Two thirds of the votes, if it is a question of the basic modification of provisions of the Convention and its Regulations of Execution other than those mentioned in subsection a), and modifications of the Rules and Regulations of the International Office of the Union, except those indicated in the preceding Section;

c) A majority of the votes, if it is a question of:

- 1° Modifications of an editorial nature of the provisions of the Convention and its Regulations other than those mentioned in subsection a);
- 2° The interpretation of the provisions of the Convention, its Final Protocol, and its Regulations, except in case of disagreement which is to be submitted for arbitration as prescribed in Article 30.

3. The Agreements establish the conditions to which the approval of propositions concerning them is subject.

## Chapter V

### **LEGISLATION AND SUBSIDIARY RULES**

#### **Article 26**

##### **APPLICATION OF THE UNIVERSAL POSTAL LEGISLATION**

All matters connected with the execution of the postal service which are not provided for in the Acts of the Union shall be subject to the provisions of the Acts of the Universal Postal Union in force.

#### **Article 27**

##### **DOMESTIC LEGISLATION**

The domestic legislation of the member countries shall apply in all matters not expressly provided for in the Acts of the Union or in the Universal Postal legislation.

#### **Article 28**

##### **SPECIAL AGREEMENTS**

1. The postal Administrations of the member countries may conclude special Agreements:

- a) To improve the postal services established in the Convention and Agreements of the Union to which they have adhered;
- b) To establish in their reciprocal relations those postal services which they carry out in their domestic service and which are not provided for in the Acts of the Union.

#### **Article 29**

##### **MODIFICATIONS AND AMENDMENTS**

Modifications or resolutions adopted by the member countries, even those of a domestic nature, which may affect the international service, shall become effective three months after the date on which they are made known by the International Office of the Union.

## Chapter VI

**ARBITRATION****Article 30****ARBITRATION**

Any dispute or disagreement which may arise in the postal relations of the member countries shall be settled by arbitration, which shall be carried out in accordance with the provisions of the Universal Postal Convention in force.

## Chapter VII

**POSTAL OFFICIALS****Article 31****EXCHANGE OF OFFICIALS**

1. The Administrations of the member countries may agree, directly or through the intermediary of the International Office, to the exchange or unilateral assignment of officials for the purpose of apprenticeship or to carry out studies aimed at the improvement of the postal services.

2. Once the exchange or unilateral assignment of officials has been agreed upon, the Administrations concerned shall agree upon the manner in which the relative expenses are to be defrayed.

3. The Administrations shall furnish every facility to the officials whom they will receive in compliance with the preceding Section 1.

4. When the exchange or unilateral assignment of officials takes place directly, the Administrations concerned shall notify the International Office thereof.

**Article 32****COOPERATION WITH THE INTERNATIONAL OFFICE OF THE UNION**

Administrations of the member countries may send to the International Office of the Union, when the latter so requests in manifestly justifiable cases, for the time which is absolutely necessary and to the charge of the extraordinary expenses of the Office, technical officials to collaborate in carrying out special tasks.

## Chapter VIII

**UNIVERSAL POSTAL MEETINGS****Article 33****UNITY OF ACTION**

The member countries obligate themselves to instruct their delegates to Universal Postal Congresses and to other meetings organized

by the Universal Postal Union to support, unanimously and firmly, all the principles established in the Postal Union of the Americas and Spain.

### **Article 34**

#### **PROPOSITIONS FOR CONGRESSES**

The Administrations of all the member countries shall transmit to the International Office of the Union, at the same time that they do so to the International Bureau of the Universal Postal Union, the propositions which they may formulate for the Universal Postal Congresses.

### **Article 35**

#### **EXCHANGE OF OBSERVERS**

1. The Union may send observers to the Congresses, Conferences and Meetings of the Universal Postal Union, to the Executive and Liaison Committee, and to the Consultative Committee on Postal Studies.
2. Observers for the Universal Postal Union shall be admitted to the Congresses, Extraordinary Congresses, and Conferences of the Union referred to in Articles 10, 11 and 12.
3. Observers for the restricted Unions which offer reciprocity shall be admitted under the same conditions as those stipulated in the preceding Section 2.

### **Article 36**

#### **COOPERATION WITH INTERNATIONAL ORGANIZATIONS**

In order to contribute towards a greater coordination in postal matters, the Union shall collaborate with the international organizations which have related interests and activities.

## **TITLE II**

### **PROVISIONS OF A GENERAL NATURE**

#### **Chapter I**

### **RULES RELATIVE TO THE INTERNATIONAL POSTAL SERVICES**

### **Article 37**

#### **FREEDOM OF TRANSIT**

1. Freedom of postal transit is guaranteed by the member countries throughout the entire territory of the Union, with the limitations established in the Universal Postal Convention in force.
2. The member countries bind themselves to forward the mails of the other countries by the most rapid ways and means used for their own mails.

**Article 38****OWNERSHIP OF ARTICLES OF CORRESPONDENCE**

Articles of correspondence belong to the sender until they are delivered to the addressee, unless there is a provision to the contrary in the domestic legislation of any member country.

**Article 39****ALLOCATION OF POSTAGE**

Except in the cases expressly provided for by the Convention and Agreements, each Administration shall retain in full the postage which it has collected.

**Article 40****CHARGES AND FEES**

The only charges and fees which may be collected by the various international postal services are those prescribed in the Convention and Agreements of the Union.

**Article 41****MONETARY STANDARD**

The gold franc adopted as monetary unit in the provisions of the Convention and Agreements of the Union is the one defined in the Convention of the Universal Postal Union in force.

**Article 42****FORMS**

Use of the various forms established in the Acts of the Union is obligatory, and, in other cases, of those in force in the regime of the Universal Postal Union, unless the Administrations concerned have concluded an Agreement about the matter.

**Article 43****COOPERATION FOR THE TRANSPORTATION OF CORRESPONDENCE IN TRANSIT**

The Administrations of the member countries shall be obligated to furnish each other, upon request, such cooperation as may be needed by their employees in charge of the transportation of correspondence in transit through such countries.

**Article 44****POSTAGE STAMPS**

1. The Administrations are bound to send to the International Office three specimens of the postage, airmail, and commemorative

stamps which they issue, accompanied by a report on the particulars of issue, as well as the specimen impressions of their postage meters.

2. The said Office shall organize, in the manner which it deems most advisable, a permanent exhibition of the above-mentioned stamps, and shall centralize the philatelic information of the Union.

## SECOND PART

### PROVISIONS RELATIVE TO ARTICLES OF CORRESPONDENCE

#### CHAPTER I

##### GENERAL PROVISIONS

###### Article 45

###### ARTICLES OF CORRESPONDENCE

The term "articles of correspondence" applies to letters, single and reply-paid post cards, commercial papers, printed matter, raised print for use by the blind, samples of merchandise, small packets, and phonopost articles.

###### Article 46

###### OBLIGATORIENESS OF THE SERVICE

The acceptance, transmission, and receipt of articles of correspondence is obligatory. However, the exchange of small packets and phonopost articles shall be restricted to the countries which agree to carry it out, either in their reciprocal relations or in a single direction.

###### Article 47

###### GRATUITY OF TRANSIT

1. The gratuity of territorial transit is absolute in the territory of the Union; consequently, the member countries obligate themselves to transport across their territories, without any charge for the member countries, all the correspondence which the latter may send to any destination whatsoever within the Postal Union of the Americas and Spain.

2. The gratuity of the maritime transit shall be absolute provided that the transportation is effected in ships of the flag or registry of any member country, and that the shipments originate in and are destined for member countries of the Union.

3. The member countries shall not limit themselves to the exclusive use of ships under the flag or registry of member countries when the maritime transport can be effected more rapidly by ships of other nationalities.

4. When any member country grants to ships flying the flag of or registered in another member country a "patent of postal privilege"

or some similar one, which compels the ship to transport the correspondence gratuitously, the Postal Administration of the granting country shall make it known without delay to the Administration of the country whose flag the ship is flying or in which it is registered.

### **Article 48**

#### **RATES**

1. The postal rates and fees applicable to the articles of correspondence of the domestic service of each country shall govern in the relations between the member countries, except when they are higher than those applicable to correspondence destined for countries of the Universal Postal Union, in which case the latter shall govern.

2. The international rates shall also govern when it is a question of services which do not exist in the domestic regime.

### **Article 49**

#### **SCHOLASTIC CORRESPONDENCE**

1. Articles of correspondence exchanged between school pupils, even when they have the nature of actual and personal correspondence, shall be accepted at the rate of commercial papers, on condition that the principals of the schools concerned act as intermediaries.

2. However, if reciprocity exists, the articles of correspondence, with the exception of small packets, exchanged between the school administrations or the pupils of those schools through the intermediary of their principals, may enjoy a rate equivalent to 50% of the usual rate when their weight does not exceed one kilogram and they meet the other conditions required for their postal classification.

### **Article 50**

#### **FRANKING PRIVILEGE**

1. The member countries agree to grant the franking privilege in their domestic service and in the Americo-Spanish service:

- a) To correspondence relative to the postal service sent by the Administrations of the member countries and their offices, the International Office of the Union, and the International Transfer Office.
- b) To correspondence of members of the Diplomatic Corps of the member countries.
- c) To official correspondence which Consuls and Vice Consuls in the performance of their duties send to their respective countries; to that which they exchange among themselves; to that which they address to the authorities of the country in which they are accredited, and to that which they exchange with their respective Embassies and Legations, provided reciprocity exists.

- d) To official correspondence of the National Commissions of Intellectual Cooperation established under the auspices of the Governments, in accordance with the Pan American and Universal Conventions in force.
- e) To official correspondence of the Organization of American States.
- f) To printed matter sent by publishers or authors to the Information Offices established by the Administrations of the member countries, as well as to that sent by them gratuitously to libraries and other national cultural centers, officially recognized by the Governments of the member countries.
- g) To raised print for use by the blind and articles considered as such, in accordance with the provisions of the Universal Postal Convention in force.
- h) To articles of correspondence addressed to prisoners of war, to interned belligerents and civilians, and to articles sent by them.

2. The correspondence referred to in subsections a), b), and c) of the preceding Section may be sent registered, without payment of the respective fee, but without being entitled to any indemnity.

3. The official correspondence of the central Governments of the member countries which, in accordance with their domestic laws, circulates free of postage in their domestic regime, shall be accepted with the same franking privilege in the country of destination, without any charge on same, provided strict reciprocity is observed.

4. The exchange of correspondence of the Diplomatic Corps, between the Secretariats of State of the respective countries and their Embassies or Legations, shall be reciprocal between the member countries, and shall be effected in open mail or by means of diplomatic pouches, enjoying in both cases the franking privilege and all the safeguards of official mails.

5. Unless otherwise agreed upon, the franking privilege granted by this Article does not extend to the air surcharge nor to the special services existing in the regime of the Union or in the domestic service of the member countries. Neither is it obligatory for airmail articles from countries which use combined charges.

## **Article 51**

### **WEIGHT AND DIMENSIONS**

The weight and dimension limits of articles of correspondence shall conform to those established in the Convention of the Universal Postal Union, with the exception of printed matter, whose maximum weight is established at 5 kilograms, and at 10 in the case of works in a single volume. However, printed matter of a greater weight may be accepted, even when it is not a question of works in a single volume, upon agreement between the Administrations.

**Article 52****RETURN OF UNDELIVERABLE ARTICLES**

Articles which have not been delivered to the addressees for any reason whatsoever and which must be returned to origin shall be exempt from the payment of postal charges and, optionally, from the payment of customs charges.

**CHAPTER II****REGISTERED ARTICLES****Article 53****REGISTRATION FEE**

The articles referred to in Article 45 may be sent registered upon payment of a fee equal to that established for the domestic service of the country of origin, except when that fee is higher than the one applicable in accordance with the Convention of the Universal Postal Union, in which case the latter shall govern.

**Article 54****RESPONSIBILITY**

In case of responsibility on the part of the Administrations for the loss of a registered article, the sender shall be entitled to an indemnity equivalent to 10 gold francs in the currency of the country which has to pay it, but he may claim a lower indemnity.

**CHAPTER III****AIR TRANSPORT OF MAIL MATTER****Article 55****PREPAYMENT OF AIRMAIL CORRESPONDENCE**

The methods of prepayment of airmail correspondence shall be established in accordance with the provisions of the Universal Postal Union.

**Article 56****DELIVERY OF AIRMAIL CORRESPONDENCE**

For its delivery to the addressees, the airmail correspondence shall be included in the next distribution upon its arrival at the office of delivery.

**Article 57****WEIGHT UNIT**

1. For the application of the postage rates of the airmail service,

five grams or multiples of five grams are established as weight unit for the airmail correspondence with surcharge or combined air charge.

2. However, member countries which do not have the decimal metric system may adopt its equivalent in accordance with the system of weights which they have in force in their domestic postal service.

### **Article 58**

#### **CALCULATION OF THE REMUNERATIONS FOR DIPLOMATIC POUCHES**

Except in cases where the member countries have agreements in the matter, diplomatic pouches shall be considered as correspondence of the A.O. class for purposes of calculating the surcharges and remunerations for transport by air.

### **Article 59**

#### **PREFERENTIAL TREATMENT IN EMERGENCIES**

1. Correspondence of the international airmail service shall receive preferential treatment in its forwarding in the country of destination when, owing to unforeseen circumstances or to *force majeure*, it cannot be conveyed in the said country in the planes by which it would normally be sent.

2. When, through *force majeure*, the planes cannot land in the country of destination, the dispatches of any origin whatsoever which they are conveying shall be unloaded in one of the contiguous countries offering the best guarantees for their forwarding, which is to be effected by the most rapid means available.

## **THIRD PART**

### **FINAL PROVISIONS**

### **Article 60**

#### **ENTRY INTO FORCE AND DURATION OF THE CONVENTION**

The present Convention shall become effective on March 1, 1961, and shall remain in force without time limit, the stipulations of the Convention of the Postal Union of the Americas and Spain signed in Bogota, Republic of Colombia, on November 9, 1955, being abrogated as of that date.

In testimony whereof, the Plenipotentiaries of the Governments of the countries mentioned above sign the present Convention in the city of Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1470–1472.]

**FINAL PROTOCOL OF THE CONVENTION**

At the moment of signing the Convention concluded by the Eighth Congress of the Postal Union of the Americas and Spain, the Plenipotentiaries who undersign agreed upon the following:

**I**

Canada formulates a reservation to Sections 2 and 3 of Article 4, "Privileges and Immunities", since it cannot comply with its stipulations.

**II**

Colombia formulates a reservation to Section 3 of Article 23, "Ratification", since in Colombia international Conventions can only be ratified after approval by the National Congress.

**III**

The United States of America formulates a reservation to Article 47, "Gratuity of Transit", since it cannot comply with its stipulations.

**IV**

The United States of America formulates a reservation to Article 48, "Rates", since it cannot comply with the stipulations contained in this Article.

**V**

The delegation of El Salvador formulates an express reservation to Article 48, "Rates", to the effect that it leaves to the judgment of its Government the option of applying or not applying the rates of the domestic service to the countries which formulate reservations to Article 47, "Gratuity of Transit".

**VI**

The United States of America formulates a reservation to Article 50, "Franking Privilege", to the effect that it cannot accept subsections d), and f) of Section 1.

**VII**

Canada formulates a reservation to Article 50, "Franking Privilege", to the effect that it cannot accept subsections d), e), and f) of Section 1, and Section 3 of the same Article.

**VIII**

Argentina, Bolivia, Colombia, Costa Rica, Cuba, Chile, El Salvador, Spain, the United States of Brazil, Haiti, Honduras, Mexico, Paraguay, Peru, and Uruguay state that, in accordance with the general principle of reciprocity, they will apply the same restrictive or ex-

ceptional measures which other member countries establish, either in this Final Protocol or at the moment of the formal ratification of the Acts.

## IX

The delegation of El Salvador signs the Convention emanating from this Eighth Congress of the Postal Union of the Americas and Spain with the necessary reservations to everything which disagrees with the provisions of the Political Constitution and other laws in force in El Salvador.

Buenos Aires, capital of the Argentine Republic, the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1474–1477.]

**REGULATIONS OF EXECUTION OF THE  
CONVENTION OF THE POSTAL UNION  
OF THE AMERICAS AND SPAIN**

Concluded between:

Argentina, Bolivia, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Brazil, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, the Republic of Venezuela, and Uruguay.

The undersigned, in the name of the Administrations which they represent, have approved the following Regulations in order to assure the execution of the preceding Convention:

**FIRST PART**

**GENERAL PROVISIONS**

**CHAPTER I**

**INTERNATIONAL OFFICE OF THE UNION**

**Article 101**

**FUNCTIONS OF THE OFFICE**

1. The International Office shall assemble, coordinate, publish, and distribute all kinds of information of interest to the Americo-Spanish postal service. At the request of the Administrations, it shall conduct inquiries in order to ascertain the opinion of the others concerning specific matters, and shall furnish all the information which they may request of it.

2. It shall furnish legal advice and render technical assistance to the Administrations requesting it.

3. It shall take action on requests for modification or interpretation of the Acts of the Union, and shall make known the results.

4. When the parties concerned request it, it shall express its opinion on matters in dispute. On its own initiative or at the request of an Administration, it may express an opinion about any matter related to the general interests of the Union.

5. It shall prepare and distribute annually a report on the work which it performs.

6. In connection with the Congresses, Meetings, and Conferences of the Union, the International Office shall perform the following duties:

a) It shall participate in the organization and holding of the Congresses, Meetings, and Conferences of the Union and of the preliminary Conferences to Universal Postal Congresses. In this latter case, it shall transmit the pertinent invitations

sufficiently in advance, and shall likewise inform the member countries, as soon as possible, concerning the matters referred to in Section 5 of Article 13 of the Convention.

- b) It shall distribute the propositions which the Administrations may send to it for the Congresses, Meetings, and Conferences of the Union, as well as the observations referred to in Section 3 of Article 13 of the Convention concerning Universal Postal Congresses.
- c) It shall suggest propositions for the Congresses, Meetings, and Conferences of the Union, if possible six months before their opening date. In order for them to be considered, one or more member countries will have to adopt them.
- d) It shall inform each Congress about the work accomplished since the preceding Congress.
- e) It shall publish the documents of the Congresses, Meetings, and Conferences of the Union.

7. The International Office shall publish and distribute regularly:

- a) The postage rates of the domestic service of each of the member countries, with the respective equivalents in gold francs;
- b) An official digest of all the information relative to the execution of the Acts of the Union;
- c) A scheme showing the maritime services under the jurisdiction of the member countries which may be utilized gratuitously for the conveyance of their correspondence, under the conditions stipulated in Article 47 of the Convention.

8. The Office shall undertake to translate into Spanish and to publish at cost price the following documents:

- a) The Acts of the Universal Postal Union.
- b) The documents of general interest which the Technical Consultative Committee may request it to publish and distribute among the Administrations of the member countries.
- c) The translation into Spanish, and/or other languages used within the sphere of the Union, of documents which any Administration may request of it, at its expense.

9. It shall organize a philatelic section, in accordance with the provisions of Article 44, Section 2, of the Convention.

10. It shall prepare and distribute an emblem with the insignia of the Union for the personal use of the officials of the Administrations.

## Article 102

### FUNCTIONS OF THE DIRECTOR

1. The Director of the International Office of the Union, with such personnel of the Office as he may deem necessary, shall attend the Con-

gresses, Meetings, and Conferences of the Union, where he may take part in the discussions without the right to vote.

2. The Director, with such personnel of the Office as he may deem necessary, may attend the Congresses of the Universal Postal Union as an observer, in accordance with the provisions of the Convention of the Universal Postal Union in force. He may also attend, in the same capacity, the meetings of the Executive and Liaison Committee, of the Consultative Committee on Postal Studies, and of the restricted Unions to which he may be invited, where problems which may affect the general interests of the Union are debated, being empowered to delegate his powers to another official of the Office, or to the representative of any member country of the Union.

3. The Director may meet with representatives of the airlines of the member countries, or with a Committee representing them, in order to discuss subject matters which the Administrations may submit to him with a view to improving the airmail service.

4. The Director, by mutual agreement with the representatives of the airlines, shall determine the place where those meetings are to be held, the results of which shall be made known to all the member countries by the International Office.

### **Article 103**

#### **DOCUMENTS AND INFORMATION WHICH SHALL BE SENT TO THE INTERNATIONAL OFFICE OF THE UNION**

1. The Administrations of the member countries shall send to the International Office of the Union, regularly and promptly:

- a) All the information which the International Office itself may request for the publications, reports, and other matters within its province, in such manner as to permit the performance of its task as soon as possible.
- b) The Postal Laws and Regulations and their subsequent modifications.
- c) The Postal Guide, whenever one is published.
- d) The text of the propositions which they may submit for the consideration of the Universal Postal Congresses.
- e) A scheme showing in detail all the maritime services under the jurisdiction of member countries which may be utilized gratuitously by the others for the conveyance of their correspondence.
- f) The variations in their domestic rates, as well as in the equivalents, as soon as they occur.
- g) Three copies of the postage stamps which they issue, in accordance with the provisions of Section 1 of Article 44 of the Convention.

2. The information which is sent in compliance with the preceding Section 1 must be kept up-to-date, and for that purpose the Administrations shall make known without delay any modification which they may introduce.

3. The Administrations of the member countries shall also inform the International Office of the Union, three months in advance of the opening date of each Congress, of the measures taken with a view to putting into effect in their respective countries the resolutions and recommendations of the last Congress.

#### **Article 104**

##### **DOCUMENTS AND INFORMATION WHICH SHALL BE SENT TO THE INTERNATIONAL OFFICE OF THE UNION RELATIVE TO THE AIRMAIL SERVICE**

1. The Administrations of the member countries, at the request of the International Office of the Union, shall send regularly and promptly all the data and information pertaining to the airmail service of the Union which are of interest to the other Administrations, and especially:

- a) The surcharges and combined air charges established in accordance with the equivalence of their currency in relation to the gold franc, and the weight units adopted.
- b) The airlines which come under the direct or indirect jurisdiction of their Administration and which can be utilized for the conveyance of mail matter.
- c) The contracts concluded for the transportation of the airmail correspondence.
- d) The airports established within their territory, as well as the offices qualified to handle the traffic of closed mails.
- e) A list of the provinces, departments (counties), or important localities of their country, in alphabetical order, which will make possible the correct formation of the dispatches.

2. Any subsequent modification of the information referred to in Section 1 must be made known without delay.

#### **Article 105**

##### **PUBLICATIONS**

The International Office of the Union shall distribute gratuitously among the Postal Administrations of the member countries, and send to the International Bureau of the Universal Postal Union and to the Secretariat General of the Organization of American States, the documents published by it, sending to each Administration the number of copies to which it is entitled in proportion to the number of units which it contributes. Additional copies of the documents which the Administrations may request shall be paid for by them at cost price.

**Article 106****OPERATION OF THE INTERNATIONAL OFFICE OF THE UNION**

The International Office of the Union shall operate in accordance with its Rules and Regulations, whose text is hereto appended and forms an integral part of these provisions.

**Article 107****RETIREMENTS AND PENSIONS OF THE PERSONNEL OF THE INTERNATIONAL OFFICE OF THE UNION**

1. The retirements and pensions of the personnel of the Office shall be paid from the special fund earmarked by the said Office for that purpose. In case the said fund should turn out to be insufficient, they shall be paid in accordance with Sections 3 and 4 of Article 18 of the Convention.

2. The conditions, amounts, and other guarantees of those retirements and pensions shall be governed by the provisions of the Regulations issued by the Government of the Oriental Republic of Uruguay on March 20, 1942, and in matters not provided for therein, by the provisions of the laws concerning pensions and retirement benefits in force in Uruguay for public officials of the Central Administration.

3. The Office of Civil Retirements and Pensions shall proceed, without further formality, to amend the files of the retired and pensioned persons whose pensions were determined on the basis of former salaries whenever there is a change in the salaries of the personnel of the Office, taking into account the category of the work performed by the beneficiary or retiree at the time of retirement, with a 15% reduction of the result thus obtained.

**CHAPTER II****INTERNATIONAL TRANSFER OFFICE****Article 108****APPOINTMENT AND REMOVAL OF OFFICIALS**

1. The Director of the International Transfer Office shall be appointed by the Government of the Republic of Panama after consultation with the Administrations of the member countries using the services of that Office and from among the candidates nominated by the latter.

2. The other employees of the Office shall be appointed by the Direction of Posts and Telecommunications of Panama upon nomination by the Director of the Office.

3. The above-mentioned personnel shall not be subject to dismissal except in accordance with the provisions established in the matter by the Rules and Regulations of the Office.

## **Article 109**

### **RETIREMENTS AND PENSIONS**

The personnel of the Office shall have the same rights and obligations as those which the laws of the Republic of Panama may establish or have established with regard to retirements and pensions applicable to the employees of the Direction of Posts and Telecommunications.

## **Article 110**

### **OPERATION OF THE OFFICE**

The International Transfer Office shall operate in accordance with its Rules and Regulations, whose text is hereto appended and forms an integral part of these provisions, and which shall be revised by the Administrations of the member countries using its services, including the Postal Administration of Panama and the Director of the International Office of the Union.

## **CHAPTER III**

### **EXPENSES OF THE UNION**

## **Article 111**

### **EXPENSES OF THE INTERNATIONAL OFFICE OF THE UNION**

1. The ordinary and extraordinary expenses may not exceed the amount approved for the budget submitted by the International Office of the Union, in the manner prescribed by Article 18, Section 6, of the Convention, said amount to include the contributions for the establishment of a fund for the retirement of the personnel of same.

2. The expenses occasioned, by the technical assistance and legal advice indicated in Article 16 of the Convention shall be defrayed by those requesting such services.

## **Article 112**

### **APPORTIONMENT OF THE EXPENSES**

1. For the purposes of the apportionment of the expenses, the countries shall be divided as follows:

1st. group: Argentina, Canada, Spain, the United States of America, the United States of Brazil, and Uruguay.

2nd. group: Colombia, Costa Rica, Cuba, Chile, Mexico, Panama, Peru, and the Republic of Venezuela.

3rd. group: Bolivia, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, and the Dominican Republic.

2. The maintenance expenses of the International Transfer Office, including the contributions earmarked for the establishment of a retirement fund for the personnel of same, shall be apportioned in

accordance with the provisions of Article 18, Section 7, of the Convention.

### **Article 113**

#### **SUPERVISION AND ADVANCES**

1. The Direction General of Posts of the Oriental Republic of Uruguay shall supervise the expenses of the International Office of the Union, and the Government of the said country shall make any advances which the latter may need.

2. The Direction General of Posts and Telecommunications of Panama shall do the same with regard to the International Transfer Office.

### **Article 114**

#### **PREPARATION OF ACCOUNTS**

1. The International Office of the Union shall prepare annually the account of the expenses of the Union, which shall be audited by the supervisory authority.

2. The expense account of the International Transfer Office shall be prepared and sent by that Office, quarterly, to the Administrations using its services.

### **Article 115**

#### **PAYMENT OF ADVANCES**

1. The amounts which, notwithstanding the provisions of Article 18 of the Convention, it should be necessary for the Government of the Oriental Republic of Uruguay and the Postal Administration of Panama to furnish as advances, shall be paid by the debtor Postal Administrations as soon as possible and, at the latest, before the expiration of six months, counting from the date on which the country concerned receives the account.

2. After that date, the amounts owed shall draw interest at the rate of 5% per annum, counting from the date of expiration of the said period.

3. The member countries bind themselves to include in their budgets the annual amount intended to provide for the punctual payment of the quotas which they must defray.

## **CHAPTER IV**

### **SETTLEMENT OF ACCOUNTS**

#### **Article 116**

#### **PAYMENT OF ACCOUNTS AND SETTLEMENT OF BALANCES**

1. Without prejudice to the methods established in the Universal postal legislation, the Postal Administrations may cancel by set-off the debtor and creditor balances pertaining to the various services, in-

cluding that of telecommunications when the latter comes directly or indirectly under their jurisdiction. If such is not the case, prior concurrence of the Postal Administration concerned should be requested for this latter service.

2. When a payment is made under any of the methods established, the Administrations are obligated to give notice of such payment, furnishing the creditor Administration the information relative to same, while the latter must acknowledge receipt and, in case of a set-off of balances, inform of its concurrence, as soon as possible.

3. All accounts between Administrations may be cleared annually through the International Office of the Union, the debtor balances to be settled as soon as possible within the period of three months from the date on which the country concerned receives the balance sheet.

## CHAPTER V

### MISCELLANEOUS PROVISIONS

#### **Article 117**

##### **DOMESTIC RATES AND EQUIVALENTS**

1. The Administrations shall establish the equivalents in gold francs of their domestic rates or of the rates established for the Americo-Spanish regime. They shall also establish the coefficient of conversion of the gold franc into the currency of their country.

2. The equivalents or changes of equivalents shall enter into force only on the first day of a month and, at the earliest, fifteen days after their notification by the International Office of the Union, to which the Administrations concerned must transmit the respective communications.

#### **Article 118**

##### **PERIOD FOR THE RETENTION OF DOCUMENTS**

1. The documents of the international service must be kept for a minimum period of eighteen months, counting from the day following the date of such documents.

2. Documents concerning a dispute or claim shall be kept until the matter is settled. If the complaining Administration, duly informed of the result of the investigation, allows six months to pass from the date of the communication without formulating any objections, the case is considered closed.

#### **Article 119**

##### **TELEGRAPHIC ADDRESSES**

1. The telegraphic addresses for communications exchanged by the Administrations among themselves shall be those designated in the Regulations of Execution of the Convention of the Universal Postal Union.

2. The telegraphic address of the International Office of the Union is: "UPAE"—Montevideo.

3. The telegraphic address of the International Transfer Office is: "Oitrans"—Panama.

## SECOND PART

### PROVISIONS RELATIVE TO ARTICLES OF CORRESPONDENCE

#### CHAPTER I

#### CONDITIONS FOR ACCEPTANCE

##### Article 120

###### ARTICLES LIABLE TO CUSTOMS INTERVENTION

1. It is obligatory to adhere, on the front, or address side of sealed articles of correspondence subject to customs inspection, a green label conforming to Form C 1 established in the Universal postal legislation.

2. For unsealed articles, except small packets, use of the C 1 label is not obligatory, without prejudice to the intervention of the customs service of the country of destination.

3. Use of the C 2 customs declaration, conforming to the form established in the Universal postal legislation, is optional for all articles.

##### Article 121

###### DIPLOMATIC AND CONSULAR CORRESPONDENCE

Diplomatic and consular correspondence must bear the following indications: the name of the Embassy, Legation, or Consulate which is sending it, and the conspicuous inscription of "Correspondencia diplomática" (Diplomatic correspondence) or "Correspondencia consular" (Consular correspondence), in addition to the declaration "Libre de Porte" (Postage Free), which shall appear below the aforementioned inscription. Such articles shall be authenticated by the seal of the Embassy, Legation, or Consulate.

##### Article 122

###### DIPLOMATIC POUCHES

1. Diplomatic pouches may not weigh more than 20 kilograms nor exceed the following dimensions: length, width, and height, combined, 140 centimeters, but the greatest dimension may not exceed 60 centimeters.

2. The diplomatic pouches shall be provided with locks, padlocks, or other suitable safety devices.

3. These pouches shall be mailed at the post office as registered articles.

4. Diplomatic pouches shall preferably be dark green in color, in order to facilitate their correct and rapid handling.

**CHAPTER II**  
**EXCHANGE OF CORRESPONDENCE**

**Article 123**

**EXCHANGE OF MAILED**

1. The Administrations of the member countries may send to one another reciprocally, through the intermediary of one or more of them, both closed mails as well as correspondence in open mail, under the conditions established in the Universal postal legislation.

2. The labels of the sacks shall always show the number of the dispatch to which they belong, and when the latter consists of several sacks, there shall be noted on the label, in addition to the number of the dispatch, the total number of sacks of which the latter is composed.

**Article 124**

**TRANSMISSION OF DIPLOMATIC POUCHES**

1. Diplomatic pouches shall be forwarded by the same routes as those used by the dispatching Administration for the transmission of its correspondence to the Administration of destination.

2. The dispatching exchange office shall enter in the column "Observaciones" (Observations) of the special list of registered articles the words "Valija diplomática" (Diplomatic pouch) and the number of these, if there are several.

3. Said transmission shall be announced by means of a notation made on the letter bill of the dispatch containing it.

**Article 125**

**EMPTY SACKS**

The sacks utilized by the Administrations for the dispatch of correspondence shall be returned empty by the exchange offices of destination to those of origin, in the manner prescribed by the Universal postal legislation. However, the Administrations may come to an agreement with one another about using them for the dispatch of their own correspondence.

**CHAPTER III**

**TRANSIT**

**Article 126**

**STATISTICS OF TRANSIT CHARGES**

The dispatches exchanged in accordance with the provisions of Article 47 of the Convention shall not be included in statistical operations

by intermediary countries, except by agreements between the countries concerned. The Administrations of origin shall conform to the provisions of the Universal postal legislation when dispatches are addressed to countries outside the Union, or, even when their destination is a member country, if the dispatches have to pass in transit through third services foreign to the Union.

### Article 127

#### ACCOUNTS FOR TRANSIT CHARGES

1. When the intermediary Administrations have to collect from those of origin the transit charges of the correspondence, they shall prepare the respective accounts without exceeding in any case the charges established by the Convention of the Universal Postal Union and in accordance with the rules established in its Regulations of Execution.

2. In all cases, the number and date of dispatch of the mail from origin and the receiving route must be indicated.

### THIRD PART

#### FINAL PROVISIONS

### Article 128

#### EFFECTIVE DATE AND DURATION OF THE REGULATIONS

The present Regulations shall become effective on the same date as the Convention, and shall have the same duration as the latter.

In the City of Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1490-1492.]

**RULES AND REGULATIONS OF THE INTERNATIONAL OFFICE  
OF THE POSTAL UNION OF THE AMERICAS AND SPAIN**

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**TIAS 4871**

**RULES AND REGULATIONS OF THE INTERNATIONAL OFFICE  
OF THE POSTAL UNION OF THE AMERICAS AND SPAIN****CHAPTER I****GENERALITIES****Article 1**

The organization and operation of the International Office of the Postal Union of the Americas and Spain and its relations with the Government of the Oriental Republic of Uruguay, in its capacity as country where the seat of the Office is located, and with the supervisory authority, are governed by the provisions of these Rules and Regulations, without prejudice to those contained in the Convention of the Union and its Regulations of Execution.

**Article 2**

In order to facilitate the operation of the International Office of the Union and of its agencies, the Government of the Oriental Republic of Uruguay:

- a) Shall grant to the Office and to its employees the privileges and immunities necessary for the attainment of their objectives;
- b) Shall advance the necessary money for the operation of the International Office, in accordance with the provisions of Articles 18 of the Convention and 113 of its Regulations of Execution;
- c) Shall appoint the Director and Assistant Director-Secretary General, as prescribed in Article 24 of these Rules and Regulations;
- d) Shall adopt any other measure necessary for the performance of the tasks of the International Office.

**Article 3**

It is incumbent upon the Direction General of Posts of Uruguay, in its capacity as supervisory authority of the International Office:

- a) To appoint the Legal Adviser, the Secretariat Officer, the Translating Officer, and the other personnel of the Office, as prescribed in Article 24 of these Rules and Regulations;
- b) To formulate the observations which it may deem advisable to the Director of the International Office, concerning any aspect of the operation of the Office;
- c) To inform the member countries in case the observations formulated in accordance with Subsection b) were disregarded by the Administration of the International Office;

- d) To check "a posteriori" all business transactions, expenditures, movements of funds, payments, bookkeeping entries, etc., of the International Office;
- e) To take the necessary measures with a view to furnishing the advance of funds for the operation of the International Office;
- f) To make sure that the provisions of the annual budget of ordinary and extraordinary expenses approved by the Administrations of the member countries, in accordance with the stipulations of the Convention, are carried out;
- g) To approve the rendering of annual accounts covering the expenditures of the International Office;
- h) To make a final decision on complaints of the personnel of the Office against decisions by the Administration of that Office;
- i) To adopt any other measure necessary for the performance of its supervisory duties.

#### **Article 4**

The relations of the member countries with the supervisory authority and vice versa shall be carried out through the intermediary of the International Office, except as specified in Article 3, Subsection c), of these Rules and Regulations.

#### **Article 5**

The guidance and administration of the Office, whose legal representative he is, rendering it accountable by his signature, is incumbent upon the Director of the International Office. All matters which are not reserved for the Government of the Oriental Republic of Uruguay or for the supervisory authority are incumbent upon him, and especially:

- a) To organize and direct all the work of the International Office;
- b) To submit nominations for the appointment of the personnel, in accordance with the provisions of Article 24;
- c) To grant leaves, vacations, and to fix working days and hours;
- d) To hire employees and workmen on a temporary basis, reporting it to the supervisory authority;
- e) To take disciplinary action against the personnel of the Office and to propose any dismissals called for;
- f) To set up a personal file on each employee and to order the entries in same, after they have been shown to the interested party;
- g) To prepare the annual draft budgets and submit them for the consideration of the member countries, sufficiently in advance;

- h) To make contracts or commitments involving expenditures, and to authorize the payments of the Office, after complying with the necessary formalities;
- i) To decide about the allowances prescribed in Chapter VI of these Rules and Regulations;
- j) To decide about trips of the personnel of the Office on official business, and to determine the traveling and other expenses in accordance with the provisions of the current budget. In unforeseen cases, if a trip becomes necessary, he shall request the approval of the supervisory authority for the adjustment of the relative expenditure;
- k) To report to the supervisory authority about the strict compliance with the budget approved by the member countries;
- l) To bring to the attention of the supervisory authority complaints which the employees of the Office may make against the decisions of the Administration of that Office.

### **Article 6**

The Assistant Director-Secretary General is the legal deputy of the Director and substitutes for him, with the same powers.

## **CHAPTER II**

### **BUDGET AND ACCOUNTING**

#### **Article 7**

1. The draft budget, to be submitted in accordance with the stipulations of the Convention, shall contain detailed and methodical information about all the expenditures contemplated for the fiscal year covered by the budget, in comparison with the budget of the preceding fiscal year.

2. The statement of reasons which is to accompany the draft budget shall contain all the specifications and details necessary for the comprehension and evaluation of the modifications proposed.

#### **Article 8**

The budgetary fiscal year shall comprise the period from the 1st of January to the 31st of December of each year.

#### **Article 9**

- 1. The budget shall be established in gold francs.
- 2. The equivalence of the gold franc to the Uruguayan national currency, for the purpose of the budget of the Union and in compliance with these Rules and Regulations, shall be established every six months, and directly, by the Bank of the Oriental Republic of Uruguay, without any other formality or further authorization. It shall take as basis the gold contents of the gold franc (Article 41 of the

Convention of the Union) and the gold contents of the U.S.A. dollar or of any other freely convertible currency, and the quotation of this currency on the absolutely free market of the Oriental Republic of Uruguay.

#### **Article 10**

In case any of the items in the draft budget submitted by the Office should not be approved, then that which was authorized in the preceding budget shall continue in effect.

#### **Article 11**

No expenditure can be undertaken nor any contract concluded unless, at the time of making the commitment, sufficient funds are available for that purpose under the heading covering the outlay; nor can these expenditures be charged to the funds of future fiscal years. When the nature of the expenditure requires a departure from the stated rule, approval of the supervisory authority must first be obtained.

#### **Article 12**

1. Any purchase, as well as any contract concerning work, repairs, or supplies, shall in all cases be made by public bidding, with the following exceptions:

- a) Purchases, work, repairs, or supplies whose amount does not exceed 1,500 gold francs;
- b) Contracts made with juridical persons in the public service;
- c) When there are urgent reasons of an essential nature;
- d) When, because of the nature of the business transaction or because of prevailing circumstances, it is impossible or unnecessary to call for bids;
- e) When the purchases, work, repairs, or supplies take place or are acquired abroad;
- f) When a bid has been declared withdrawn for a second time, or when a first call was made without any bidder appearing.

2. In the case of Subsections c), d), and f), approval of the supervisory authority must be obtained before the direct business transaction. In the case of Subsection e), the cooperation of the Postal Administration of the country where the work is carried out should be solicited.

3. The subdividing of purchases, repairs, supplies, or work whose amount during the fiscal year exceeds 1,500 gold francs is prohibited.

#### **Article 13**

In the case of purchases, repairs, work, or supplies whose amount exceeds 150 gold francs, at least three quotations must be obtained, which shall be added to the respective file. In case the three quota-

tions cannot be obtained, or when it is not advisable to follow such procedure, the Director of the Office may decide on the acquisitions without the necessity of the said three quotations.

**Article 14**

Any transfer for a consideration or rental of properties belonging to the Union must be made by auctioning or public bidding, and after an appraisal has been made.

**CHAPTER III****AVAILABILITY OF FUNDS****Article 15**

The amount of the ordinary expenses of the approved budget, in which are included the amounts intended for the Reserve Fund for retirements and pensions, shall be placed at the disposal of the International Office by the Government of the Oriental Republic of Uruguay in quarterly installments, paid in advance, depositing the proper amount in Uruguayan currency in a special account to be opened in the Bank of the Oriental Republic of Uruguay.

**Article 16**

The amount of the extraordinary expenses shall be deposited by the Government of the Oriental Republic of Uruguay to the order of the International Office in the account indicated in the preceding Article, sufficiently in advance.

**Article 17**

The International Office shall draw on the said account, in accordance with the needs of the service, solely by means of checks, which must bear the signature of the Director and that of the official in charge of the accounting of the Office.

**Article 18**

The money orders, checks, transfers of funds from the member countries, or any other money received by the Office must be deposited, at the latest, on the first working day following the date of their receipt.

**CHAPTER IV****CHECKING****Article 19**

1. The check incumbent upon the supervisory authority over the movement of funds of the International Office shall be of a formal and material nature.

2. The formal check shall include:

- a) The examination of the accounting books and of the receipts and vouchers;
- b) The revision of the entries, movement of funds, and book-keeping transfers;
- c) The checking of the cash on hand, securities, bank accounts, inventory, and other properties of the Office;
- d) Verification as to whether the receipts and expenditures are adequate for the approved budget;
- e) Any other procedure of the nature of a formal check.

3. The material check consists of examining whether the receipts and expenditures conform to the provisions in force.

**Article 20**

The International Office shall prepare semi-annual statements of the movement of funds, which shall be submitted for the examination and approval of the supervisory authority.

**Article 21**

At the close of the fiscal year, the rendering of accounts shall take place, which shall consist of:

- a) A statement of the receipts;
- b) A statement of the expenditures, specifying the amounts legally authorized, the transfers made, the amounts actually paid out, and the amounts pending payment;
- c) A statement of the amounts committed during the fiscal year;
- d) The balance on hand at the beginning and at the close of the fiscal year;
- e) The result of all the activities of the fiscal year.

**Article 22**

A copy of the statement of accounts shall be sent by the International Office to the member countries, with indication of its approval or, in lieu thereof, of the observations called for.

**CHAPTER V**

**PERSONNEL**

**Article 23**

The employees of the International Office are divided into two classes:

- a) Permanent employees;
- b) Non-permanent employees.

**Article 24**

1. The Director of the International Office shall be appointed by the Government of the Oriental Republic of Uruguay, in its capacity as country where the seat of the Union and Office are located, in accordance with the result of a prior consultation with the Postal Administrations of the member countries and according to the following procedure:

- a) When a vacancy occurs, the International Office, by means of a circular letter, shall bring this fact to the attention of the Postal Administrations. The latter shall be entitled, during the three months which follow the date of the communication, to nominate a candidate, transmitting his antecedents (his life history and qualifications).
- b) The International Office shall send to all the Postal Administrations the list of the candidates, together with their antecedents, in order that they may declare themselves in favor of one of them;
- c) Those Postal Administrations which failed to reply within forty-five days, counting from the date of the communication referred to under letter b), shall be considered as abstaining;
- d) The candidate who, on the first ballot, obtains an absolute majority of the votes cast, shall be considered as elected;
- e) If no one obtains such a majority, a second vote shall be taken, in which a simple majority shall suffice, following the same procedure as established under letter c);
- f) In case of a tie, the tying candidates shall be entitled to be nominated;
- g) The International Office shall inform the Government of the Oriental Republic of Uruguay of the result of the vote, and shall request the appointment of the candidate who obtained an absolute majority or, in lieu thereof, the most votes. In the case contemplated under the letter f), it shall give a list of the various candidates, in order that the Government may decide.

2. A similar procedure shall be followed to fill the vacancy of the Assistant Director-Secretary General of the Office.

3. In case the vacancy of the positions of Director and Assistant Director-Secretary General should occur during the ninety days preceding the opening of a Congress, the nomination and election of candidates must be made during the meeting of the Congress.

4. In order to be a candidate for the position of Director or Assistant Director-Secretary General of the International Office, that person shall be required :

- a) To have a vast experience about the organization and working of the postal services, acquired in the Administration of a member country; or,

- b) To belong to the high-ranking officials of the International Office of the Union.
5. The vacancies of Legal Adviser, Secretariat Officer, and Translating Officer shall be filled by the supervisory authority upon nomination by the Director of the Office and on a competitive basis, by comparing the antecedents of the officials of the Postal Administrations of the member countries and those of the personnel of the Office.
6. The rest of the personnel shall be appointed by the supervisory authority upon nomination by the Director of the Office.

### **Article 25**

The employees of the International Office cannot engage in other gainful activities except with the consent of the supervisory authority. This authorization shall not be granted if these additional occupations interfere with the normal performance of their duties in the International Office.

### **Article 26**

- 1. Employees who do not perform their duties properly, either intentionally or through negligence or indiscretion, or who commit a crime, shall be subject to disciplinary action in accordance with the seriousness of the offense.
- 2. The disciplinary action shall consist of:
  - a) Observation;
  - b) Deduction from salary;
  - c) Loss of salary;
  - d) Suspension with a reduction or loss of salary;
  - e) Dismissal.
- 3. The punishments referred to under Subsections b), c), and d) of the preceding Section cannot be imposed for a longer period than six months.
- 4. The amount of the deductions referred to under letters b), c), and d) of Section 2 shall be placed in the Reserve Fund for retirements and pensions.

### **Article 27**

- 1. The dismissal of an employee shall take place upon proposal of the supervisory authority. This proposal, together with a copy of the proceedings instituted in accordance with the provisions of Article 28, shall be made known to the Postal Administrations of the member countries.
- 2. For a dismissal to become effective, it will be necessary that two thirds of the Administrations so decide. In such case, the Government

of the Oriental Republic of Uruguay or the supervisory authority, as the case may be, shall declare the employee dismissed.

3. If the occurrence takes place during the ninety days which precede the opening of a Congress, the dismissal shall be ordered by the latter.

### **Article 28**

Disciplinary action must be imposed by means of a resolution stating the reasons therefor, after an indictment has been drawn up and shown to the accused employee, assuring him of the right to defend himself.

### **Article 29**

An employee who fails to comply with the duties of his position shall be held responsible for any losses which he may cause.

### **Article 30**

The working day shall be the one which prevails for employees of the Public Administration of the Oriental Republic of Uruguay, and may be extended up to forty-four working hours a week without entitling the employees to any special compensation. The working schedules shall be established by the Director of the Office in accordance with the needs of the service.

### **Article 31**

1. Every employee shall be entitled to an annual, three weeks' vacation, with pay.

2. An employee must have one year's service in the Office to be entitled to a vacation.

3. For every five years of seniority in the Office, the employee shall be entitled to three additional vacation days a year, but the total vacation cannot exceed 30 consecutive days.

### **Article 32**

1. The monthly salaries of the budgeted employees of the Office shall be the following:

Director	1,470 gold francs
Assistant Director-Secretary General	1,225 gold francs
Legal Adviser	1,075 gold francs
Secretariat Officer	765 gold francs
Translating Officer	615 gold francs
Assistants	445 gold francs
Janitor	355 gold francs

2. The salaries of the hired personnel and of the day laborers shall be established by the Director of the Office, by agreement with the supervisory authority.

### **Article 33**

In case an employee who is not a Uruguayan and who resides outside of Uruguay is appointed, he shall be entitled to reimbursement of his own and his family's traveling and moving expenses. He shall be entitled to the same expenses when he returns to his native country in case of retirement. In case of the employee's death, his family shall be entitled to the same rights. The Union shall also bear the expenses of returning the remains of a deceased employee to his native land. As a general rule, the traveling and installation expenses shall not be reimbursed if the repatriation takes place more than six months after the day on which the employee retired or died.

### **Article 34**

1. With the exception of the provisions of Article 31 of these Rules and Regulations, the leaves of the personnel of the Office shall be the same as those established in Uruguay for the employees of the Direction General of Posts.

2. The leaves of the Director shall be granted by the supervisory authority.

3. Non-Uruguayan employees shall be entitled, once every two years, to reimbursement by the Union of the traveling expenses to their native country, by the most rapid and shortest route. If the employee has a wife and children under twenty years of age, their traveling expenses shall also be reimbursed.

## **CHAPTER VI**

### **COMPENSATIONS**

#### **Article 35**

Employees of the Office shall be entitled to an allowance for each dependent child under eighteen years of age, or who is physically or mentally incapacitated and has no remunerative occupation. This allowance shall be 84 gold francs per child per annum.

#### **Article 36**

Employees of the Office who are not of Uruguayan nationality shall be entitled to an expatriation compensation equivalent to a month's salary per annum.

#### **Article 37**

1. Employees of the Office who have more than twenty-five years of service in the Office and/or in the Postal Administrations shall be entitled to a bonus equivalent to a month's salary per annum.

2. Employees with more than forty years of service at the Office and/or in the Postal Administrations shall be entitled to a bonus equivalent to two months' salary per annum.

**Article 38**

The Director of the Office shall receive the annual sum of 1,470 gold francs, payable in twelve equal monthly installments, for incidental expenses.

**Article 39**

The salaries, allowances, and bonuses of the personnel of the Office referred to in this Chapter, and the retirements, pensions, subsidies, and other benefits paid by the Reserve Fund, shall be exempt from every kind of tax, already in existence or to be established.

In Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1506-1508.]

## RULES AND REGULATIONS OF THE INTERNATIONAL TRANSFER OFFICE

### TABLE OF CONTENTS

Articles 1, 2, 3, 4, 5, 6 and 7

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## RULES AND REGULATIONS OF THE INTERNATIONAL TRANSFER OFFICE

### Article 1

The International Transfer Office shall operate and perform its tasks in accordance with the provisions established in the Convention and its Regulations of Execution.

### Article 2

The personnel of the International Transfer Office shall be the following, and shall receive the remuneration indicated in each case:

A Director, with a monthly salary of 1,400 gold francs;  
A Transfer Chief, with a monthly salary of 1,100 gold francs;  
A First Transfer Assistant, with a monthly salary of 1,000 gold francs;  
A Secretary, with a monthly salary of 900 gold francs;  
A Second Transfer Assistant, with a monthly salary of 700 gold francs;  
A Messenger, with a monthly salary of 300 gold francs.

### Article 3

The personnel referred to in the preceding Article shall be appointed in accordance with the provisions established in Article 108 of the Regulations of Execution of the Convention, and cannot be dismissed except for proven bad conduct, flagrant incompetency, or because of punishment imposed by judicial sentence.

### Article 4

The Director of the International Transfer Office shall have the following responsibilities:

- a) Administration of the work entrusted to the Office, relating to each and every one of the operations of receipt, delivery, and forwarding of the dispatches consigned to that Office;
- b) Detailed preparation of the statistics of the movement of dispatches in transit;
- c) Preparation of the quarterly accounts for each country, in accordance with the provisions of the Convention;

- d) Submission to the Direction General of Posts and Telecommunications of Panama of a quarterly statement showing the contributive quotas that each one of the Administrations which used the services of the Office must reimburse for the maintenance expenses of same;
- e) Direct watchfulness over the tasks of the personnel of the Office, to whom he shall issue the relative orders about the proper performance of their duties;
- f) Furnishing semi-annually a detailed report to the Direction General of Posts and Telecommunications of Panama about the work accomplished by the Office, with precise observations about any shortcomings noted and how to correct them; and
- g) Deciding upon all the measures which are conducive to the good progress of the Office.

### Article 5

The employees of the Office shall perform the duties assigned to them by the Director of same in the exercise of the authority granted him by the preceding Article.

### Article 6

When the Postal Administration of Panama, in accordance with Article 113, Section 2, of the Regulations of Execution of the Convention, advances the amounts necessary for the functioning of the International Transfer Office, it shall verify, from the monthly salaries due, the payment of the salaries of the appointed personnel, and shall furnish the Director of the said Office the advances which the latter may request in order to pay for the rental of quarters, as well as for the recruitment of the personnel of the Office, laborers, and for the transportation, freightage, etc., of the dispatches in transit. Those advances shall be legalized by the Director of the Office monthly, after presentation of the vouchers which furnish proof of the expenditures made.

### Article 7

The International Office of the Union shall make known to the Administrations concerned, annually, the statistical data furnished by the Transfer Office relative to the progress of this Office, as well as the information of general interest furnished by the above-mentioned Office.

In Buenos Aires, capital of the Argentine Republic, on the fourteenth day of October, 1960.

[For signatories, see *ante*, pp. 1511-1514.]

# MULTILATERAL

**Parcel Post: Postal Union of the Americas and Spain**

*Agreement, Final Protocol, and Regulations of Execution signed  
at Buenos Aires October 14, 1960.<sup>[1]</sup>*

*Ratified and approved by the Acting Postmaster General of the  
United States of America May 31, 1961;*

*Approved by the President of the United States of America  
July 26, 1961;*

*Entered into force March 1, 1961.*

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## ACUERDO RELATIVO A ENCOMIENDAS POSTALES

**celebrado entre:**

Argentina, Bolivia, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos del Brasil, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, República de Venezuela y Uruguay.

Los infracritos, Plenipotenciarios de los Gobiernos de los Países mencionados, reunidos en Congreso en la ciudad de Buenos Aires, capital de la República Argentina, en virtud de lo dispuesto por el artículo 19 del Convenio de la Unión Postal de las Américas y España, firmado en Buenos Aires, el catorce de octubre del año mil novecientos sesenta, han determinado celebrar "ad-referendum" el Acuerdo siguiente:

### ARTICULO 1

#### Objeto del Acuerdo

1. Bajo la denominación de "encomiendas postales" o de las expresiones sinónimas "paquetes postales" o "bulbos postales", los Países enumerados intercambiarán esta clase de envíos, ya sea directamente o utilizando la mediación de los servicios dependientes de uno o de varios de ellos.

2. En las relaciones entre los Países miembros cuyas Administraciones se hayan puesto de acuerdo a este respecto, las encomiendas postales se admitirán en el transporte por vía aérea, denominándose en ese caso "encomiendas aéreas".

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<sup>1</sup>Texts as certified by the Director of the International Office of the Postal Union of the Americas and Spain, Montevideo.

**ARTICULO 2****Admisión**

1. Las encomiendas postales podrán admitirse para la expedición con carácter de:
  - a) ordinarias;
  - b) contra reembolso;
  - c) con declaración de valor.
2. Sin embargo, la admisión de encomiendas con declaración de valor y/o contra reembolso, queda limitada a las Administraciones que convengan en realizar este servicio.

**ARTICULO 3****Peso y dimensiones**

1. El máximo de peso y las dimensiones de las encomiendas serán los fijados en el Acuerdo pertinente de la Unión Postal Universal. Sin embargo, las Administraciones de los Países miembros podrán admitir, previa la conformidad de los Países interesados, encomiendas con otros límites de peso y dimensiones.
2. Para las encomiendas aéreas la unidad de peso será la de 125 gramos o fracción. (Cuatro onzas "avoirdupois" o fracción).

**ARTICULO 4****Tasas y derechos**

1. La tasa de las encomiendas se percibe en el acto de la imposición y está integrada por la suma de las cuotas partes territoriales de salida y de llegada, a las que se agregarán, si correspondieren, las de tránsito y la cuota parte marítima prevista en el Acuerdo de la Unión Postal Universal vigente.
2. Las cuotas partes territoriales de salida y de llegada quedan establecidas, para cada País, como se indica a continuación:
  - 0,60 franco oro por encomienda de hasta 1 kilogramo;
  - 0,80 franco oro por encomienda de más de 1 kilogramo y hasta 3 kilogramos;
  - 1,00 franco oro por encomienda de más de 3 kilogramos y hasta 5 kilogramos;
  - 2,00 francos oro por encomienda de más de 5 kilogramos y hasta 10 kilogramos;
  - 3,00 francos oro por encomienda de más de 10 kilogramos y hasta 15 kilogramos;
  - 4,00 francos oro por encomienda de más de 15 kilogramos y hasta 20 kilogramos.

3. En lo que se refiere a las dos últimas escalas de peso del párrafo 2, las Administraciones de origen y de destino podrán fijar las cuotas partes territoriales libremente.

4. Las cuotas partes territoriales de tránsito quedan establecidas, para cada País, como se indica a continuación:

0,40 franco oro por encomienda de hasta 1 kilogramo;

0,50 franco oro por encomienda de más de 1 kilogramo y hasta 3 kilogramos;

0,60 franco oro por encomienda de más de 3 kilogramos y hasta 5 kilogramos;

1,30 franco oro por encomienda de más de 5 kilogramos y hasta 10 kilogramos;

1,90 franco oro por encomienda de más de 10 kilogramos y hasta 15 kilogramos;

2,50 francos oro por encomienda de más de 15 kilogramos y hasta 20 kilogramos.

5. Las Administraciones tienen opción para fijar las cuotas partes mencionadas en los párrafos 2, 3 y 4 precedentes, sobre la base de una tasa promedio por kilogramo, aplicable al peso neto total de cada despacho.

6. Las Administraciones de origen y de destino tienen la facultad:

a) de reducir o aumentar simultáneamente las cuotas partes territoriales de salida y de llegada. El aumento para las fracciones de peso hasta 10 kilogramos no podrá exceder de la mitad de la cuota parte territorial de salida y de llegada, fijada en el párrafo 2; en cambio, la reducción podrá ser fijada libremente;

b) de aplicar una cuota parte excepcional de salida y de llegada de 0,25 franco oro a cada encomienda.

7. Las Administraciones que en el régimen universal gozan de autorizaciones especiales para elevar las cuotas partes territoriales de salida, de llegada y de tránsito, podrán asimismo hacer uso de dichas autorizaciones en el régimen américoespañol, sin que en ningún caso puedan aplicar tasas más elevadas que las establecidas para el régimen de la Unión Postal Universal.

8. La Administración de origen acreditará a cada una de las Administraciones que tomen parte en el transporte, incluso a la de destino, las cuotas partes que correspondan de acuerdo con las disposiciones de los párrafos precedentes.

9. Las Administraciones se comunicarán, por intermedio de la Oficina Internacional, las cuotas partes territoriales de salida, de llegada y de tránsito y las cuotas partes marítimas fijadas en sus respectivos Países.

TIAS 4872

10. Las encomiendas aéreas, además de las cuotas partes territoriales establecidas por las Administraciones de origen y de destino, están sujetas al pago de la cuota parte aérea.

11. Por las encomiendas con declaración de valor y/o contra reembolso, podrán percibirse los derechos previstos en los respectivos Acuerdos de la Unión Postal Universal vigentes y, por las aseguradas, los derechos de seguro fijados en el País de origen.

## **ARTICULO 5**

### **Encomiendas especiales**

Las Administraciones podrán aceptar encomiendas con destino a los Países donde hubieran ocurrido devastaciones, pestes, plagas, inundaciones, incendios, etcétera, siempre que dichas encomiendas estén dirigidas a la Cruz Roja Nacional o al Comité de Auxilio que se establezca a esos efectos en los Países afectados. En esos casos no se percibirá ninguna tasa o derecho postal y no habrá lugar a indemnización por pérdida, expoliación o avería.

## **ARTICULO 6**

### **Anulación de saldos menores de 50 francos oro**

Cuando en las liquidaciones por el servicio de encomiendas entre dos Países, el saldo anual no exceda de 50 francos oro, la Administración deudora quedará exenta de todo pago, siempre que medie acuerdo con la acreedora.

## **ARTICULO 7**

### **Derechos por trámites de aduana, entrega, almacenaje y otros**

1. Las Administraciones de destino podrán cobrar a los destinatarios de las encomiendas, los derechos por trámites de aduana, entrega, almacenaje y otros que estipula el respectivo Acuerdo de la Unión Postal Universal (Ottawa 1957).

2. Podrán quedar exentas del pago del derecho postal de entrega, cuando así lo acuerden las Administraciones interesadas, las encomiendas destinadas a los miembros de los Cuerpos Diplomático y Consular a que se refiere el artículo 50 del Convenio, salvó las dirigidas a los últimos si contuvieran artículos sujetos al pago de derechos de aduana.

## **ARTICULO 8**

### **Prohibición de otros derechos**

Las encomiendas de que trata el presente Acuerdo no podrán ser gravadas con otros derechos postales que los establecidos en los artículos precedentes.

## **ARTICULO 9**

### **Responsabilidad**

1. Las Administraciones serán responsables por la pérdida, expoliación o avería de las encomiendas.

2. El remitente tendrá derecho, por este concepto, a una indemnización equivalente al importe real de la pérdida, sustracción o avería. Sin embargo, esta indemnización no podrá exceder de las siguientes cantidades, de acuerdo con la escala enumerada a continuación, aún cuando el importe real de la pérdida, sustracción o avería sea superior:

10 francos oro por encomienda hasta el peso de 1 kilogramos;

15 francos oro por encomienda de más de 1 y hasta 3 kilogramos;

25 francos oro por encomienda de más de 3 y hasta 5 kilogramos;

40 francos oro por encomienda de más de 5 y hasta 10 kilogramos;

55 francos oro por encomienda de más de 10 y hasta 15 kilogramos;

70 francos oro por encomienda de más de 15 y hasta 20 kilogramos.

3. La indemnización se calculará según el precio corriente de la mercancía de la misma clase, en el lugar y en la época en que la encomienda fuere aceptada para su transporte.

4. Por las encomiendas aseguradas, con declaración de valor y/o contra reembolso, cambiadas entre aquellas Administraciones que convengan en realizar estos servicios, la indemnización no podrá exceder del monto de la declaración de valor o del reembolso.

## **ARTICULO 10**

### **Excepciones al principio de responsabilidad**

Las Administraciones estarán exentas de toda responsabilidad:

- a) en caso de fuerza mayor. El País en cuyo servicio haya tenido lugar la pérdida, expoliación o avería deberá decidir, de acuerdo con su legislación interior, si tal pérdida, expoliación o avería es debida a circunstancias que constituyan un caso de fuerza mayor; éstas serán puestas en conocimiento del País de origen. No obstante, la responsabilidad subsistirá respecto de la Administración expedidora que haya aceptado cubrir los riesgos de fuerza mayor;

- b) cuando no pudieran dar cuenta de los envíos, por causa de la destrucción de los documentos de servicio, motivada por un caso de fuerza mayor, siempre que su responsabilidad no haya podido comprobarse de otra forma;
- c) cuando el daño haya sido motivado por falta o negligencia del remitente o provenga de la naturaleza del contenido;
- d) cuando se trate de encomiendas cuyo contenido se halle comprendido entre las prohibiciones previstas en el Acuerdo de la Unión Postal Universal, siempre que estas encomiendas hayan sido confiscadas o destruidas por la autoridad competente a causa de su contenido;
- e) cuando se trate de encomiendas que hayan sido objeto de una declaración fraudulenta de valor superior al valor real del contenido;
- f) cuando se trate de encomiendas incautadas en virtud de la legislación interior del País de destino;
- g) cuando el remitente no hubiere formulado ninguna reclamación en el plazo previsto en el artículo respectivo del Acuerdo de la Unión Postal Universal;
- h) cuando se trate de encomiendas de prisioneros de guerra o internados.

## **ARTICULO 11**

### **Rezagos — Devolución**

Para estos casos se aplicará a las encomiendas la reglamentación establecida en el respectivo Acuerdo de la Unión Postal Universal.

## **ARTICULO 12**

### **Falsa declaración**

En los casos comprobados de que los remitentes de una encomienda, declaren con falsedad el valor, la calidad, peso o medidas del contenido o que, por otro medio cualquiera, se compruebe que intentan defraudar los intereses fiscales del País de destino, tratando de eludir o aminorar el pago de los derechos de importación, ocultando objetos o declarándolos en forma tal que evidencie la intención de suprimir o reducir el importe de esos derechos, la encomienda será tratada con arreglo a la legislación interior del País de destino, sin que ni el remitente ni el destinatario tengan derecho a indemnización.

### **ARTICULO 13**

#### **Encomiendas con doble consignación**

Los remitentes podrán imponer encomiendas dirigidas a Bancos u otras entidades, para entregar a segundo destinatario; pero la entrega a este último, se efectuará con la previa autorización del primer destinatario. No obstante, se dará aviso al segundo destinatario, de la llegada de tales encomiendas, pudiéndose percibir, de éste, los derechos fijados en el artículo 7.

### **ARTICULO 14**

#### **Proposiciones durante el intervalo de los Congresos**

1. El presente Acuerdo podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal.

2. Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

- a) unanimidad de sufragios, si se trata de introducir nuevas disposiciones o de modificar el presente artículo o los señalados con los números 1, 2, 3, 4, 7, 8, 9, 10 y 11 de este Acuerdo;
- b) dos tercios de sufragios para modificar las demás disposiciones.

### **ARTICULO 15**

#### **Asuntos no previstos**

1. Todos los asuntos no previstos por este Acuerdo serán regidos por las disposiciones del Acuerdo de Encomiendas de la Unión Postal Universal y su Reglamento de Ejecución y en su defecto por la legislación interior del País en donde se hallare la encomienda en causa.

2. Sin embargo, las Administraciones de los Países miembros podrán fijar otros detalles para la práctica del servicio, previo acuerdo.

3. Se reconoce el derecho de que gozan las Administraciones de los Países miembros para mantener vigente el procedimiento reglamentario adoptado en orden al cumplimiento de convenios que tengan entre sí, siempre que dicho procedimiento no se oponga a las disposiciones contenidas en este Acuerdo.

#### ARTICULO 16

##### Vigencia y duración del Acuerdo

1. El presente Acuerdo empezará a regir el día 1º del mes de marzo del año 1961 y quedará en vigencia sin limitación de tiempo, reservándose cada uno de los Países miembros el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, el cual lo hará saber a los demás Países miembros.

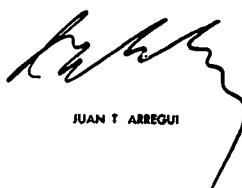
2. El Acuerdo dejará de regir con respecto al País miembro que lo haya denunciado al vencer el plazo de un año a contar del día de la recepción de la notificación por el Gobierno de la República Oriental del Uruguay.

3. En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los Países arriba enumerados suscriben el presente Acuerdo en la ciudad de Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre del año mil novecientos sesenta.

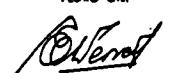
For ARGENTINA:



PEDRO GILI



JUAN T. ARREGUI



EGIDIO NICOLAS PERRETTA



JORGE E. M. TENREYRO



RICARDO A. JUSTO

Por BOLIVIA

  
Luis Guillermo Clavel

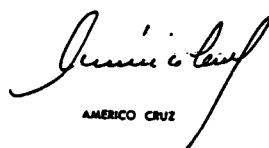
Por COSTA RICA:

  
RAMIRO MATA  
  
ARMANDO ARAUZ

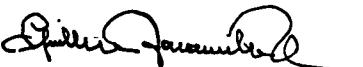
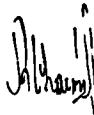
Por CANADA:

  
E. J. FARRELL  
  
H. N. PEARL  
  
R. GOSELLIN

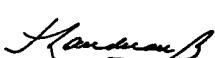
Por CUBA:

  
AMÉRICO CRUZ  
  
LAZARO MARTINEZ CHACON

Por COLOMBIA:

  
ROBERTO ARCIÑEGAS SCHLESINGER  
  
GUILLERMO JARAMILLO URIBE  
  
RAFAEL CHACON ZORRILLA

Por CHILE:

  
BERNARDINO ATALA ROMAN  
  
LUIS CARVAJAL CRUZAT  
  
JUAN LUIS LANDREAU BALLO

Por ECUADOR:

  
RODRIGO VALDEZ BAQUERO

Por EL SALVADOR:

RICARDO SALAVERRIA

Por ESTADOS UNIDOS DEL BRASIL

RENEE ALBA CORDOVIL

PAULO DE PAULA E SILVA SALDANHA

SALVADOR ROVIRA

Por ESPAÑA:

JOSE MARIA ALFARO POLANCO

Por GUATEMALA:

JUAN ALFREDO RENDON MALDONADO

Por HAITI:

FRANCISCO BERENGUER MAS

ANIBAL MARTIN GARCIA

MARCELO FRAGA IRIBARNE

Por HONDURAS:

ALFONSO ALVARADO O.

ARTURO RENDON

Por ESTADOS UNIDOS DE AMERICA:

GREVER ALLAN

RAYMOND K. HANCOCK

ARMAND J. RIOUX

Por MEXICO

FRANCISCO A. DE ICASA

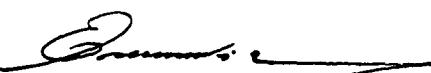
BERNARDO REYES MORALES

Por NICARAGUA:



FRANCISCO GAITAN C.

Por URUGUAY:



EDUARDO VAZQUEZ

Por PANAMA:



FRANCISCO A. RUIZ

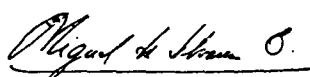


MIGUEL I. SALINAS

Por PARAGUAY:



RUBEN ALVARENGA CABANA



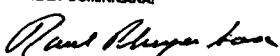
MIGUEL ANGEL ALVAREZ EASTMAN

Por PERU:



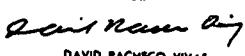
HILDEBRANDO MERINO M.

Por REPUBLICA DOMINICANA:



RAUL PLUYER SOSA

Por REPUBLICA DE VENEZUELA:



DAVID PACHECO VIVAS



FRANCISCO VELEZ SALAS



OSCAR MISSE

**PROTOCOLO FINAL DEL  
ACUERDO RELATIVO A ENCOMIENDAS POSTALES**

En el momento de firmar el Acuerdo relativo a Encomiendas Postales concluído por el VIII Congreso de la Unión Postal de las Américas y España, los Plenipotenciarios que suscriben han convenido lo siguiente:

I

Las Administraciones que no puedan cumplir con las disposiciones del artículo 3, párrafo 2, "Peso y dimensiones", podrán adoptar la unidad de peso establecida en su servicio interno.

II

Estados Unidos de América formula la siguiente reserva:

- a) estarán facultados para reclamar las siguientes tasas de tránsito para las encomiendas enviadas por intermedio de sus servicios, sea cual fuere el destino de las encomiendas (es decir, para encomiendas destinadas a países signatarios o no signatarios):

Francos oro  
por Kilogramo

Cuando sólo comprendan servicio marítimo de tránsito .....	0,70
Cuando sólo comprendan servicio de tránsito territorial .....	1,15
Cuando comprendan servicio de tránsito territorial y marítimo .....	1,50

- b) estarán facultados para reclamar, para aquellos Países que convengan en el intercambio de encomiendas, de acuerdo a las disposiciones del párrafo 5 del artículo 4, un derecho territorial de salida y de llegada, sobre las encomiendas recibidas o enviadas por medio de sus servicios, que alcanzará hasta 1,25 franco oro por kilogramo;

- c) estarán facultados para reclamar, en reemplazo de la cuota parte excepcional de salida y de llegada de 0,25 franco oro por encomienda, autorizada por el párrafo 6, letra b) del artículo 4, una tasa que puede llegar hasta los siguientes importes por encomienda:

**Francos oro**

Encomiendas hasta 1 kilogramo .....	1.00
Encomiendas de más de 1 y hasta 3 kilogramos	2.00
Encomiendas de más de 3 y hasta 5 kilogramos	3.00
Encomiendas de más de 5 y hasta 10 kilogramos	3.00
Encomiendas de más de 10 y hasta 15 kilogramos	4.00
Encomiendas de más de 15 y hasta 20 kilogramos	4.00

**III**

Estados Unidos de América formulan una reserva al artículo 9, "Responsabilidad", en el sentido de que no pagará indemnización alguna por la pérdida, expoliación o avería de encomiendas ordinarias destinadas a, o recibidas de, los Países miembros de la Unión.

**IV**

El Salvador formula una reserva al artículo 11, "Rezagos-Devolución", en el sentido de que no devolverá las encomiendas una vez que el destinatario haya solicitado el registro de las mismas a la Aduana de Fardos Postales para la cancelación de los derechos arancelarios a que hubiesen dado lugar.

**V**

Argentina, Bolivia, Colombia, Cuba, Chile, España, Estados Unidos del Brasil, Honduras, Paraguay y Uruguay, hacen constar que, de acuerdo con el principio general de reciprocidad, aplicarán las mismas medidas de excepción que establezcan otros Países miembros en este Protocolo Final o al momento de la ratificación formal de las Actas.

Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre del año mil novecientos sesenta.

Por ARGENTINA:

PEDRO GILI

EGIDIO NICOLAS PERETTA

JORGE E. M. TENREYRO

JUAN T. ARENGUI

RICARDO A. JUSTO

Por BOLIVIA:

LUIS GUILLERMO CLAVE

Por CANADA:

R. J. FARRELL

A. N. PEARL

E. GOSSELIN

Por COLOMBIA:

ROBERTO ARCIÑIEGAS SCHLESINGER

GUILLERMO JARAMILLO URICOSTE

RAFAEL CHACON ZORRILLA

RODOLFO AFANADOR TOBAS

Por COSTA RICA:

RAMIRO MATA

ARNALDO ARAYA

Por CUBA:

AMÉRICO CRUZ

LAZARO MARTINEZ CHACON

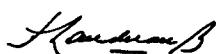
Por CHILE:



BERNARDINO AYALA ROMAN



LUIS CARVAJAL CRUZAT



JUAN LUIS LANDREAU SALLO

Por ESPAÑA:



JOSE MARIA ALFARO POLANCO



FRANCISCO BERENGUER MAS



ANIBAL MARTIN GARCIA



MARCELO FRAGA IRIBARNE

Por ECUADOR:

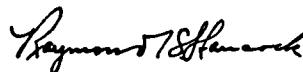


RODRIGO VALDEZ BAQUERO

Por ESTADOS UNIDOS DE AMERICA:



GREVER ALLAN

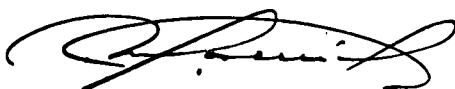


RAYMOND K. HANCOCK



ARMANDO J. RIOUX

Por EL SALVADOR:

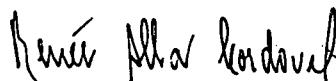


D. RICARDO SALAVERRIA



SALVADOR ROVIRA

Por ESTADOS UNIDOS DEL BRASIL:



RENEE ALBA CORDOVIL



PAULO DE PAULA E SILVA SALDANHA

Por GUATEMALA:

JUAN ALFREDO RENDON ALFONADO

Por PERU:

HILDEBRANDO MERINO M.

Por HAITI:

ARNOLD MONTPEIROUS

Por HONDURAS:

ALFONSO ALVARADO O.

ARTURO RENDON

Por REPUBLICA DOMINICANA:

RAUI PLAYER SOSA

Por REPUBLICA DE VENEZUELA:

DAVID PACHECO VIVAS

Por MEXICO:

FRANCISCO A. DE ICaza

BERNARDO REYES MORALES

FRANCISCO VELEZ SALAS

OSCAR MISLE

Por NICARAGUA:

FRANCISCO GAITAN C.

Por URUGUAY:

EDUARDO VAZQUEZ

Por PANAMA:

FRANCISCO A. RUIZ

MIGUEL I. SALINAS

Por PARAGUAY:

RUBEN ALVARENGA CABANA

MIGUEL ANGEL ALVAREZ EASTMAN

## **REGLAMENTO DE EJECUCIÓN DEL ACUERDO RELATIVO A ENCOMIENDAS POSTALES**

**celebrado entre:**

Argentina, Bolivia, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos del Brasil, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, República de Venezuela y Uruguay.

Los infrascritos en nombre de las Administraciones que representan han aprobado las siguientes reglas para asegurar la ejecución del Acuerdo precedente:

### **ARTICULO 101**

#### **Curso — Transmisión**

1. Cada Administración estará obligada a cursar, por las vías y medios que utilice para sus propias encomiendas, los despachos de encomiendas que le sean remitidos por otra Administración para ser expedidos en tránsito por el territorio de aquélla.

2. Las vías de curso serán convenidas por las Administraciones interesadas e incluidas en el cuadro CP 1 (Unión Postal Universal).

3. La transmisión de encomiendas entre Países limítrofes se efectuará en las condiciones que establezcan de común acuerdo las Administraciones interesadas.

4. El intercambio de encomiendas entre Países no limítrofes se realizará en despachos cerrados.

5. Las Administraciones se comunicarán, por medio de la Oficina Internacional de la Unión, las oficinas de cambio habilitadas y la respectiva jurisdicción que abarcan.

### **ARTICULO 102**

#### **Boletines de expedición y declaraciones de aduana**

1. Por cada encomienda se confeccionará un boletín de expedición y el número de declaraciones de aduana requerido por el

País de destino, iguales a los modelos CP2 y CP3 (Unión Postal Universal); las declaraciones de aduana se unirán sólidamente al boletín de expedición.

2. Las formalidades que deberá cumplir el remitente serán las establecidas en la legislación postal universal.

3. Siempre que la Administración de destino no se oponga, en un solo boletín de expedición, con sus respectivas declaraciones de aduana, podrán incluirse hasta tres encomiendas ordinarias impuestas simultáneamente en la misma Oficina por el mismo remitente, encaminadas por la misma vía, sujetas a la misma tasa y consignadas al mismo destinatario. Esta disposición no rige para las encomiendas con declaración de valor y/o contra reembolso.

4. Si la Administración de destino lo admitiere, la de origen podrá utilizar etiquetas colgantes que hagan las veces de boletín de expedición y de declaración de aduana, en cuyo caso dichas etiquetas tendrán la misma fuerza legal que los documentos que sustituyen.

#### **ARTICULO 103**

##### **Encomiendas con doble consignación**

Los remitentes de encomiendas dirigidas a Bancos u otras entidades para entregar a segundos destinatarios estarán obligados a consignar, en las etiquetas, fajillas o envolturas de aquéllas, el nombre y dirección exactos de las personas a quienes estuvieren destinadas.

#### **ARTICULO 104**

##### **Encomiendas con valor declarado**

1. En cuanto a su acondicionamiento, las encomiendas con valor declarado deberán ajustarse a las prescripciones que establece el Reglamento de Ejecución de la Unión Postal Universal, y tales envíos, así como sus boletines de expedición, se singularizarán con la etiqueta modelo CP7 (Unión Postal Universal) o eventualmente en el modelo CP8 (Unión Postal Universal), caracterizado con las palabras "valor declarado".

2. El remitente deberá hacer constar, con tinta o lápiz tinta, sobre la encomienda y el boletín de expedición, en caracteres latinos, en letras y cifras, sin raspaduras ni enmiendas, el importe de la declaración de valor, en moneda del País de origen. El importe de dicha declaración deberá convertirse a francos oro, subrayándose con lápiz de color.

3. La Administración de origen anotará, sobre la dirección de la encomienda, y en el boletín de expedición, el peso exacto en gramos.

4. Las Administraciones extenderán gratuitamente al remitente un recibo donde consten los datos de imposición de la encomienda.

5. Cuando, por consecuencia de lo establecido en el artículo 12 del Acuerdo, una Administración decomise una encomienda, comunicará el hecho a la Administración de origen en el menor plazo posible, remitiéndole los elementos probatorios.

## **ARTICULO 105**

### **Registro de encomiendas ordinarias**

1. Toda encomienda y su correspondiente boletín de expedición llevará adherida la etiqueta modelo CP8 (Unión Postal Universal), con indicación del número de orden de la pieza y el nombre de la oficina de origen.

2. Las Administraciones podrán entregar al remitente un recibo con los datos de la imposición.

3. La oficina de origen aplicará en el boletín de expedición el sello indicativo de la fecha de depósito y hará constar el peso de la encomienda en kilogramos y centenas de gramos.

## **ARTICULO 106**

### **Reexpedición**

Para la reexpedición de encomiendas regirán las disposiciones contenidas en el Reglamento de Ejecución del Acuerdo de la Unión Postal Universal.

## **ARTICULO 107**

### **Devolución — Cargos**

1. La Oficina que devuelva una encomienda al remitente indicará sobre ésta y en el boletín de expedición la causa de la no entrega.

2. Las tasas y derechos que deban ser satisfechos por el expedidor se consignarán en la columna respectiva de la hoja de ruta CP 11 (Unión Postal Universal).

3. Cuando la oficina que devuelva una encomienda no consigne esas cantidades, la oficina que la reciba le acreditará de oficio, únicamente, la cuota parte territorial de salida y la cuota parte marítima, si correspondiere.

## ARTICULO 108

### Formación de despachos

1. Las encomiendas se anotarán en una hoja de ruta modelo CP 11 (Unión Postal Universal), con todos los detalles que ésta requiera y remitiéndose dos ejemplares de la misma a la oficina destinataria del despacho. Sin embargo, las Administraciones podrán ponerse de acuerdo para registrar las encomiendas en dicha fórmula de la manera que más convenga a su respectivo servicio.

2. Las Administraciones que decidan utilizar la tasa promedio por kilogramo, de acuerdo con las disposiciones del párrafo 5 del artículo 4, indicarán en la lista de encomiendas el número de éstas, el peso neto total, y el número total de sacos que componen cada despacho.

3. Las oficinas de cambio expedidoras numerarán los despachos en forma correlativa anual para cada oficina de cambio destinataria. En el primer despacho de cada año constará el número del último despacho del año anterior.

4. Cuando se trate de encomiendas contenidas en despachos directos, las Administraciones podrán ponerse de acuerdo para que los boletines de expedición, declaraciones de aduana y demás documentos exigidos, acompañen a las encomiendas que contenga cada saco, y cuando el despacho se componga de varios sacos, todos ellos, de ser posible, se cursarán por la misma expedición.

5. Los sacos se asegurarán con cierres que garanticen la integridad de su contenido, y llevarán una etiqueta de color amarillo ocre con la mención del número del despacho, número de orden del envase, cantidad de encomiendas que contenga, peso bruto del mismo y de ser posible, la cantidad de sacos de que se componga el despacho. La etiqueta de los sacos que contengan encomiendas con valores declarados se singularizará con la letra "V" en color rojo.

6. En el último saco de los que compongan el despacho se incluirán las hojas de ruta CP 11 (Unión Postal Universal), y en la etiqueta se singularizarán con la letra "F".

## **ARTICULO 109**

### **Despachos en tránsito**

La oficina de cambio expedidora remitirá a cada una de las Administraciones intermedias una hoja de ruta modelo CP 12 (Unión Postal Universal) con el detalle de las bonificaciones que les correspondan. Las Administraciones convendrán la forma de remisión de ese documento.

## **ARTICULO 110**

### **Recepción y verificación de los despachos**

1. Las Administraciones adoptarán los arbitrios necesarios para que la recepción de los despachos sea inmediata a la llegada del medio de transporte que los haya conducido.

2. La oficina de cambio destinataria comprobará el estado de los sacos, sus cierres y peso consignado en la etiqueta, antes de extender recibo por el despacho, haciendo constar en el parte de entrega las anormalidades observadas, que serán denunciadas a vuelta de correo a la oficina expedidora y/o a la intermedia si así procediese. Análogo procedimiento observarán las oficinas intermedias, en su caso, que deberán, además, informar a la de destino.

3. Si en la verificación de los documentos de servicio relativos a los despachos recibidos se comprobaren errores u omisiones, la oficina receptora llevará a cabo inmediatamente las rectificaciones necesarias, teniendo cuidado de tachar las indicaciones erróneas en forma que puedan reconocerse las anotaciones originales, y lo denunciará a origen por medio del boletín de verificación, modelo CP 13 (Unión Postal Universal), que se remitirá por duplicado. Estas rectificaciones, a menos de error evidente, prevalecerán sobre las declaraciones primitivas.

4. Cuando se comprobare la falta de encomiendas, además del formulario CP 13 (Unión Postal Universal) de que trata el párrafo anterior, se formalizará un acta documentando el hecho, que será agregada a aquél y se remitirá a la oficina de origen juntamente con el envase y su cierre completo (hilo, plomo y etiqueta).

5. Igual procedimiento se seguirá cuando se reciban encomiendas expoliadas, levantándose además un acta de verificación en formulario CP 14 (Unión Postal Universal), que se remitirá conjuntamente con el boletín de verificación CP 13 (Unión Postal Universal) y los respectivos elementos de prueba.

6. Se aplicarán las disposiciones del párrafo 3 cuando se reciban encomiendas insuficientemente embaladas o averiadas, las que se reembalarán conservando, hasta donde sea posible, el embalaje, la dirección y etiqueta originales.

7. Si la avería fuera tal que hubiese permitido la sustracción del contenido, la oficina procederá a reembalar de oficio la encomienda, llenando las formalidades prescriptas en el párrafo 5 y haciendo constar sobre el nuevo embalaje el peso que arrojó antes y después de esa operación. El mismo procedimiento se seguirá en caso de comprobarse una diferencia de peso que haga suponer la sustracción del contenido.

8. Si los interesados formularen reservas al recibir la encomienda, se levantará en su presencia un acta CP 14 (Unión Postal Universal), por duplicado, la cual será firmada por aquellos y por los agentes postales. Un ejemplar del acta se entregará al interesado y otro quedará en poder de la Administración.

9. Cualquier irregularidad que se compruebe en una encomienda con valor declarado dará motivo a la confección de un acta modelo CP 14 (Unión Postal Universal) y a la subsiguiente remisión de los elementos de prueba (hilo, sello o plomo, etiqueta, embalaje y recipiente).

10. Si la oficina de cambio destinataria no comunicare a la expedidora, por el correo siguiente a la recepción de un despacho de encomiendas, las irregularidades o errores de cualquier naturaleza que comprobare en aquél, se dará por recibido de conformidad, salvo prueba en contrario.

11. La comprobación de irregularidades no dará lugar a la devolución de la encomienda a origen, excepto cuando así proceda por contener artículos prohibidos.

12. Los boletines de verificación, así como las actas y elementos de prueba mencionados en el presente artículo, se transmitirán como envío certificado, utilizando la vía más rápida.

## **ARTICULO 111**

### **Devolución de sacos vacíos**

1. Los sacos se devolverán vacíos a la Administración y, en su caso, a la oficina de cambio a que pertenezcan, por el primer correo. La devolución se hará sin gastos y, dentro de lo posible, por la vía más rápida. Las etiquetas también serán devueltas incluidas en los sacos.

2. Con los sacos vacíos se formarán despachos independientes, debidamente singularizados, con numeración anual correlativa, detallándose en las hojas de ruta el número de cada envase devuelto o, en su defecto, la cantidad global de los mismos. Cuando por su cantidad no se justifique la formación de despachos, los sacos podrán incluirse dentro de los que contengan encomiendas.

3. Las Administraciones se hacen responsables de los sacos cuya devolución no puedan probar, reembolsando, en este caso, el valor real del envase a la Administración interesada.

## **ARTICULO 112**

### **Plazo de conservación de los documentos**

1. Los documentos del servicio de encomiendas, incluso los boletines de expedición, deberán conservarse durante el plazo mínimo de dieciocho meses, a contar del día siguiente a la fecha de tales documentos.

2. Los documentos relativos a un litigio o reclamación se conservarán hasta la liquidación del asunto. Si la Administración reclamante, debidamente informada del resultado de la investigación, deja pasar seis meses, a partir de la fecha de la comunicación, sin formular objeciones, el asunto se considerará terminado.

## **ARTICULO 113**

### **Cuentas**

1. La formación y liquidación de las cuentas concernientes al intercambio de encomiendas postales se sujetarán a las prescripciones del Acuerdo relativo a Encomiendas Postales de la Unión Postal Universal y su Reglamento de Ejecución.

2. El pago de las cuentas de encomiendas se hará con arreglo a lo establecido en el artículo 116 del Reglamento de Ejecución del Convenio de la Unión Postal de las Américas y España.

3. Sin embargo, todas las cuentas formuladas entre las Administraciones podrán ser compensadas anualmente por la Oficina Internacional de la Unión, debiendo los saldos deudores ser liquidados tan pronto como sea posible, dentro del plazo de tres meses a partir de la fecha en que el País interesado reciba el balance.

**ARTICULO 114****Asuntos no previstos**

En todo lo no previsto en este Reglamento se aplicarán las disposiciones del de Ejecución del Acuerdo Relativo a Encomiendas Postales de la Unión Postal Universal o, en su defecto, la legislación interior de cada País.

**ARTICULO 115****Fecha de vigencia y duración del Reglamento**

El presente Reglamento empezará a regir en la misma fecha que el Acuerdo a que se refiere y tendrá la misma duración que éste.

En la ciudad de Buenos Aires, capital de la República Argentina a los catorce días del mes de octubre del año mil novecientos sesenta.

Por ARGENTINA:



PEDRO GIU



EGIDIO NICOLAS PERRETTA



JORGE E. M. TENREYRO



JUAN T. ARREGUI



RICARDO A. JUSTO

Per BOLIVIA:



Luis GUILLERMO CLAVER

Per COSTA RICA:



Ramiro Mata  
RAMIRO MATA



Armando Arauz  
ARMANDO ARAUZ

Per CANADA:



R. Farrel  
R. I. FARRELL

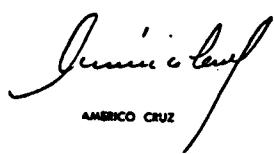


A. Pearl  
M. N. PEARL



G. Gossein

Per CUBA:



Américo Cruz  
AMÉRICO CRUZ



Lazaro Martinez Chacon  
LAZARO MARTINEZ CHACON

Per COLOMBIA:



Roberto Arciniegas Schlesinger



Guillermo JARAMILLO URIBE



Rafael Chacon Zorrilla

RODOLFO AFANADOR TOSAS

Per CHILE:



Bernardino Ayala Roman

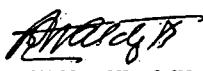


Luis Carvajal Cruzat



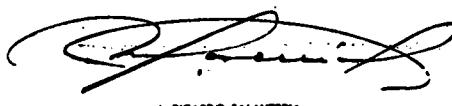
Juan Luis Landreau Sallo

Per ECUADOR:



Rodrigo Valdez Baquero

Por EL SALVADOR:




RICARDO SALAVERRIA

Por ESTADOS UNIDOS DEL BRASIL:



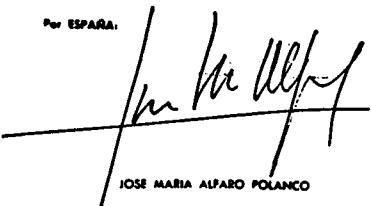
RENEE ALBA CORDOVAL



PAULO DE PAULA E SIVA SALDANHA

SALVADOR BOVIR/

Por ESPAÑA:



JOSE MARIA ALFARO POLANCO



FRANCISCO BERENGUER MAS



ANIBAL MARTIN GARCIA



MARCELO FRAGA IRIBARNE

Por GUATEMALA:



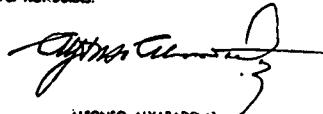
JUAN ALFREDO RENDON MALDONADO

Por HAITI:



ARNOLD MONTPEIROUS

Por HONDURAS:

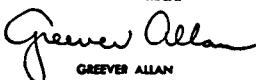


ALFONSO ALVARADO U.



ARTURO RENDON

Por ESTADOS UNIDOS DE AMERICA:



GREEVER ALLAN

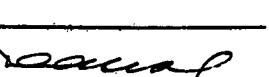
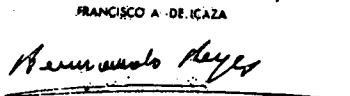


RAYMOND K. HANCOCK



ARMAND J. RICOUX

Por MEXICO:

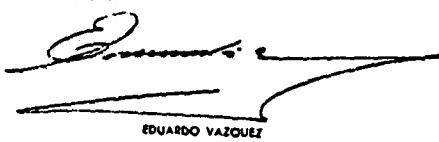
FRANCISCO A. DE LA CAZA

BERNARDO REYES MORALES

Por NICARAGUA:

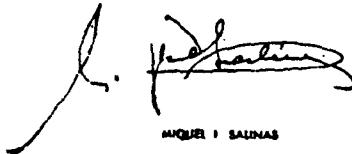
  
FRANCISCO GAITAN C.

Por URUGUAY:

  
EDUARDO VAZQUEZ

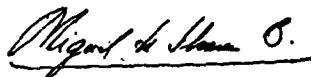
Por PANAMA:

  
FRANCISCO A. RUIZ

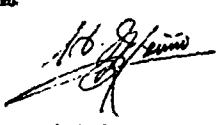
  
MIGUEL I. SALINAS

Por PARAGUAY:

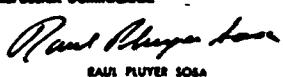
  
RUBEN ALVARENGA CABANA

  
MIGUEL ANGEL ALVAREZ EASTMAN

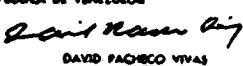
Por PERU:

  
HILDEBRANDO MERINO M.

Por REPUBLICA DOMINICANA:

  
EUSEBIO PRIETO SOSA

Por REPUBLICA DE VENEZUELA:

  
DAVID PACHECO VIVAS

  
FRANCISCO VEРЕZ SALAS

  
OSCAR MIRELES

Having examined and considered the provisions of the foregoing Agreement Relative to Parcel Post, the Final Protocol thereto, and the Regulations of Execution of that Agreement, signed in the city of Buenos Aires, Argentina, on the fourteenth day of October, 1960, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 31st day of May, 1961.

H W BRAWLEY  
*Acting Postmaster General*

[SEAL]

I hereby approve the foregoing Agreement Relative to Parcel Post, the Final Protocol thereto, and the Regulations of Execution of that Agreement.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States to be hereto affixed.

[SEAL]

JOHN F KENNEDY

By the President:

DEAN RUSK

*Secretary of State*

WASHINGTON, July 26, 1961

*Translation prepared by the Post Office Department*

**POSTAL UNION OF THE AMERICAS AND SPAIN**

**AGREEMENT RELATIVE TO PARCEL POST**

Concluded between:

Argentina, Bolivia, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Brazil, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, the Republic of Venezuela, and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, assembled in Congress in the city of Buenos Aires, capital of the Argentine Republic, by virtue of the provisions of Article 19 of the Convention of the Postal Union of the Americas and Spain signed in Buenos Aires on the fourteenth day of October, 1960,[<sup>1</sup>] have decided to conclude, *ad referendum*, the following Agreement:

**Article 1**

**PURPOSE OF THE AGREEMENT**

1. Under the term of "Parcel Post" (*Encomiendas postales*, or the synonymous expressions *Paquetes postales* or *Bultos postales*), the countries enumerated shall exchange this class of articles, either directly or through the intermediary of services which are under the jurisdiction of one or more of them.
2. In the relations between the member countries whose Administrations have agreed thereto, parcel post shall be accepted for transport by air, being called in that case "air parcels".

**Article 2**

**ACCEPTANCE**

1. Parcel post may be accepted for mailing as:
  - a) Ordinary
  - b) Collect-on-delivery
  - c) Insured.
2. However, the acceptance of insured and/or collect-on-delivery parcels is limited to the Administrations agreeing to carry out this service.

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<sup>1</sup> TIAS 4871; *ante*, p. 1523.

**Article 3****WEIGHT AND DIMENSIONS**

1. The maximum weight and dimensions of the parcels shall be those established in the pertinent Agreement of the Universal Postal Union. However, the Administrations of the member countries may, upon prior agreement of the countries concerned, accept parcels with other weight and dimension limits.

2. For air parcels, the unit of weight shall be that of 125 grams or fraction thereof. (Four ounces "avoirdupois" or fraction thereof).

**Article 4****RATES AND FEES**

1. The postage on parcels is collected at the time of mailing and is composed of the sum of the territorial quotas of departure and arrival (terminal quotas), to which shall be added, if applicable, those of transit and the maritime quota prescribed in the Agreement of the Universal Postal Union in force.

2. The territorial quotas of departure and arrival are established, for each country, as indicated hereafter:

0.60 gold franc per parcel up to 1 kilogram;  
0.80 gold franc per parcel of more than 1 and up to 3 kilograms;  
1.00 gold franc per parcel of more than 3 and up to 5 kilograms;  
2.00 gold francs per parcel of more than 5 and up to 10 kilograms;  
3.00 gold francs per parcel of more than 10 and up to 15 kilograms;  
4.00 gold francs per parcel of more than 15 and up to 20 kilograms.

3. Insofar as it concerns the last two weight units mentioned in Section 2, the Administrations of origin and destination may establish the territorial quotas freely.

4. The territorial transit quotas are established, for each country, as indicated hereafter:

0.40 gold franc per parcel up to 1 kilogram;  
0.50 gold franc per parcel of more than 1 and up to 3 kilograms;  
0.60 gold franc per parcel of more than 3 and up to 5 kilograms;  
1.30 gold franc per parcel of more than 5 and up to 10 kilograms;  
1.90 gold franc per parcel of more than 10 and up to 15 kilograms;  
2.50 gold francs per parcel of more than 15 and up to 20 kilograms.

5. The Administrations have the option of establishing the quotas mentioned in the preceding Sections 2, 3 and 4 on the basis of an average rate per kilogram, applicable to the total net weight of each dispatch.

6. The Administrations of origin and destination are empowered:

- a) to reduce or increase simultaneously the territorial quotas of departure and arrival. The increase for fractions of weight up to 10 kilograms may not exceed one-half of the territorial quota of departure and arrival established in Section 2; on the other hand, the reduction may be established freely;
- b) to apply an exceptional quota of departure and arrival of 0.25 gold franc to each parcel.

7. Administrations which, in the Universal regime, enjoy special authorizations to increase the territorial quotas of departure, arrival, and transit, may also make use of such authorizations in the Americo-Spanish regime, but in no case may they apply higher rates than those established for the regime of the Universal Postal Union.

8. The Administration of origin shall credit each of the Administrations taking part in the transportation, including that of destination, with the corresponding quotas, in accordance with the provisions of the preceding Sections.

9. The Administrations shall make known to one another, through the intermediary of the International Office, the territorial quotas of departure, arrival, and transit, and the maritime quotas established in their respective countries.

10. Air parcels, in addition to the territorial quotas established by the Administrations of origin and destination, are subject to the payment of the air quota.

11. For parcels with declared value and/or C.O.D. parcels, the charges prescribed in the respective Agreements of the Universal Postal Union in force may be collected, and for insured parcels, the insurance fees established in the country of origin.

## **Article 5**

### **SPECIAL PARCELS**

The Administrations may accept parcels for countries where devastations, epidemics, plagues, floods, fires, etc., have occurred, provided that the said parcels are addressed to the National Red Cross or to the Relief Committee established for that purpose in the affected countries. In such cases, no postal charge or fee shall be collected, and no indemnity shall be paid for loss, rifling, or damage.

## **Article 6**

### **CANCELLATION OF BALANCES UNDER 50 GOLD FRANCS**

When, in settlements for the parcel post service between two countries, the annual balance does not exceed 50 gold francs, the

debtor Administration shall be exempted from any payment, provided it has an agreement to that effect with the creditor Administration.

### **Article 7**

#### **CUSTOMS HANDLING, DELIVERY, STORAGE, AND OTHER CHARGES**

1. The Administrations of destination may collect from the addressees of parcels the customs handling, delivery, storage, and other charges stipulated in the respective Agreement of the Universal Postal Union (Ottawa, 1957).

2. Parcels addressed to members of the Diplomatic and Consular Corps referred to in Article 50 of the Convention may be exempted from payment of the postal delivery fee if the Administrations concerned so agree, except those addressed to the latter if they contain articles liable to the payment of customs duties.

### **Article 8**

#### **PROHIBITION AGAINST OTHER CHARGES**

The parcels referred to in the present Agreement may not be subjected to other postal charges than those established in the preceding Articles.

### **Article 9**

#### **RESPONSIBILITY**

1. The Administrations shall be responsible for the loss, rifling, or damage of parcels.

2. The sender shall be entitled, therefor, to an indemnity equivalent to the actual amount of the loss, rifling, or damage. However, this indemnity may not exceed the following amounts, in accordance with the scale enumerated hereafter, even when the actual amount of the loss, rifling, or damage is greater:

10 gold francs per parcel up to the weight of 1 kilogram;  
15 gold francs per parcel of more than 1 and up to 3 kilograms;  
25 gold francs per parcel of more than 3 and up to 5 kilograms;  
40 gold francs per parcel of more than 5 and up to 10 kilograms;  
55 gold francs per parcel of more than 10 and up to 15 kilograms;  
70 gold francs per parcel of more than 15 and up to 20 kilograms.

3. The indemnity shall be calculated according to the current price of the same kind of merchandise at the place where and time when the parcel was accepted for mailing.

4. For insured parcels, those with declared value and/or C.O.D. parcels exchanged between Administrations agreeing to carry out those services, the indemnity may not exceed the amount of the declaration of value or of the collection on delivery.

## Article 10

### EXCEPTIONS TO THE PRINCIPLE OF RESPONSIBILITY

The Administrations shall be exempted from all responsibility:

- a) In case of *force majeure*. The country in whose service the loss, rifling, or damage occurred will have to decide, in accordance with its domestic legislation, whether such loss, rifling, or damage is due to circumstances constituting a case of *force majeure*; those circumstances shall be made known to the country of origin. However, responsibility shall subsist with regard to the Administration of origin which undertook to cover the risks of *force majeure*.
- b) When they cannot account for articles owing to the destruction of service records due to a case of *force majeure*, provided that their responsibility could not be proved otherwise.
- c) When the damage was due to the fault or negligence of the sender, or stems from the nature of the contents.
- d) When it is a question of parcels whose contents fall within the scope of the prohibitions stipulated in the Agreement of the Universal Postal Union, provided that such parcels were confiscated or destroyed by the competent authority on account of their contents.
- e) When it is a question of parcels which were the subject of a fraudulent declaration of value higher than the actual value of the contents.
- f) When it is a question of parcels seized by virtue of the domestic legislation of the country of destination.
- g) When the sender has not made any inquiry within the period prescribed in the respective Article of the Agreement of the Universal Postal Union.
- h) When it is a question of parcels of prisoners of war or internees.

## Article 11

### UNDELIVERABLE PARCELS—RETURN

For such cases, the regulations established in the respective Agreement of the Universal Postal Union shall apply to the parcels.

## Article 12

### FRAUDULENT DECLARATION

In cases where it has been proved that the senders of a parcel declared falsely the value, quality, weight, or measures of the contents, or that they intended to defraud the fiscal interests of the country of

destination by any other means, endeavoring to evade or reduce the payment of the importation duties, concealing articles or declaring them in such a manner as to show evident intention of escaping or reducing the amount of such duties, the parcel shall be disposed of in accordance with the domestic legislation of the country of destination, neither the sender nor the addressee being entitled to any indemnity.

### **Article 13**

#### **PARCELS WITH TWO ADDRESSES**

Senders may mail parcels addressed to banks or other institutions for delivery to a second addressee; but delivery to the latter shall be made upon prior authorization by the first addressee. However, the second addressee shall be notified of the arrival of such parcels, and the charges established in Article 7 may be collected from the latter.

### **Article 14**

#### **PROPOSITIONS DURING THE INTERVAL BETWEEN CONGRESSES**

1. The present Agreement may be modified in the interval between Congresses, following the procedure established in the Convention of the Universal Postal Union in force.
2. In order to become effective, the modifications must obtain:
  - a) A unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or those bearing the numbers 1, 2, 3, 4, 7, 8, 9, 10, and 11, of this Agreement.
  - b) Two-thirds of the votes in order to modify the other provisions.

### **Article 15**

#### **MATTERS NOT PROVIDED FOR**

1. All matters not provided for by this Agreement shall be governed by the provisions of the Parcel Post Agreement of the Universal Postal Union and its Regulations of Execution, and, in the absence of such provisions, by the domestic legislation of the country where the parcel in question is on hand.
2. However, the Administrations of the member countries may, by agreement, establish other details for the execution of the service.
3. The right which the Administrations of the member countries enjoy of keeping in force the customary procedure adopted in compliance with Agreements which may exist between them is recognized, provided that such procedure does not contravene the provisions contained in this Agreement.

## Article 16

### EFFECTIVE DATE AND DURATION OF THE AGREEMENT

1. The present Agreement shall become effective on March 1, 1961, and shall remain in force without time limit, each of the member countries reserving to itself the right to denounce it by means of a notice given by its Government to that of the Oriental Republic of Uruguay, which shall make it known to the other member countries.

2. The Agreement shall cease to govern with regard to the member country which denounced it upon completion of the period of one year counting from the day of the receipt of the notification by the Government of the Oriental Republic of Uruguay.

3. In testimony whereof, the Plenipotentiaries of the Governments of the countries enumerated above sign the present Agreement in the city of Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1568–1571.]

TIAS 4872

**FINAL PROTOCOL OF THE  
AGREEMENT RELATIVE TO PARCEL POST**

At the moment of signing the Agreement relative to Parcel Post concluded by the Eighth Congress of the Postal Union of the Americas and Spain, the Plenipotentiaries who undersign agreed upon the following:

**I**

The Administrations which cannot comply with the provisions of Article 3, Section 2, "Weight and Dimensions", may adopt the weight unit established in their domestic service.

**II**

The United States of America formulates the following reservation :

- a) It shall be empowered to claim the following transit charges for parcels sent through the intermediary of its service, regardless of the destination of the parcels (that is to say, for parcels destined for signatory or non-signatory countries) :

Gold francs  
per kilogram

When only the maritime transit service is involved . . . . .	0.70
When only the territorial transit service is involved . . . . .	1.15
When both the territorial and maritime transit services are involved . . . . .	1.50

- b) It shall be empowered to claim, from those countries which agree to the exchange of parcels in accordance with the provisions of Section 5 of Article 4, a territorial charge of departure and arrival, on parcels received by or sent through its service, up to 1.25 gold franc per kilogram.
- c) It shall be empowered to claim, in place of the exceptional quota of departure and arrival of 0.25 gold franc per parcel authorized by Section 6, letter b), of Article 4, a charge which may reach up to the following amounts per parcel :

Gold francs

Parcels up to 1 kilogram . . . . .	1.00
Parcels of more than 1 and up to 3 kilograms . . . . .	2.00
Parcels of more than 3 and up to 5 kilograms . . . . .	3.00
Parcels of more than 5 and up to 10 kilograms . . . . .	3.00
Parcels of more than 10 and up to 15 kilograms . . . . .	4.00
Parcels of more than 15 and up to 20 kilograms . . . . .	4.00

### III

The United States of America formulates a reservation with regard to Article 9, "Responsibility", to the effect that it will not pay any indemnity for the loss, rifling, or damage of ordinary parcels destined for or received from the member countries of the Union.

### IV

El Salvador formulates a reservation with regard to Article 11, "Undeliverable Parcels—Return", to the effect that it will not return parcels once the addressee has requested their inspection by the Parcel Post Customs Office for the purpose of paying the customs duties to which they may have given rise.

### V

Argentina, Bolivia, Colombia, Cuba, Chile, Spain, the United States of Brazil, Honduras, Paraguay, and Uruguay give notice that, in accordance with the general principle of reciprocity, they will apply the same exceptional measures which other member countries may establish in this Final Protocol or at the time of the formal ratification of the Acts.

Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1574–1576.]

**REGULATIONS OF EXECUTION OF THE AGREEMENT  
RELATIVE TO PARCEL POST**

Concluded between:

Argentina, Bolivia, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Brazil, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, the Republic of Venezuela, and Uruguay.

The undersigned, in the name of the Administrations which they represent, have approved the following Regulations in order to assure the execution of the preceding Agreement:

**Article 101****ROUTING—TRANSMISSION**

1. Each Administration shall be obligated to forward, by the ways and means which it utilizes for its own parcels, the dispatches which may be sent to it by another Administration for dispatch in transit through its territory.
2. The forwarding routes shall be agreed upon by the Administrations concerned and included in the CP 1 table (Universal Postal Union).
3. The transmission of parcels between adjacent countries shall be effected in accordance with the conditions established by mutual agreement between the Administrations concerned.
4. The exchange of parcels between non-adjacent countries shall be made in closed dispatches.
5. The Administrations shall make known to one another, through the intermediary of the International Office of the Union, their qualified exchange offices and the jurisdiction encompassed by each of them.

**Article 102****DISPATCH NOTES AND CUSTOMS DECLARATIONS**

1. One dispatch note and as many customs declarations as are required by the country of destination, conforming to forms CP 2 and CP 3 (Universal Postal Union), shall be prepared for each parcel; the customs declarations shall be attached securely to the dispatch note.
2. The formalities which the sender must comply with shall be those established in the Universal postal legislation.
3. Provided that the Administration of destination is not opposed thereto, up to three ordinary parcels, mailed simultaneously at the same office, by the same sender, forwarded by the same route, subject to the same rate, and addressed to the same addressee, may be included

in a single dispatch note with its respective customs declarations. This provision does not apply in the case of insured and/or collect-on-delivery parcels.

4. If the Administration of destination permits it, that of origin may use tie-on tags, which take the place of dispatch notes and customs declarations, in which case the said tags shall have the same legal force as the documents which they replace.

### **Article 103**

#### **PARCELS WITH TWO ADDRESSES**

Senders of parcels addressed to banks or other institutions for delivery to second addressees shall be obligated to indicate on the labels, wrappers, or covers of same the exact name and address of the persons for whom such parcels are intended.

### **Article 104**

#### **INSURED PARCELS**

1. As far as their preparation for mailing is concerned, insured parcels must conform to the provisions established in the Regulations of Execution of the Universal Postal Union, and such articles, as well as their dispatch notes, shall be identified by a label, form CP 7 (Universal Postal Union), or possibly form CP 8 (Universal Postal Union), distinguished by the words "valor declarado" (insured).

2. The sender must indicate on the parcel and on the dispatch note, in ink or indelible pencil, in Latin characters and (Arabic) numerals, without erasures or corrections, the amount of the insurance in currency of the country of origin. The amount of the said insurance must be converted into gold francs, underlined with a colored-pencil mark.

3. The Administration of origin shall note the exact weight, in grams, on the address of the parcel and on the dispatch note.

4. The Administrations shall furnish the sender gratuitously a receipt showing the mailing particulars of the parcel.

5. When, in consequence of the provisions of Article 12 of the Agreement, an Administration confiscates a parcel, it shall report the fact to the Administration of origin at the earliest moment possible, transmitting the evidence to it.

### **Article 105**

#### **RECORDING OF ORDINARY PARCELS**

1. Every parcel and its relative dispatch note shall have affixed thereon the CP 8 label (Universal Postal Union), with indication of the order number of the article and the name of the office of origin.

2. Administrations may deliver to the sender a receipt with the particulars of mailing.

3. The office of origin shall affix on the dispatch note the stamp showing the date of mailing, and shall indicate the weight of the parcel in kilograms and hundreds of grams.

### **Article 106**

#### **FORWARDING**

For the forwarding of parcels, the provisions contained in the Regulations of Execution of the Agreement of the Universal Postal Union shall govern.

### **Article 107**

#### **RETURN—CHARGES**

1. The office which returns a parcel to the sender shall indicate thereon and on the dispatch note the reason for the non-delivery.

2. The charges and fees which have to be met by the sender shall be entered in the respective column of the CP 11 parcel bill (Universal Postal Union).

3. When the office which returns a parcel does not indicate those amounts, the office which receives it shall, without further formality, credit to it only the territorial quota of departure and the maritime quota, if one is called for.

### **Article 108**

#### **FORMATION OF DISPATCHES**

1. The parcels shall be entered on a parcel bill form CP 11 (Universal Postal Union), with all the details called for by the latter, and two copies of same shall be sent to the office of destination of the dispatch. However, the Administrations may come to an agreement with one another to enter the parcels on the said form in the manner best suited for their respective services.

2. Administrations deciding to utilize the average rate per kilogram, in accordance with the provisions of Section 5 of Article 4, shall indicate on the parcel list the number of parcels, their total net weight, and the total number of sacks composing each dispatch.

3. The dispatching exchange offices shall number the dispatches for each exchange office of destination consecutively, on an annual basis. In the first dispatch of each year shall be noted the number of the last dispatch of the preceding year.

4. When it is a question of parcels contained in direct dispatches, the Administrations may agree that the dispatch notes, customs declarations, and other required documents should accompany the parcels contained in each sack, and when the dispatch is composed of several sacks, all of them shall be forwarded, if possible, by the same transmission.

5. The sacks shall be secured with fastenings guaranteeing the intactness of their contents, and shall bear an ocher-yellow label indi-

cating the number of the dispatch, order number of the sack, number of parcels which it contains, the gross weight of same, and, if possible, the number of sacks of which the dispatch is composed. The label of the sacks containing insured parcels shall be distinguished by a red letter "V".

6. In the last sack of those composing the dispatch shall be included the CP 11 parcel bills (Universal Postal Union), and the label shall be distinguished by the letter "F".

## **Article 109**

### **DISPATCHES IN TRANSIT**

The dispatching exchange office shall send to each of the intermediary Administrations a parcel bill form CP 12 (Universal Postal Union), with the detail of the credits due them. The Administrations shall agree upon the manner of transmission of that document.

## **Article 110**

### **RECEIPT AND VERIFICATION OF THE DISPATCHES**

1. The Administrations shall adopt the necessary measures with a view to ensuring the receipt of the dispatches immediately upon the arrival of the medium of transportation which conveyed them.

2. The exchange office of destination shall verify the condition of the sacks, their fastenings, and the weight indicated on the label before issuing a receipt for the dispatch, noting on the waybill the irregularities observed, which shall be reported by the next mail to the dispatching exchange office and/or to the intermediary office, if one is involved. The intermediary offices shall follow a similar procedure, should the occasion arise, informing, in addition, the office of destination.

3. If, upon checking the service documents relative to the dispatches received, errors or omissions are disclosed, the receiving office shall immediately make the necessary corrections, taking care to cross out the erroneous particulars in such a manner that the original notations may be recognized, and shall report the fact to the office of origin by means of a bulletin of verification, form CP 13 (Universal Postal Union), which shall be sent in duplicate. These corrections, unless there is an evident error, shall prevail over the original declarations.

4. When a shortage of parcels is verified, then, in addition to the form CP 13 (Universal Postal Union) referred to in the preceding Section, a report shall be drawn up recording the fact, which shall be added to the form CP 13 and sent to the office of origin together with the sack and its complete fastening (string, lead seal, and label).

5. A similar procedure shall be followed when parcels are received rifled, and in addition a report shall be drawn up on form CP 14 (Universal Postal Union), which shall be sent together with the bulletin of verification form CP 13 (Universal Postal Union) and the respective exhibits.

6. The provisions of Section 3 shall apply when parcels are received insufficiently packed or damaged; such parcels shall be repacked, preserving as far as possible the original packing material, address, and label.

7. Should the damage be of such a nature as to have permitted the riffling of the contents, the office shall proceed to repack the parcel officially, complying with the formalities prescribed in Section 5 and noting on the new wrapper the weight before and after that operation. The same procedure shall be followed in case a difference in weight is proved, leading to the supposition that the contents were rifled.

8. If the parties concerned should make reservations upon receipt of the parcel, a report, form CP 14 (Universal Postal Union), shall be drawn up in their presence, in duplicate, which shall be signed by them and by the postal agents. A copy of the report shall be delivered to the party concerned, and another shall remain in possession of the Administration.

9. Any irregularity verified in an insured parcel shall give rise to the drawing up of a report, form CP 14 (Universal Postal Union), and to the subsequent transmission of the exhibits (string, seal or lead seal, label, packing material, and container).

10. If the exchange office of destination should fail to report to the dispatching exchange office, by the mail following the receipt of a dispatch of parcels, any irregularities or errors of any kind verified therein, that dispatch shall be considered as received in good order, barring proof to the contrary.

11. Proof of irregularities shall not give rise to the return of the parcel to origin, except when that is the procedure to be followed because it contains prohibited articles.

12. The bulletins of verification, as well as the reports and exhibits mentioned in this Article, shall be transmitted as a registered article, utilizing the most rapid route.

### **Article 111**

#### **RETURN OF EMPTY SACKS**

1. Sacks shall be returned empty to the Administration and, if possible, to the exchange office to which they belong, by the first mail. The return shall be made without expense and, as far as possible, by the most rapid route. The labels shall also be returned, enclosed in the sacks.

2. Separate dispatches, duly distinguished, shall be made up of the empty sacks, with consecutive numbering on an annual basis, indicating on the parcel bills the number of each returned sack, or, in lieu thereof, the total number of same. When, because of their limited number, the formation of dispatches is not justified, the sacks may be included in those containing parcels.

3. The Administrations are held responsible for the sacks whose

return they cannot prove, reimbursing, in such case, the actual value of the sack to the Administration concerned.

### **Article 112**

#### **PERIOD FOR RETENTION OF DOCUMENTS**

1. The documents of the parcel post service, including the dispatch notes, must be kept for a minimum period of eighteen months, counting from the day following the date of such documents.

2. Documents concerning a dispute or claim shall be retained until the matter is settled. If the complaining Administration, duly informed of the result of the investigation, allows six months to elapse from the date of the communication without formulating any objections, the matter shall be considered closed.

### **Article 113**

#### **ACCOUNTS**

1. The preparation and settlement of accounts pertaining to the exchange of parcel post shall be subject to the provisions of the Agreement relative to Parcel Post of the Universal Postal Union and its Regulations of Execution.

2. Payment of the parcel post accounts shall be made in accordance with the provisions of Article 116 of the Regulations of Execution of the Convention of the Postal Union of the Americas and Spain.

3. However, all accounts between Administrations may be cleared annually through the International Office of the Union, and debtor balances to be settled as soon as possible within the period of three months from the date on which the country concerned receives the balance sheet.

### **Article 114**

#### **MATTERS NOT PROVIDED FOR**

In all matters not provided for in these Regulations, the provisions of the Regulations of Execution of the Agreement relative to Parcel Post of the Universal Postal Union shall apply, or, in the absence of such provisions, the domestic legislation of each country.

### **Article 115**

#### **EFFECTIVE DATE AND DURATION OF THE REGULATIONS**

The present Regulations shall become effective on the same date as the Agreement to which they refer, and shall have the same duration as the latter.

In the city of Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1584-1587.]

# MULTILATERAL

**Money Orders: Postal Union of the Americas and Spain**

*Agreement and Final Protocol signed at Buenos Aires  
October 14, 1960; [<sup>1</sup>]*

*Ratified and approved by the Acting Postmaster General  
May 31, 1961;*

*Approved by the President of the United States of  
America July 26, 1961;*

*Entered into force March 1, 1961.*

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## ACUERDO RELATIVO A GIROS POSTALES

**celebrado entre:**

Argentina, Bolivia, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, República de Venezuela y Uruguay.

Los infrascritos Plenipotenciarios de los Gobiernos de los Países mencionados, reunidos en Congreso en la ciudad de Buenos Aires, capital de la República Argentina, en virtud de lo dispuesto por el artículo 19 del Convenio de la Unión Postal de las Américas y España, firmado en Buenos Aires, el catorce de octubre de 1960, han determinado celebrar "ad referendum" el Acuerdo siguiente:

### ARTICULO 1

#### **Objeto del Acuerdo**

El cambio de giros postales entre los Países contratantes, cuyas Administraciones convengan en realizar este servicio, se regirá por las disposiciones del presente Acuerdo.

### ARTICULO 2

#### **Moneda**

El importe de los giros se expresará en la moneda del País de destino. Sin embargo, las Administraciones quedan facultadas para adoptar de común acuerdo otra moneda, cuando así convenga a sus intereses.

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<sup>1</sup> Texts as certified by the Director of the International Office of the Postal Union of the Americas and Spain, Montevideo.

### **ARTICULO 3**

#### **Condiciones para el cambio de los giros**

1. El cambio de giros postales entre los Países contratantes se llevará a cabo por medio de listas conforme al modelo GP1 anexo, que se encaminarán a su destino, preferentemente por la vía aérea, por cuenta de la Administración expedidora.

2. En idénticas condiciones a las señaladas en el párrafo 1 de este artículo, expedirán toda su correspondencia las oficinas centrales para el cambio de giros a que se refiere el mismo párrafo.

3. Cada Administración designará las oficinas de su País que hayan de encargarse de formular dichas listas y enviarlas a aquellas otras oficinas que, para los mismos fines, designen las demás Administraciones.

4. Asimismo, las Administraciones podrán acordar la realización del servicio por el sistema de "tarjeta", esto es, de remisión de títulos.

5. En los casos de fuerza mayor que imposibiliten el intercambio directo de giros, el País expedidor, aún sin que medie petición del remitente o del destinatario, podrá dirigirlos, previo acuerdo entre las Administraciones interesadas y sujetos a las reglas precedentes, a otro País distinto para que éste, a su vez, los reexpida a su destino por la vía que haga factible su entrega.

### **ARTICULO 4**

#### **Giros telegráficos**

Las disposiciones de este Acuerdo se harán extensivas al servicio de giros telegráficos entre aquellas Administraciones que convengan en prestarlo. A tal efecto, previo arreglo entre sí, fijarán las condiciones reglamentarias del propio servicio.

### **ARTICULO 5**

#### **Límites máximos de emisión**

1. Las Administraciones de los Países contratantes que convengan en prestar este servicio se pondrán de acuerdo para fijar el límite máximo de los giros que cambien entre sí.

2. Sin embargo, los giros relativos al servicio de correos, emitidos con franquicia de porte en aplicación de las disposiciones del artículo 9, podrán exceder del máximo fijado por cada Administración.

**ARTICULO 6****Tasas y derechos de comisión**

1. El remitente de todo giro emitido conforme a las disposiciones del presente Acuerdo deberá abonar la tasa que fije la Administración de origen, según su reglamentación y con la escala adoptada y promulgada para su servicio interno.

2. Cuando los giros se cursen por expreso, las Administraciones podrán percibir el derecho especial establecido, que no excederá del que rija para la correspondencia.

**ARTICULO 7****Endosos**

Las Administraciones de los Países contratantes quedan autorizadas para permitir en su territorio y de acuerdo con su legislación interior el endoso de los giros de cualquier País.

**ARTICULO 8****Responsabilidad**

Las Administraciones serán responsables, ante los remitentes, de las cantidades que éstos depositen para ser invertidas en giros postales hasta el momento en que sean pagados a los destinatarios o endosatarios.

**ARTICULO 9****Franquicias de derechos**

Estarán exentos de todo derecho los giros relativos al servicio, cambiados entre las Administraciones o entre las oficinas de correos dependientes de cada Administración, así como también los que remitan a las Oficinas Internacionales de Montevideo o a la de Transbordos de Panamá y viceversa.

**ARTICULO 10****Plazo de validez de los giros**

1. Salvo acuerdo en contrario, todo giro postal será pagadero en el País de destino, dentro de los seis meses siguientes al de su emisión.

2. El importe de los giros que no haya sido pagado dentro de dicho período se acreditará a la Administración de origen, a la cual se enviará al efecto una fórmula GP 4 con el detalle de tales giros, para que proceda de acuerdo con su reglamento.

## **ARTICULO 11**

### **Cambio de dirección y reintegro de giros**

1. Cuando el remitente desee corregir un error en la dirección del destinatario o solicitar la devolución del importe del giro, hará la gestión ante la Administración del País que lo haya emitido.

2. Por lo general un giro postal no será reintegrado sin autorización de la Administración del País pagador. Dicha autorización se dará por medio de una comunicación independiente dirigida a la Administración de origen, y el monto total de los giros cuyo reintegro se autorice se acreditará en la próxima cuenta a formularse.

## **ARTICULO 12**

### **Aviso de pago**

1. El remitente de un giro podrá obtener un aviso de pago mediante un derecho equivalente al percibido por la Administración de origen en concepto de aviso de recibo de la correspondencia certificada. Este derecho pertenecerá a la Administración de origen.

2. La Administración de destino extenderá el aviso de pago en un impreso conforme al modelo GP 6 y lo remitirá al propio interesado directamente o a la Administración emisora para su entrega a aquél.

## **ARTICULO 13**

### **Reexpedición**

1. A petición del remitente o del destinatario de los giros, éstos podrán ser reexpedidos a otro País distinto, siempre que exista intercambio de giros con el nuevo País de destino. En este caso, la Administración reexpedidora no percibirá derecho alguno.

2. En caso de reexpedición, el giro se considerará como si hubiese sido pagado por la Administración reexpedidora, la cual lo incluirá en la cuenta por tal concepto, añadiendo la palabra "Reexpedición".

**ARTICULO 14****Legislación interior**

Los giros postales que se cambien entre dos Administraciones están sujetos, en lo que concierne a su emisión y pago, a las disposiciones aplicables a los giros postales interiores, vigentes en las Administraciones de origen y destino.

**ARTICULO 15****Formación de las listas**

1. Cada oficina de cambio comunicará a la de cambio correspondiente, en las fechas en que se imponga el giro, las cantidades recibidas en su País para ser pagadas en el otro, haciendo uso del modelo GP 1 anexo.

2. Todo giro postal anotado en las listas llevará un número progresivo que se denominará "número internacional", comenzando el primero de enero o el primero de julio de cada año, según se convenga, con el número 1. Cuando al término del año o semestre, se varíe la numeración, la primera lista deberá llevar, además del número de la serie, el último número internacional de la serie anterior.

3. Las oficinas de cambio se acusarán recibo de cada lista por medio de la primera lista siguiente, enviada en la dirección opuesta.

4. Cualquier lista que faltare será reclamada inmediatamente por la oficina de cambio que comprobare la falta. La oficina de cambio remitente, en tal caso, enviará lo antes posible a la reclamante un duplicado de la lista pedida, debidamente formalizado.

**ARTICULO 16****Comprobación y rectificación de las listas**

1. Las listas serán revisadas cuidadosamente por la Oficina de cambio destinataria y corregidas cuando contengan simples errores. De estas correcciones será informada la oficina de cambio remitente al acusársele recibo de la lista en que se hubieran efectuado.

2. Cuando tales errores sean de importancia, la oficina de cambio destinataria solicitará aclaraciones a la remitente, que informará dentro del más breve plazo. Entretanto, se suspenderá la emisión de los giros postales internos correspondientes a las libranzas cuya aclaración se hubiere solicitado. Estas cuestiones se tratarán, de ser posible, utilizando la vía aérea.

## ARTICULO 17

### Pago de los giros

1. Al recibirse en una oficina de cambio una lista de giros con arreglo a lo dispuesto en el artículo 15, dicha oficina procederá a efectuar u ordenar el pago a los destinatarios en la moneda del País de destino de las cantidades que, en dicha moneda o en otra convenida, figuren en la lista, de conformidad con los reglamentos vigentes en cada País para el pago de los giros internacionales.

2. La Administración de destino procurará en todos los casos realizar sin demora el pago a los beneficiarios. Si transcurrido un mes de remitido el aviso al beneficiario no se hubiera efectuado el pago, se comunicará el hecho a la Administración de origen para que lo ponga en conocimiento del remitente.

3. Los duplicados de giros postales se expedirán solamente por la Administración del País emisor, de conformidad con su legislación interna y previa comprobación de que el giro no ha sido ni pagado al destinatario ni reembolsado al expedidor.

## ARTICULO 18

### Rendición y liquidación de cuentas

1. Salvo acuerdo en contrario, al final de cada trimestre, la Administración acreedora formulará la cuenta respectiva para la Administración correspondiente, en que conste:

- a) los totales de las listas que contengan el detalle de los giros emitidos en ambos Países durante el trimestre;
- b) los totales de los giros que hubieren sido reintegrados a los remitentes;
- c) los totales de los giros que hubieren caducado durante el trimestre.

2. El haber de cada Administración se expresará en la moneda de su País.

3. El importe menor será convertido a la moneda del País acreedor con arreglo al cambio medio del trimestre a que se refiera la cuenta.

4. Esta cuenta, extendida en doble ejemplar, se enviará por la Administración que la haya formulado, a la Administración correspondiente. Si el saldo resultare a favor de esta Administración, se pagará uniendo a la cuenta una letra a la vista sobre el

País acreedor. Si el saldo resultare a favor de la Administración que haya formulado la cuenta, el pago se llevará a cabo por la Administración deudora, en la forma indicada en el párrafo anterior, al devolverse aceptada la cuenta. Para la formación de esta cuenta trimestral se utilizarán los modelos GP 2, GP 3, GP 4 y GP 5, anexos al presente Acuerdo.

5. También podrán entenderse las Administraciones para no efectuar conversiones sino para realizar la liquidación unilateralmente; esto es, para abonar cada Administración a la otra el importe total de los giros pagados por su cuenta. En tal caso, cada Administración habrá de formular una cuenta trimestral.

## ARTICULO 19

### Supresión de cuentas por intercambio de giros

1. Las Administraciones podrán, previo acuerdo, suprimir la formación de las cuentas a que se refiere el artículo anterior. En este caso, deberán comprometerse a enviar adjunto a cada lista de giros modelos GP 1 un cheque por el importe total de los mismos aplicándose igual procedimiento cuando esté indicado el uso de los modelos GP 3 y GP 4.

2. Los cheques, salvo acuerdo en contrario, serán expedidos en la moneda del País acreedor.

## ARTICULO 20

### Anticipos a buena cuenta

1. Cuando resultare que una Administración deba a la otra, por cuenta de giros postales, un saldo que exceda de 25.000 francos oro o la equivalencia aproximada de esta cantidad en su propia moneda, la Administración deudora deberá enviar a la acreedora a la mayor brevedad posible y como anticipo a buena cuenta, una cantidad aproximada al saldo de la liquidación trimestral a que se refiere el artículo 18.

2. Si la cantidad adelantada fuese superior al saldo de la liquidación definitiva del período, la diferencia será transferida al siguiente, quedando sobreentendido que, en caso de suspensión del servicio, el posible exceso será reintegrado inmediatamente en la misma moneda recibida.

## ARTICULO 21

### Intercambio por el sistema de tarjeta

Las Administraciones que convinieran en practicar el intercambio por el sistema a que se refiere el párrafo 4 del artículo 3,

lo harán sobre la base de las pertinentes disposiciones del Acuerdo de la Unión Postal Universal, con observancia de las peculiaridades del presente.

## **ARTICULO 22**

### **Suspensión del servicio**

1. Las Administraciones de los Países contratantes podrán, cuando lo juzguen conveniente, suspender temporalmente la emisión de giros postales. Asimismo, quedan facultadas para adoptar todas aquellas disposiciones que estimen oportunas para salvaguardar sus intereses y evitar posibilidad de agio.

2. La Administración que adopte alguna de las medidas aludidas en el párrafo anterior deberá comunicarlo con toda urgencia a las Administraciones con las que cambie giros postales.

## **ARTICULO 23**

### **Proposiciones durante el intervalo de los Congresos**

El presente Acuerdo podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio de la Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

- a) unanimidad de sufragios si se trata de introducir nuevas disposiciones o de modificar los artículos 1, 2, 5, 8, 9, 14, 18, 19, 20, 22, 23 y 24;
- b) dos tercios de sufragios para modificar los demás artículos.

## **ARTICULO 24**

### **Vigencia y duración del Acuerdo**

1. El presente Acuerdo empezará a regir el día 1º del mes de marzo del año mil novecientos sesenta y uno y quedará en vigencia sin limitación de tiempo, reservándose cada uno de los Países miembros el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, el cual lo hará saber a los demás Países miembros.

2. El Acuerdo dejará de regir con respecto al País miembro que lo haya denunciado al vencer el plazo de un año a contar del día de la recepción de la notificación por el Gobierno de la República Oriental del Uruguay.

3. En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los Países arriba enumerados suscriben el presente Acuerdo en la ciudad de Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre de mil novecientos sesenta.

Por ARGENTINA:



PEDRO GIUI



EGIDIO NICOLAS PERRETTA



JORGE E. M. TENREYRO



JUAN T. ARREGUI



RICARDO A. JUSTO

Por BOLIVIA:

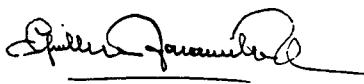


LUIS GUILLERMO CLAVEL

Por COLOMBIA:



ROBERTO ARCIÑEGAS SCHLESINGER



GUILLERMO JARAMILLO URIBECHEA



RAFAEL CHACON ZORRILLA



RODOLFO AFANADOR TOSAR

Por COSTA RICA:



RAMIRO MATA



ARMANDO ARAUZ

Por CUBA:

  
AMERICO CRUZ

Por ESPAÑA:

  
JOSE MARIA ALFARO POLANCO

Por CHILE:

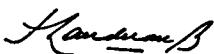
  
BERNARDINO AYALA ROMAN

  
ANIBAL MARTIN GARCIA



LUIS CARVAJAL CRUZAT

  
MARCELO FRAGA IRIBARNE



JUAN LUIS LANDREAU BALLO

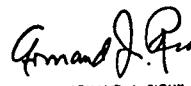
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GREEVER ALLAN

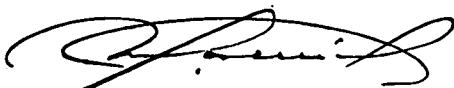
  
RAYMOND E. HANCOCK

Por ECUADOR:

  
RODRIGO VALDEZ BAQUERO

  
Armand J. Rioux  
ARMAND J. RIoux

Por EL SALVADOR:



RICARDO SALAVERRIA

Por GUATEMALA:

  
JUAN ALFREDO RENDON MALDONADO

Por HAITI:

  
ARNOLD MONTPEIROUS

Por HONDURAS:



ALFONSO ALVARADO O



ARTURO RENDON

Por PERU:



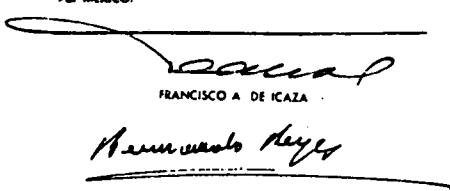
HILDEBRANDO MERINO M

Por REPUBLICA DOMINICANA:

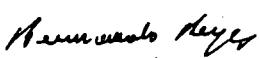


RAUL PLAZA SOSA

Por MEXICO:

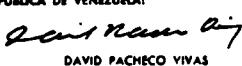


FRANCISCO A. DE ICASA



BERNARDO REYES MORALES

Por REPUBLICA DE VENEZUELA:



DAVID PACHECO VIVAS



FRANCISCO VELEZ SALAS



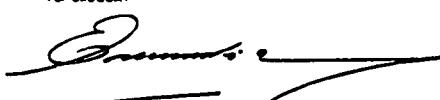
OSCAR MISELE

Por NICARAGUA:



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Por URUGUAY:

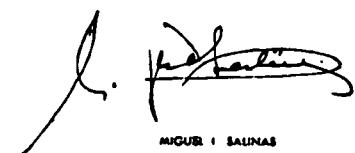


EDUARDO VAZQUEZ

Por PANAMA:



FRANCISCO A. RUIZ

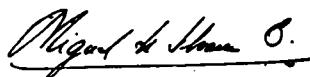


MIGUEL ANGEL ALVAREZ EASTMAN

Por PARAGUAY:



RUBEN ALVARENGA CABANA



MIGUEL ANGEL ALVAREZ EASTMAN

PROTOCOLO FINAL DEL ACUERDO RELATIVO A  
GIROS POSTALES

En el momento de firmar el Acuerdo relativo a Giros Postales celebrado por el VIII Congreso de la Unión Postal de las Américas y España, los Plenipotenciarios que suscriben han convenido lo siguiente:

Los Estados Unidos de América formulan una reserva en el sentido de que no pueden aceptar las estipulaciones de los siguientes Artículos:

Artículo 5, Párrafo 2 "Límites máximos de emisión"

Artículo 9, "Franquicias de derechos"

Artículo 10, "Plazo de validez de los giros"

Artículo 12, "Aviso de pago"

Artículo 13, "Reexpedición".

Buenos Aires, capital de la República Argentina, a los catorce días del mes de octubre de mil novecientos sesenta.

Por ARGENTINA:



PEDRO GIU



EGIDIO NICOLAS PERRETTA



JORGE E. M. TENEBREO

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SALVADOR ROVIRA

Por ESPAÑA:

JOSE MARIA ALVARO POLANCO

Por MATH:

ARNOLD MONTPERREUX

FRANCISCO BERENGUER MAS

ANIBAL MARTIN GARCIA

MARCELO DIAZ MORAINA

Por HONDURAS:

ALFONSO ALVARADO U.

ARTURO RENDON

Por MEXICO:

FRANCISCO A. DE ICaza

Por ESTADOS UNIDOS DE AMERICA:

GREEVER ALLAN

RAYMOND K. HANCOCK

ARMAND J. RIOUX

Por NICARAGUA:

FRANCISCO GAITAN C.

Por GUATEMALA:

JUAN ALFREDO RENDON MALDONADO

Por PANAMA:

FRANCISCO A. RUIZ

Por PARAGUAY.

RUBEN ALVARENGA CABANA

Por URUGUAY.

EDUARDO VAZQUEZ

Por PERU:

HILDEBRANDO MERINO M.

MIGUEL I. SALINAS

Por REPUBLICA DOMINICANA:

RAÚL RILEY SOSA

MIGUEL ÁNGEL ÁLVAREZ EASTMAN

Por REPUBLICA DE VENEZUELA.

DAVID PACHECO VIVAS

FRANCISCO VELEZ SALAS

OSCAR MISSE

Having examined and considered the provisions of the foregoing Agreement Relative to Money Orders and the Final Protocol thereto, signed in the city of Buenos Aires, Argentina, on the fourteenth day of October, 1960, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 31st day of May, 1961.

H W BRAWLEY  
*Acting Postmaster General*

[SEAL]

I hereby approve the foregoing Agreement Relative to Money Orders and the Final Protocol thereto.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States to be hereto affixed.

[SEAL]

JOHN F KENNEDY

By the President:

DEAN RUSK

*Secretary of State*

WASHINGTON, July 26, 1961

*Translation prepared by the Post Office Department*

## AGREEMENT RELATIVE TO MONEY ORDERS

Concluded between

Argentina, Bolivia, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, the Republic of Venezuela, and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, assembled in Congress in the city of Buenos Aires, capital of the Argentine Republic, by virtue of the provisions of Article 19 of the Convention of the Postal Union of the Americas and Spain signed in Buenos Aires on the fourteenth day of October, 1960,[<sup>1</sup>] have determined to conclude, *ad referendum*, the following Agreement:

### Article 1

#### PURPOSE OF THE AGREEMENT

The exchange of money orders between the contracting countries whose Administrations agree to perform this service shall be governed by the provisions of the present Agreement.

### Article 2

#### CURRENCY

The amount of the money orders shall be expressed in the currency of the country of destination. However, the Administrations are empowered to adopt another currency by mutual agreement, whenever it may thus suit their interests.

### Article 3

#### CONDITIONS FOR THE EXCHANGE OF MONEY ORDERS

1. The exchange of money orders in the contracting countries shall be effected by means of lists conforming to form GP 1 hereto appended,[<sup>2</sup>] which shall be forwarded to their destination, preferably by air mail, to the account of the issuing Administration.

2. The central offices for the exchange of money orders referred to in Section 1 of this Article shall forward all their correspondence under conditions identical to those stipulated in this same Section 1.

3. Each Administration shall designate the offices of its country which are to prepare the said lists and send them to the offices which the other Administrations may designate for the same purpose.

<sup>1</sup> TIAS 4871; *ante*, p. 1523.

<sup>2</sup> Not printed herein.

4. The Administrations may likewise agree to effect the service by the "card" system—that is, by the transmission of certificates.

5. In cases of *force majeure*, which render impossible the direct exchange of money orders, the issuing country, even without a request from the remitter or payee, may transmit them, after agreement between the Administrations concerned and subject to the aforementioned rules, to a different country, in order that the latter, in its turn, may forward them to destination by the route which makes their delivery feasible.

#### **Article 4**

##### **TELEGRAPHIC MONEY ORDERS**

The provisions of this Agreement shall apply to the service of telegraphic money orders between those countries which agree to furnish it. For such purpose they shall establish, after agreement among themselves, the conditions regulating that service.

#### **Article 5**

##### **MAXIMUM AMOUNTS OF MONEY ORDERS**

1. The Administrations of the contracting countries agreeing to provide this service shall come to agreement to establish the maximum amount of the money orders exchanged with one another.

2. However, money orders relative to the postal service, issued free of charge by application of the provisions of Article 9, may exceed the maximum established by each Administration.

#### **Article 6**

##### **CHARGES AND COMMISSION FEES**

1. The remitter of any money order issued in accordance with the provisions of the present Agreement must pay the charges established by the Administration of origin in accordance with its regulations and the scale adopted and promulgated for its domestic service.

2. When money orders are sent by special delivery, the Administrations may collect the special fee established, which shall not exceed the one prevailing for correspondence.

#### **Article 7**

##### **ENDORSEMENTS**

The Administrations of the contracting countries are authorized to permit the endorsement of money orders from any country whatsoever on their territory, in accordance with their domestic legislation.

**Article 8****RESPONSIBILITY**

The Administrations shall be responsible to the remitters for the amounts deposited by the latter for conversion into money orders up to the time of payment to the payees or endorsees.

**Article 9****EXEMPTION FROM CHARGES**

Money orders relative to the service, exchanged between Administrations or between post offices of any Administration, as well as those sent to the International Office of Montevideo or to the Transfer Office of Panama and vice versa, shall be exempt from any charge.

**Article 10****PERIOD OF VALIDITY OF MONEY ORDERS**

1. Unless otherwise agreed upon, every money order shall be payable in the country of destination within the period of six months following the month of its issue.
2. The amount of the money orders which have not been paid within the said period shall be credited to the Administration of origin, to which a form GP 4 shall be sent for this purpose, with a detailed description of such money orders, in order that it may proceed in accordance with its regulations.

**Article 11****CHANGE OF ADDRESS AND REPAYMENT OF MONEY ORDERS**

1. When the remitter wishes to correct an error in the address of the payee or to request the return of the amount of the money order, he shall apply to the Administration of the country which issued it.
2. In general, a money order shall not be repaid without authorization from the Administration of the paying country. Such authorization shall be given by means of a separate communication addressed to the Administration of origin, and the total amount of the money orders whose repayment is authorized shall be credited in the next account to be made up.

**Article 12****NOTICE OF PAYMENT**

1. The remitter of a money order may obtain a notice of payment for a fee equivalent to that collected by the Administration of origin for the return receipt of a registered letter. This fee shall belong to the Administration of origin.

2. The Administration of destination shall issue the notice of payment on a printed form conforming to form GP 6, and shall send it directly to the interested party or to the Administration of origin for delivery to that party.

### **Article 13**

#### **FORWARDING**

1. At the request of the remitter or payee of money orders, the latter may be forwarded to another country, provided that an exchange of money orders exists with the new country of destination. In such case, the forwarding Administration shall not collect any fee.

2. In case of forwarding, the money order shall be considered as though it had been paid by the forwarding Administration, which shall include it in the account for that purpose, adding the word "Re-expedicion" (Forwarding).

### **Article 14**

#### **DOMESTIC LEGISLATION**

Money orders exchanged between two Administrations are subject, insofar as their issue and payment is concerned, to the provisions applicable to domestic money orders in force in the Administrations of origin and destination.

### **Article 15**

#### **PREPARATION OF LISTS**

1. Each exchange office shall make known to the corresponding exchange office, on the dates on which money orders are issued, the amounts received in its country for the purpose of being paid in the other one, making use of the form GP 1 hereto appended.<sup>[1]</sup>

2. Every money order entered in the lists shall bear a consecutive number, to be known as "international number", beginning with the number 1 on the first of January or the first of July of each year, whichever is agreed upon. When, at the end of the year or half year, a change in numbering occurs, the first list must show, in addition to the number of the series, the last international number of the preceding series.

3. The exchange offices shall acknowledge to one another the receipt of each list by means of the first following list sent in the opposite direction.

4. Any missing list shall be reported immediately by the exchange office verifying the shortage. In such case, the remitting exchange office shall send to the complaining office, as soon as possible, a duplicate of the requested list, duly authenticated.

<sup>1</sup> Not printed herein.

## Article 16

### VERIFICATION AND CORRECTION OF THE LISTS

1. The lists shall be examined carefully by the exchange office of destination and corrected when they contain simple errors. The remitting exchange office shall be informed of these corrections upon acknowledging to it receipt of the list in which such corrections were made.

2. When such errors are of importance, the exchange office of destination shall ask for explanations from the remitting office, which shall furnish them as soon as possible. In the meantime, the issuance of domestic money orders corresponding to the money orders concerning which an explanation was requested shall be suspended. These matters shall be handled, when possible, by air mail.

## Article 17

### PAYMENT OF MONEY ORDERS

1. When a list of money orders, as prescribed in Article 15, is received at an exchange office, that office shall proceed to effect or order payment to the payees, in the currency of the country of destination, of the amounts which appear in the list, either in the said currency or in any other agreed upon, in accordance with the regulations in force in each country for the payment of international money orders.

2. The Administration of destination shall endeavor in all cases to effect payment to the payees without delay. If, one month after the notice was sent to the payee, payment has not been made, that fact shall be made known to the Administration of origin, in order that it may advise the remitter thereof.

3. Duplicates of money orders shall be issued only by the Administration of the issuing country, in accordance with its domestic legislation, and after it has been proved that the money order was neither paid to the payee nor repaid to the remitter.

## Article 18

### RENDERING AND SETTLEMENT OF ACCOUNTS

1. Unless otherwise agreed upon, the creditor Administration shall prepare, at the end of each quarter, the respective account for the corresponding Administration, in which shall appear:

- a) The totals of the lists containing the detailed particulars of the money orders issued in both countries during the quarter;
- b) The totals of the money orders which were repaid to the remitters;
- c) The totals of the money orders which became invalid during the quarter.

2. The credit of each Administration shall be expressed in the currency of its country.

3. The smaller amount shall be converted into the currency of the creditor country on the basis of the average rate of exchange which prevailed during the quarter covered by the account.

4. This account, made up in duplicate, shall be sent by the Administration which prepared it to the corresponding Administration. If the balance should result in favor of the latter Administration, it shall be paid by attaching to the account a sight draft on the creditor country. If the balance should result in favor of the Administration which rendered the account, payment shall be made by the debtor Administration in the manner indicated in the preceding Section when the account is returned accepted. For the preparation of this quarterly account, forms GP 2, GP 3, GP 4, and GP 5, appended to the present Agreement, ['] shall be used.

5. Administrations may also come to agreement not to make conversions but to make unilateral settlements; that is, for each Administration to credit the other with the total amount of the money orders paid for its account. In such case, each Administration will have to prepare a quarterly account.

## Article 19

### DISCONTINUANCE OF MONEY ORDER ACCOUNTS

1. The Administrations may, by prior agreement, discontinue the rendering of accounts referred to in the preceding Article. In this case, they must bind themselves to attach to each list of money orders, form GP 1, a check for the total amount of same, following the same procedure when the use of forms GP 3 and GP 4 is indicated.

2. The checks, unless otherwise agreed upon, shall be drawn in the currency of the creditor country.

## Article 20

### ADVANCE PAYMENTS ON ACCOUNT

1. When one Administration owes another, on account of money orders, a balance exceeding 25,000 gold francs or the approximate equivalent thereof in its own currency, the debtor Administration must send to the creditor Administration as soon as possible, as advance payment on account, a sum approximating the balance of the quarterly settlement referred to in Article 18.

2. If the amount paid in advance should exceed the balance of the final settlement for the period, the difference shall be transferred to the following period, it being understood that, in case of suspension of the service, any possible surplus shall be reimbursed immediately in the same currency as received.

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<sup>1</sup> Not printed herein.

**Article 21****EXCHANGE BY THE CARD SYSTEM**

The Administrations which agree to effect the exchange by the system referred to in Section 4 of Article 3, shall do so on the basis of the pertinent provisions of the Agreement of the Universal Postal Union, while observing the distinctive features of the present Agreement.

**Article 22****SUSPENSION OF THE SERVICE**

1. The Administrations of the contracting countries may, when they deem it advisable, temporarily suspend the issue of money orders. They are likewise empowered to adopt all such measures as they may deem opportune to safeguard their interests and avoid the possibility of speculation in exchange.

2. The Administration which adopts any of the measures referred to in the preceding Section must notify at once the Administrations with which it exchanges money orders thereof.

**Article 23****PROPOSITIONS DURING THE INTERVAL BETWEEN CONGRESSES**

The present Agreement may be modified in the interval between Congresses, following the procedure established in the Convention of the Universal Postal Union. In order to become effective, the modifications must obtain:

- a) A unanimity of votes, if it is a question of introducing new provisions or modifying Articles 1, 2, 5, 8, 9, 14, 18, 19, 20, 22, 23, and 24.
- b) Two-thirds of the votes for the modification of the other Articles.

**Article 24****EFFECTIVE DATE AND DURATION OF THE AGREEMENT**

1. The present Agreement shall become effective on March 1, 1961, and shall remain in force without time limit, each of the member countries reserving to itself the right to denounce it by means of a notice given by its Government to that of the Oriental Republic of Uruguay, which shall make it known to the other member countries.

2. The Agreement shall cease to govern with regard to the member country which denounced it upon completion of the period of one year counting from the date of receipt of the notification by the Government of the Oriental Republic of Uruguay.

3. In testimony whereof, the Plenipotentiaries of the Governments of the countries enumerated above sign the present Agreement in the city of Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1612–1614.]

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**FINAL PROTOCOL OF THE AGREEMENT RELATIVE  
TO MONEY ORDERS**

At the moment of signing the Agreement relative to Money Orders concluded by the Eighth Congress of the Postal Union of the Americas and Spain, the Plenipotentiaries who undersign agreed upon the following:

The United States of America formulates a reservation to the effect that it cannot accept the stipulations of the following Articles:

Article 5, Section 2, "Maximum Amounts of Money Orders"

Article 9, "Exemption from Charges"

Article 10, "Period of Validity of Money Orders"

Article 12, "Notice of Payment"

Article 13, "Forwarding"

Buenos Aires, capital of the Argentine Republic, on the fourteenth day of the month of October, 1960.

[For signatories, see *ante*, pp. 1615–1618.]

# TURKEY

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of July 29, 1961.*

*Effectuated by exchange of notes*

*Signed at Ankara September 6, 1961;*

*Entered into force September 6, 1961.*

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*The American Ambassador to the Turkish Minister of Commerce*

AMERICAN EMBASSY,  
ANKARA, TURKEY,  
September 6, 1961

No. 397

**EXCELLENCY:**

I have the honor to refer to the Agricultural Commodities Agreement entered into by our two Governments on July 29, 1961 and to the accompanying exchange of notes,[<sup>2</sup>] and, in response to the request of the Government of the Republic of Turkey, to propose that this Agreement be amended as follows:

1. In paragraph 1 of Article I, change the dollar value of the sales program from "Wheat \$12.4," "Ocean transportation (estimated) \$1.8" and "Total \$14.2" to "Wheat \$43.4," "Ocean transportation (estimated) \$6.3," and "Total \$49.7" respectively.

2. In paragraph 1 B of Article II change "twenty percent" to read "sixteen and one-half percent."

3. In paragraph 1 C of Article II change "sixty percent" to read "sixty-three and one-half percent."

4. Paragraph 1 of Article III is deleted in its entirety and the following is inserted in its place:

"(1) The amount of lira to be deposited to the account of the United States shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States (except costs resulting from the requirement that United States flag vessels be used) converted into lira as follows:

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<sup>1</sup> Also TIAS 4926; *post*, Part 3.

<sup>2</sup> TIAS 4819; *ante*, p. 1098.

- “(a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States provided that a single exchange rate applying to all foreign exchange transactions is maintained by the Government of Turkey, or
- “(b) if more than one legal rate for foreign exchange transactions exists, the rate of exchange shall be mutually agreed upon from time to time between the Government of the United States and the Government of Turkey.”

5. It is further understood that in the note of July 29, 1961, numbered paragraph 1 is deleted and the following is substituted in lieu therefor:

“1. With respect to paragraph 1 of Article II of the Agreement, the Government of the Republic of Turkey will provide, upon request of the Government of the United States of America, facilities for the conversion into non-dollar currencies of up to \$300,000 in funds to finance educational exchange programs in other countries. In addition, the Government of the Republic of Turkey will provide, upon request of the Government of the United States of America, facilities for the conversion into non-dollar currencies of two percent of the total sales proceeds of the Agreement to finance agricultural market development activities in other countries.”

I have the honor to propose that this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two Governments on this matter to enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

RAYMOND A. HARE

His Excellency

MEHMET BAYDUR,

*Minister of Commerce of the  
Government of the Republic of Turkey,  
Ankara, Turkey.*

*The Turkish Minister of Commerce to the American Ambassador*

TÜRKİYE CUMHURİYETİ  
TİCARET BAKANLIĞI<sup>1</sup>

ANKARA, September 6, 1961

EXCELLENCY:

I have the honor to acknowledge receipt of your Note N. 397, dated September 6, 1961, which reads as follows:

"Excellency:

I have the honor to refer to the Agricultural Commodities Agreement entered into by our two Governments on July 29, 1961 and to the accompanying exchange of notes, and, in response to the request of the Government of the Republic of Turkey, to propose that this Agreement be amended as follows:

1. In paragraph 1 of Article I, change dollar value of the sales program from "Wheat \$12.4," "Ocean transportation (estimated) \$1.8" and "Total \$14.2" to "Wheat \$43.4," "Ocean transportation (estimated) \$6.3," and "Total \$49.7" respectively.
2. In paragraph 1 B of Article II change "twenty percent" to read "sixteen and one-half percent."
3. In paragraph 1 C of Article II change "sixty percent" to read "sixty-three and one-half percent."
4. Paragraph 1 of Article III is deleted in its entirety and the following is inserted in its place:

"(1) The amount of lira to be deposited to the account of the United States shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States (except costs resulting from the requirement that United States flag vessels be used) converted into lira as follows:

- "(a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States provided that a single exchange rate applying to all foreign exchange transactions is maintained by the Government of Turkey, or
- "(b) if more than one legal rate for foreign exchange transactions exists, the rate of exchange shall be mutually agreed upon from time to time between the Government of the United States and the Government of Turkey."

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<sup>1</sup> Republic of Turkey  
Ministry of Commerce

5. It is further understood that in the note of July 29, 1961, numbered paragraph 1 is deleted and the following is substituted in lieu therefor:

"1. With respect to paragraph 1 of Article II of the Agreement, the Government of the Republic of Turkey will provide, upon request of the Government of the United States of America, facilities for the conversion into non-dollar currencies of up to \$300,000 in funds to finance educational exchange programs in other countries. In addition, the Government of the Republic of Turkey will provide, upon request of the Government of the United States of America, facilities for the conversion into non-dollar currencies of two percent of the total sales proceeds of the Agreement to finance agricultural market development activities in other countries."

I have the honor to propose that this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two Governments on this matter to enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration."

I have the honor to inform you that the Government of the Republic of Turkey concurs with the foregoing understandings.

Accept, Excellency, the renewed assurances of my highest consideration.

MEHMET BAYDUR

Mehmet Baydur  
Minister of Commerce

His Excellency

RAYMOND A. HARE

*Ambassador of the  
United States of America  
Ankara, Turkey.*

# ISRAEL

## Surplus Agricultural Commodities [<sup>1</sup>]

*Agreement amending the agreement of January 7, 1960,  
as supplemented and amended.*

*Effectuated by exchange of notes*

*Signed at Tel Aviv and Jerusalem September 22 and  
October 9, 1961;  
Entered into force October 9, 1961.*

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*The American Ambassador to the Israeli Acting Minister for Foreign  
Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Tel Aviv, September 22, 1961.*

No. 10

**EXCELLENCY:**

I have the honor to refer to the Agricultural Commodities Agreement entered into by our two Governments on January 7, 1960, [<sup>2</sup>] as supplemented and amended on June 30, 1960, [<sup>3</sup>] and to propose that that Agreement, as supplemented and amended, be further amended as follows in the interest of simplifying administrative procedures involved in the use of funds accruing from sales of the agricultural commodities provided under the terms of the Agreement.

1. The table in numbered paragraph 1 of the Agreement of June 30, 1960, shall be deemed to be an integral part of the table in Article I of the Agreement of January 7, 1960.

2. Delete in its entirety numbered paragraph 2 of the Agreement of June 30, 1960.

3. Delete in their entirety subparagraphs 1A and 1B of Article II of the Agreement of January 7, 1960, and substitute therefor the following as a new subparagraph 1A, relettering the succeeding subparagraphs accordingly: "A. For United States expenditures under subsections (a), (b), (d), (f), and (h) through (r) of Section 104 of the Act [<sup>4</sup>] or under any of such subsections, 20 percent of the Israel pounds accruing pursuant to this Agreement."

<sup>1</sup> Also TIAS 4906; *post*, Part 3.

<sup>2</sup> TIAS 4401; 11 UST 8.

<sup>3</sup> TIAS 4513; 11 UST 1763.

<sup>4</sup> 68 Stat. 456; 7 U.S.C. § 1704.

4. In subparagraph 1B of Article II, change "the Israel pound equivalent of \$6.0 million, but not more than 20 percent of the currencies received under the Agreement" to "15.9 percent of the Israel pounds accruing pursuant to this Agreement".

5. In subparagraph 1C of Article II, change "the Israel pound equivalent of not more than \$4.2 million" to "11.2 percent of the Israel pounds accruing pursuant to this Agreement".

6. In subparagraph 1D of Article II, change "the Israel pound equivalent of not more than \$14.0 million" to "52.9 percent of the Israel pounds accruing pursuant to this Agreement".

7. Delete in its entirety numbered paragraph 2 of Article II.

Except as provided herein, the provisions of the Agreement of January 7, 1960, as supplemented and amended by the Agreement of June 30, 1960, shall remain unchanged.

If the foregoing is acceptable to Your Excellency's Government, it is proposed that this note together with Your Excellency's affirmative reply shall constitute an Agreement between our two Governments on this matter to enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

WALWORTH BARBOUR

His Excellency

DAVID BEN GURION,

*Acting Minister for Foreign Affairs  
of the State of Israel.*

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*The Israeli Acting Minister for Foreign Affairs to the American Ambassador*

MINISTER FOR FOREIGN AFFAIRS

שר החוץ

JERUSALEM, 9 October, 1961.

EXCELLENCY:

I have the honour to refer to Your Excellency's Note No. 10 of 22 September, proposing a further amendment of the Agricultural Commodities Agreement entered into by our two Governments on 7 January, 1960, as supplemented and amended on 30 June following.

I set out hereunder the text of the changes which are now suggested:

1. The table in numbered paragraph 1 of the Agreement of June 30, 1960, shall be deemed to be an integral part of the table in Article I of the Agreement of January 7, 1960.

2. Delete in its entirety numbered paragraph 2 of the Agreement of June 30, 1960.

3. Delete in their entirety subparagraphs 1A and 1B of Article II of the Agreement of January 7, 1960, and substitute therefor the following as a new subparagraph 1A, relettering the succeeding subparagraphs accordingly "A. For United States expenditures under subsections (a), (b), (d), (f) and (h) through (r) of Section 104 of the Act or under any of such subsections, 20 percent of the Israel pounds accruing pursuant to this Agreement."
4. In subparagraph 1B of Article II, change "the Israel pound equivalent of \$ 6.0 million, but not more than 20 percent of the currencies received under the Agreement" to "15.9 percent of the Israel pounds accruing pursuant to this Agreement"
5. In subparagraph 1C of Article II, change "the Israel pound equivalent of not more than \$ 4.2 million" to "11.2 percent of the Israel pounds accruing pursuant to this Agreement"
6. In subparagraph 1D of Article II, change "the Israel pound equivalent of not more than \$ 14.0 million" to "52.9 percent of the Israel pounds accruing pursuant to this Agreement"

7 Delete in its entirety numbered paragraph 2 of Article II.

Except as provided herein, the provisions of the Agreement of January 7, 1960, as supplemented and amended by the Agreement of June 30, 1960, shall remain unchanged.'

The foregoing text of amendment is acceptable to the Government of Israel as simplifying the administrative procedures involved in the use of funds accruing from sales of the agricultural commodities provided under the terms of the original Agreement. I accordingly concur that Your Excellency's Note and this, my affirmative Note in reply, shall constitute an Agreement between our two Governments on the matter to enter into force on the date of this Note.

Accept, Excellency, the renewed assurances of my highest consideration.

D. BEN-GURION

D. Ben-Gurion

His Excellency

Mr. W BARBOUR

*Ambassador of the*

*United States of America*

*in Israel.*

# GREECE

## Surplus Agricultural Commodities

*Agreement signed at Athens October 18, 1961;  
Entered into force October 18, 1961.  
With related note.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF GREECE UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Greece;

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for Greek drachmae of agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the Greek drachmae accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of agricultural commodities to Greece pursuant to Title I of the Agricultural Trade Development and Assistance Act,<sup>[1]</sup> as amended (hereinafter referred to as the Act), and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

#### ARTICLE I

##### SALES FOR GREEK DRACHMAE

1. Subject to issuance by the Government of the United States of America and acceptance by the Government of Greece of purchase authorizations and to the availability of commodities under the Act

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<sup>1</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

at the time of exportation, the Government of the United States of America undertakes to finance the sales for Greek drachmae, to purchasers authorized by the Government of Greece, of the following agricultural commodities in the amounts indicated:

<u>Commodity</u>	<u>Export Market Value (millions)</u>
Feedgrains	\$6.2
Wheat	1.9
Ocean transportation (estimated)	1.2
 Total	 \$9.3

2. Applications for purchase authorizations will be made within 90 calendar days of the effective date of this Agreement, except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the Greek drachmae accruing from such sale, and other relevant matters.

3. Purchase and shipment of the commodities mentioned above will be made within 18 calendar months of the effective date of this Agreement.

4. The financing, sale and delivery of commodities under this Agreement may be terminated by either Government if that Government determines that because of changed conditions the continuation of such financing, sale or delivery is unnecessary or undesirable.

## ARTICLE II

### USES OF GREEK DRACHMAE

The Greek drachmae accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes, in the amounts shown:

- A. For United States expenditures under subsections (a), (b), (c), (f) and (h) through (s) of Section 104 of the Act,<sup>[1]</sup> or under any of such subsections, thirty-five percent of the Greek drachmae accruing pursuant to this Agreement.
- B. For loans to be made by the Export-Import Bank of Washington under Section 104(e) of the Act and for administrative expenses of the Export-Import Bank of Washington in Greece

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<sup>[1]</sup> 68 Stat. 456; 7 U.S.C. § 1704.

incident thereto, fifteen percent of the Greek drachmae accruing pursuant to this Agreement. It is understood that:

- (1) Such loans under Section 104(e) of the Act will be made to United States business firms and branches, subsidiaries, or affiliates of such firms in Greece for business development and trade expansion in Greece, and to United States firms and Greek firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of and markets for United States agricultural products.
- (2) Loans will be mutually agreeable to the Export-Import Bank of Washington and the Government of Greece, acting through the Ministry of Economic Coordination. The Minister, or his designate, will act for the Government of Greece, and the President of the Export-Import Bank of Washington, or his designate, will act for the Export-Import Bank of Washington.
- (3) Upon receipt of an application which the Export-Import Bank is prepared to consider, the Export-Import Bank will inform the Ministry of Economic Coordination of the identity of the applicant, the nature of the proposed business, the amount of the proposed loan, and the general purposes for which the loan proceeds would be expended.
- (4) When the Export-Import Bank is prepared to act favorably upon an application, it will so notify the Ministry of Economic Coordination and will indicate the interest rate and the repayment period which would be used under the proposed loan. The interest rate will be similar to that prevailing in Greece on comparable loans, and the maturities will be consistent with the purposes of the financing.
- (5) Within sixty days after the receipt of the notice that the Export-Import Bank is prepared to act favorably upon an application, the Ministry of Economic Coordination will indicate to the Export-Import Bank whether or not the Ministry has any objection to the proposed loan. Unless within the sixty-day period the Export-Import Bank has received such a communication from the Ministry of Economic Coordination, it shall be understood that the Ministry has no objection to the proposed loan. When the Export-Import Bank approves or declines the proposed loan, it will notify the Ministry of Economic Coordination.

- (6) In the event the Greek drachmae set aside for loans under Section 104(e) of the Act are not advanced within three years from the date of this Agreement because the Export-Import Bank of Washington has not approved loans or because proposed loans have not been mutually agreeable to the Export-Import Bank of Washington and the Ministry of Economic Coordination, the Government of the United States of America may use the drachmae for any purpose authorized by Section 104 of the Act.
- C. For a loan to the Government of Greece under Section 104(g) of the Act for financing such projects to promote economic development, including projects not heretofore included in plans of the Government of Greece, as may be mutually agreed, fifty percent of the Greek drachmae accruing pursuant to this Agreement. The terms and conditions of the loan and other provisions will be set forth in a separate loan agreement. In the event that agreement is not reached on the use of the Greek drachmae for loan purposes within three years from the date of this Agreement, the Government of the United States of America may use the drachmae for any purposes authorized by Section 104 of the Act.

### ARTICLE III

#### DEPOSIT OF GREEK DRACHMAE

1. The amount of Greek drachmae to be deposited to the account of the Government of the United States of America shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) converted into Greek drachmae, as follows:
  - (a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States, provided that a unitary exchange rate applying to all foreign exchange transactions is maintained by the Government of Greece, or
  - (b) if more than one legal rate for foreign exchange transactions exists, at a rate of exchange to be mutually agreed upon from time to time between the Government of the United States of America and the Government of Greece.
2. In the event that a subsequent Agricultural Commodities Agreement or Agreements should be signed by the two Governments under the Act, any refunds of Greek drachmae which may be due or become due under this Agreement more than two years from the effective date of this Agreement would be made by the Government of the

United States of America from funds available from the most recent Agricultural Commodities Agreement in effect at the time of the refund.

#### ARTICLE IV

##### GENERAL UNDERTAKINGS

1. The Government of Greece will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America) of the agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities to nations unfriendly to the United States of America.
2. The two Governments will take reasonable precautions to assure that all sales or purchases of agricultural commodities pursuant to this Agreement will not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement, the two Governments will seek to assure conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

4. The Government of Greece will furnish, upon request of the Government of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and the provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

#### ARTICLE V

##### CONSULTATION

The two Governments will, upon request of either of them, consult regarding any matter relating to the application of this Agreement, or to the operation of arrangements carried out pursuant to this Agreement.

#### ARTICLE VI

##### ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Athens in duplicate this 18th day of October, 1961.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

W TAPLEY BENNETT

FOR THE GOVERNMENT OF  
GREECE:

C ARLIOTIS

*The Greek Minister of Coordination to the American Charge  
d'Affaires ad interim*

MINISTER OF COORDINATION

ATHENS, October 18, 1961

EXCELLENCY,

With reference to the Agricultural Commodities Agreement signed today between representatives of our two Governments, under which the Government of the United States of America undertakes to finance the delivery to Greece of \$9.3 million of feedgrains, wheat and/or flour, I have the honor to inform you of the following:

(1) In expressing its agreement with the Government of the United States of America that the above-mentioned deliveries should not unduly disrupt world prices of agricultural commodities, displace usual marketings of the United States of America in these commodities, or impair trade relations among friendly nations, my Government agrees that during the fiscal year ending June 30, 1962, it will procure and import from the United States at least 10,000 metric tons of feedgrains in addition to the approximately 126,000 metric tons of feedgrains to be imported under the terms of the cited Agreement. Furthermore, it is understood that the Government of Greece will refrain from exporting feedgrains, or corn starch and any other products derived from corn, while it is importing and utilizing Title I feedgrains.

(2) With regard to wheat and wheat flour, it is understood that the delivery of these commodities under the cited Agreement is not intended to increase the availability of these or like commodities for export and is made on the condition that no wheat, wheat flour, or products thereof will be exported from Greece until after the wheat and wheat flour have been imported and utilized, or until December 31, 1962, whichever is later. It is further understood that exports of semolina and semolina products may be made from Greece in this

period up to a total of 100 metric tons if derived entirely from imported durum wheat and destined only to nearby countries friendly to the United States of America.

(3) With regard to the conversion of Greek drachmae into other currencies and to certain other matters relating to the use by the Government of the United States of America of Greek drachmae accruing under the subject Agreement it is understood that:

(a) Upon request of the Government of the United States of America, the Government of Greece will provide facilities for conversion of two percent of the Greek drachmae accruing from sales under this Agreement into other currencies for purposes of Section 104(a) of the Agricultural Trade Development and Assistance Act, as amended (hereinafter referred to as the Act), and of the Greek drachmae equivalent of \$300,000 for purposes of Section 104(h) of the Act. These currencies will be used in the case of Section 104(a) to finance agricultural market development activities in other countries and in the case of Section 104(h) to finance educational exchange activities in other countries.

(b) The Government of the United States may utilize Greek drachmae in Greece to pay for international travel originating in Greece, or originating outside Greece when involving travel to or through Greece, including connecting travel, and for air travel within the United States or other areas outside Greece when it is part of a trip in which the traveler journeys from, to or through Greece. It is understood that these funds are intended to cover only travel by persons engaged in activities financed under Section 104 of the Act. It is further understood that this travel is not limited to services provided by Greek airlines.

Accept, Excellency, the renewed assurances of my highest consideration.

Sincerely yours,

C ARLIOTIS

C. Arliotis

Mr. W. TAPLEY BENNETT, Jr.  
*Charge d'Affaires, a.i.*  
*Embassy of the United States of America*  
*Athens*

# JAPAN

## **Mutual Defense Assistance: Cash Contribution by Japan**

*Arrangement relating to the agreement of March 8, 1954.*

*Effectuated by exchange of notes*

*Signed at Tokyo October 31, 1961;*

*Entered into force October 31, 1961.*

円）をこえないものとすることを提案する光榮を有します。

貴国政府が前記の提案を受諾されるときは、この書簡及び受諾を表明される閣下の返簡は、日本国の昭和三十六会計年度において日本国政府が提供すべき金銭負担の額に関する両政府の間の取極を構成するものと認めることといたします。

本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

昭和三十六年十月三十一日

日本国外務大臣



日本国駐在アメリカ合衆国特命全権大使

エドワイン・O・ライシャウラー閣下

TIAS 4877

*The Japanese Minister for Foreign Affairs to the American Ambassador [1]*

書簡をもつて啓上いたします。本大臣は、千九百五十四年三月八日に東京で署名された日本国とアメリカ合衆国との間の相互防衛援助協定に言及する光榮を有します。

同協定第七条<sup>2</sup>の規定は、日本国政府が、同協定の実施に関連するアメリカ合衆国政府の行政事務費及びこれに関連がある経費として、アメリカ合衆国政府に隨時円資金を提供すべきことを定めています。

また、同協定附属書G-3の規定は、日本国の毎会計年度において日本国政府が提供すべき金銭負担としての日本円の価額については、同政府が使用に供する金銭以外のものによる負担を考慮に入れた上、両政府の間で合意すべきことを定めています。

よつて、本大臣は、さらに、昭和三十六年四月一日から昭和三十七年三月三十一日までの日本国の会計年度において日本国政府が提供すべき金銭負担の額が、同年度に同政府が使用に供する金銭以外のものによる負担を考慮に入れて、三億円（三〇〇、〇〇〇、〇〇〇）

<sup>1</sup> The English translation of the note is quoted in the United States note; *post*, p. 1645.

*The American Ambassador to the Japanese Minister for Foreign Affairs*

No. 538

TOKYO, October 31, 1961

**EXCELLENCY:**

I have the honor to refer to Your Excellency's Note of October 31, 1961, which reads in the English translation thereof as follows:

"I have the honour to refer to the Mutual Defense Assistance Agreement between Japan and the United States of America signed at Tokyo on March 8, 1954.[<sup>1</sup>]

"Article VII, paragraph 2 of this Agreement provides that the Government of Japan will make available, from time to time, to the Government of the United States of America funds in yen for the administrative and related expenses of the latter Government in connection with carrying out such Agreement.

"Paragraph 3 of Annex G of the said Agreement provides that in consideration of the contributions in kind to be made available by the Government of Japan, the amount of yen to be made available as a cash contribution by the Government of Japan for any Japanese fiscal year shall be as agreed upon between the two Governments.

"Accordingly, I have further the honour to propose that, in consideration of the contributions in kind to be made available by the Government of Japan during the Japanese fiscal year from April 1, 1961 to March 31, 1962, the amount of the cash contribution to be made available by the Government of Japan for such fiscal year shall not exceed three hundred million yen (¥300,000,000).

"If the foregoing proposal is acceptable to your Government, this Note and Your Excellency's reply of acceptance shall be considered as constituting an arrangement between our two Governments on the amount of cash contribution to be made available by the Government of Japan for the Japanese fiscal year 1961."

I have further the honor to inform Your Excellency that the above proposal of the Government of Japan is acceptable to the Government of the United States of America and that Your Excellency's Note and this reply are considered as an arrangement between our two Governments on the amount of the cash contribution to be made available by the Government of Japan for the Japanese fiscal year 1961.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

EDWIN O. REISCHAUER

His Excellency

ZENTARO KOSAKA,

*Minister for Foreign Affairs,  
Tokyo.*

<sup>1</sup>TIAS 2957; 5 UST 661.

# ICELAND

## Surplus Agricultural Commodities

*Agreement signed at Washington November 6, 1961;  
Entered into force November 6, 1961.  
With memorandum.*

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### AGRICULTURAL COMMODITIES AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF ICELAND UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT, AS AMENDED

The Government of the United States of America and the Government of Iceland:

Recognizing the desirability of expanding trade in agricultural commodities between their two countries and with other friendly nations in a manner which would not displace usual marketings of the United States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

Considering that the purchase for Icelandic kronur of agricultural commodities produced in the United States of America will assist in achieving such an expansion of trade;

Considering that the Icelandic kronur accruing from such purchase will be utilized in a manner beneficial to both countries;

Desiring to set forth the understandings which will govern the sales, as specified below, of agricultural commodities to Iceland pursuant to Title I of the Agricultural Trade Development and Assistance Act,<sup>[1]</sup> as amended (hereinafter referred to as the Act), and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

#### ARTICLE I

##### SALES FOR ICELANDIC KRONUR

1. Subject to issuance by the Government of the United States of America and acceptance by the Government of Iceland of purchase authorizations and to the availability of commodities under the Act

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<sup>[1]</sup> 68 Stat. 455; 7 U.S.C. §§ 1701-1709.

at the time of exportation, the Government of the United States of America undertakes to finance the sales for Icelandic kronur, to purchasers authorized by the Government of Iceland, of the following agricultural commodities in the amounts indicated:

<u>Commodity</u>	<u>Export Market Value</u>
Apples	\$100,000

2. Applications for purchase authorizations will be made within 90 calendar days of the effective date of this Agreement, except that applications for purchase authorizations for any additional commodities or amounts of commodities provided for in any amendment to this Agreement will be made within 90 days after the effective date of such amendment. Purchase authorizations will include provisions relating to the sale and delivery of commodities, the time and circumstances of deposit of the Icelandic kronur accruing from such sale, and other relevant matters.

3. Purchase and shipment of the commodities mentioned above will be made within 18 calendar months of the effective date of this Agreement.

4. The financing, sale and delivery of commodities under this Agreement may be terminated by either Government if that Government determines that because of changed conditions the continuation of such financing, sale or delivery is unnecessary or undesirable.

## ARTICLE II

### USES OF ICELANDIC KRONUR

The Icelandic kronur accruing to the Government of the United States of America as a consequence of sales made pursuant to this Agreement will be used by the Government of the United States of America, in such manner and order of priority as the Government of the United States of America shall determine, for the following purposes, in the amounts shown:

- A. For United States expenditures under subsections (a), (b), (c), (d), (f) and (h) through (r) of Section 104 of the Act, or under any of such subsections, twenty-five percent of the Icelandic kronur accruing pursuant to this Agreement.
- B. For a loan to the Government of Iceland under Section 104(g) of the Act for financing such projects to promote economic development, including projects not heretofore included in plans of the Government of Iceland, as may be mutually agreed, seventy-five percent of the Icelandic kronur accruing pursuant to this Agreement. The terms and conditions of the loan and other provisions will be set forth in a separate loan agreement. In the event that agreement is not reached on the use of the Icelandic kronur for loan purposes within three years from

the date of this Agreement, the Government of the United States of America may use the Icelandic kronur for any purposes authorized by Section 104 of the Act.

### ARTICLE III

#### DEPOSIT OF ICELANDIC KRONUR

1. The amount of Icelandic kronur to be deposited to the account of the Government of the United States of America shall be the equivalent of the dollar sales value of the commodities and ocean transportation costs reimbursed or financed by the Government of the United States of America (except excess costs resulting from the requirement that United States flag vessels be used) converted into Icelandic kronur, as follows:

- (a) at the rate for dollar exchange applicable to commercial import transactions on the dates of dollar disbursements by the United States, provided that a unitary exchange rate applying to all foreign exchange transactions is maintained by the Government of Iceland, or
- (b) if more than one legal rate for foreign exchange transactions exists, at a rate of exchange to be mutually agreed upon from time to time between the Government of the United States of America and the Government of Iceland.

2. In the event that a subsequent Agricultural Commodities Agreement or Agreements should be signed by the two Governments under the Act, any refunds of Icelandic kronur which may be due or become due under this Agreement more than two years from the effective date of this Agreement would be made by the Government of the United States of America from funds available from the most recent Agricultural Commodities Agreement in effect at the time of the refund.

### ARTICLE IV

#### GENERAL UNDERTAKINGS

1. The Government of Iceland will take all possible measures to prevent the resale or transshipment to other countries or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America) of the agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities to nations unfriendly to the United States of America.

2. The two Governments will take reasonable precautions to assure that all sales or purchases of agricultural commodities pursuant to this Agreement will not displace usual marketings of the United

States of America in these commodities or unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

3. In carrying out this Agreement, the two Governments will seek to assure conditions of commerce permitting private traders to function effectively and will use their best endeavors to develop and expand continuous market demand for agricultural commodities.

4. The Government of Iceland will furnish, upon request of the Government of the United States of America, information on the progress of the program, particularly with respect to the arrival and condition of commodities and the provisions for the maintenance of usual marketings, and information relating to exports of the same or like commodities.

## ARTICLE V

### CONSULTATION

The two Governments will, upon request of either of them, consult regarding any matter relating to the application of this Agreement, or to the operation of arrangements carried out pursuant to this Agreement.

## ARTICLE VI

### ENTRY INTO FORCE

The Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Washington, in duplicate, this sixth day of November, 1961.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

PHILIP H. TREZISE

FOR THE GOVERNMENT OF ICELAND:

STEFÁN HILMARSSON

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### MEMORANDUM

The following understandings were reached in the course of negotiations between representatives of the Government of the United States of America and the Government of Iceland with respect to the maintenance of usual marketings in Iceland of commodities sold

under the Agricultural Commodities Agreement signed today, and to other undertakings of the Government of Iceland on which that agreement is based.

1. The Government of Iceland, in order to maintain its usual marketings, will provide facilities for Icelandic importers to purchase, during Fiscal Year 1962, at least \$100,000 worth of apples from the United States and other friendly countries.

2. The Government of Iceland undertakes not to resell to third countries or permit to be resold to third countries any fruit acquired from foreign countries during Fiscal Year 1962.

3. The Government of Iceland agrees that, upon request of the Government of the United States of America, it will provide facilities for conversion of 2% of the Icelandic kronur accruing from sales under the agreement into other currencies for purposes of Section 104(a) of the Act. Those currencies will be used to finance agricultural market development activities in other countries.

4. The Government of the United States may utilize kronur in Iceland to pay for international travel originating in Iceland, or originating outside Iceland when involving travel to or through Iceland, including connecting travel, and for air travel within the United States or other areas outside Iceland when it is part of a trip in which the traveler journeys from, to or through Iceland. It is further understood that this travel is not limited to services provided by Icelandic airlines.

5. The Government of Iceland gives assurances that any taxes collected in connection with the import of commodities under the agreement will not be used for export promotion.

6. The Government of Iceland undertakes to keep the Government of the United States of America informed as to the operations of the program and, in particular, to supply the same information as to arrivals and unloadings of commodities by ship, assurances regarding re-export, and progress in meeting usual marketing requirements, as was supplied under the 1960 program.

7. With respect to paragraph B of Article II, the two Governments agree to follow the procedures in effect for the Agricultural Commodities Agreement of March 3, 1959 [¹] and, specifically, those referred to in paragraph 7 of the Memorandum of Understanding [¹] attached to that agreement.

DONE at Washington, in duplicate, this sixth day of November, 1961.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

PHILIP H. TREZISE

FOR THE GOVERNMENT OF ICELAND:

STEFÁN HILMARSSON

<sup>1</sup> TIAS 4185; 10 UST 206, 210.

# AUSTRIA

## Surplus Agricultural Commodities: Use of Title II Counterpart Funds for Permanent Refugee Housing Program

*Agreement effected by exchange of notes  
Signed at Vienna August 9 and October 3, 1961;  
Entered into force October 3, 1961.*

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*The American Chargé d'Affaires ad interim to the Federal Chancellor  
of Austria*

No. 141

VIENNA, August 9, 1961.

EXCELLENCY:

I have the honor to refer to discussions and correspondence between officials of our two governments concerning the utilization of counterpart as may be generated from corn to be granted to the government of Austria under Title II of Public Law 480<sup>[1]</sup> by the International Cooperation Administration for the purpose of providing supplementary assistance for the Austrian Government's program of permanent refugee housing. The purpose of this letter is to communicate to you, Mr. Chancellor, our proposals concerning this matter, to ask you to be good enough to give them your consideration, and to suggest that if our proposals meet with your approval, this letter and your acceptance be considered an agreement to be known as the Title II P.L. 480 Counterpart Utilization Agreement for Permanent Refugee Housing Construction in Austria.

It is understood that the grant from the United States will be in the form of corn valued at \$1.61 million and that the counterpart to be generated therefrom for the indicated supplementary assistance will not exceed 41.86 million schillings.

The Permanent Refugee Housing Program in Austria is part of the World Refugee Year effort. The Government of Austria intends to close all refugee camps and replace them with permanent dwelling units for refugees. Recognizing the financial burden on the Austrian Government arising from refugee care, U.S. assistance is in response to a request from the Government of Austria, the Special Representative of the Secretary General of the United Nations, and the United Nations High Commissioner for Refugees to help support the plan to close refugee camps in Austria.

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<sup>[1]</sup> 68 Stat. 457; 7 U.S.C. §§ 1721-1724.

In addition to U.S. assistance, the Austrian Government has received approximately AS 14 million from Norwegian, British and Swiss contributions to the World Refugee Year. The UNHCR will contribute AS 10.5 million for the construction of 250 units for mandatory refugees. The Federal Republic of Germany will contribute DM 13 million as an interest-free loan towards the construction of 900 dwelling units for refugees with German citizenship. United States assistance will contribute to the construction of 1,950 dwelling units, part of the overall Austrian program to construct 3,100 units.

The proposed construction will be patterned after the 3,400 refugee dwelling units already completed by the Austrian Government, namely, by erecting apartment houses, each containing the average twelve dwelling units consisting of a foyer, kitchen, bathroom, and other rooms dependent upon the size of the family. This form of construction is cheaper than either prefabs or other forms of housing which entail heavier land and facilities costs. The refugee housing units are to be erected in locations which guarantee their economic operation at all times. These units will be occupied by refugees and where vacancies occur, refugees will be given preference.

The occupants will be charged a rental, which on an illustrative 50 square meter dwelling unit, would total an estimated 280 schillings (\$10.80) per month. These returns to the Government of Austria over the life of the housing financed by the United States contribution will be less than a single year's Austrian budgetary allocation for refugee care.

The management of the units will be the responsibility of the builders, such as municipalities and non-profit building associations (Tenant Cooperatives).

The Government of Austria will deposit counterpart generated by the Title II corn granted to it in a special account in its name called the "Title II PL 480 Commodities Account."

Withdrawals from the account may be used to finance goods and services delivered for permanent refugee housing construction after June 29, 1961 (reference letter No. ICA-225, dated July 18, 1961 from the American Embassy to the Federal Chancellery and letter No. 135.078-11a/61 dated July 28, 1961 from the Federal Chancellery to the American Embassy).<sup>[1]</sup> Such deliveries include those for which contracts may have been let prior to the date of the above commitment.

Withdrawals shall be based upon the acceptance by the Austrian Government of procedures described in the enclosure<sup>[1]</sup> to letter No. ICA-225 and on the principle of an overall cost sharing. Inasmuch as the Austrian Government confirms that it had as of June 29, 1961

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<sup>1</sup> Not printed.

already expended 26,019,327.- schillings of its budgetary or borrowed funds on this program, effect will be given to the cost-sharing principle if the actual withdrawals from the account are related to further Austrian disbursements for the project in a ratio of 41.86 million schillings to that portion of the total Austrian contribution of 179.34 million schillings which remains to be spent on the project. It is agreed that this ratio is 1 : 4.28.

It is estimated that the construction program will be completed by the end of 1962 and the final expenditure date from the Title II PL 480 Commodities Account will be December 30, 1963.

In the event that the housing program is curtailed before the completion of the presently contemplated 1,950 dwelling units or is completed at a lesser cost than estimated, or more than 41.86 million schillings are generated by the Title II grant, the ICA and the Austrian Government shall consult on other uses for any unexpended balances in this account, including their use for support of United States Government agencies engaged in refugee activities in lieu of a dollar contribution by the United States to international refugee agencies. In the event that any housing constructed under the program is so located or designed or managed that it clearly does not provide permanent housing for refugees in Austria, the Government of Austria will upon the request of ICA refund to the Title II PL 480 Commodities Account an amount of schillings equivalent to the Title II schillings withdrawn in support of any such housing and such refund shall be treated as if it were an unexpended balance under this agreement.

Financing, reporting, auditing and end-use checking of the project will be carried out as provided in the "Procedures" transmitted by Embassy letter No. ICA-225 of July 18, 1961.

Incorporated herein by reference is the detailed work plan of construction submitted by letter No. 187.396-12A/61 of July 5, 1961<sup>[1]</sup> by the Federal Ministry of Interior for the permanent refugee housing program.

Accept, Excellency, the renewed assurances of my highest consideration.

DWIGHT J. PORTER

Dwight J. Porter  
*Chargé d'affaires ad interim*

His Excellency

ALFONS GORBACH,

*The Federal Chancellor,  
Vienna.*

<sup>1</sup> Not printed.

*The Federal Chancellor of Austria to the American Ambassador*

REPUBLIK ÖSTERREICH  
DER BUNDESKANZLER

ZI. 138.662-11a/61

WIEN, am 3. Oktober 1961

SEHR GEEHRTER HERR BOTSCHAFTER!

Ich beeche mich, auf die Verhandlungen Bezug zu nehmen, die zwischen Vertretern Ihrer Botschaft und den zuständigen österreichischen Regierungsstellen über die Verwendung von Schillingerlösen aus dem Verkauf von rund 30.000 mt Futtermais im Werte von 1,61 Mio \$, die von Ihrer Regierung der österreichischen Bundesregierung im Rahmen eines Abkommens gemäß Public Law 480, Title II geschenkweise überlassen werden, stattgefunden haben und bestätige in diesem Zusammenhang den Empfang der Note Ihrer Botschaft Nr. 141 vom 9. August 1961 folgenden Inhalts:

"Ich beeche mich, auf die Unterredungen und den Briefwechsel Bezug zu nehmen, die zwischen Beamten unserer beiden Regierungen über die Verwendung der Gegenwertmittel stattgefunden haben, welche aus Maislieferungen zu erwarten sind, die der österreichischen Regierung gemäß Titel II, Public Law 480 von der International Cooperation Administration (ICA) zum Zwecke einer zusätzlichen Unterstützung des Programms der österreichischen Regierung zur Schaffung von Dauerwohnungen für Flüchtlinge geschenkweise überlassen werden sollen. Zweck dieses Briefes ist es, Ihnen, sehr geehrter Herr Bundeskanzler, unsere Vorschläge in dieser Angelegenheit zur Kenntnis zu bringen, Sie zu bitten, diese wohlwollend in Erwägung zu ziehen, und, falls unsere Vorschläge Ihre Zustimmung finden, anzuregen, dieses Schreiben sowie die Erklärung Ihres Einverständnisses als ein Abkommen zu betrachten, das als "Abkommen gemäß Public Law 480, Title II über die Verwendung von Schilling-Gegenwertmitteln für die Errichtung von Dauerwohnungen für Flüchtlinge in Österreich" bezeichnet werden soll.

Es gilt als vereinbart, daß die Zuwendung seitens der Vereinigten Staaten in Form von Maislieferungen im Werte von 1.61 Millionen \$ erfolgen wird und die daraus resultierenden Gegenwertmittel für die angeführte zusätzliche Unterstützung den Betrag von 41.86 Millionen Schilling nicht überschreiten werden.

Das Programm zur Schaffung von Dauerwohnungen für Flüchtlinge in Österreich bildet einen Teil der Bemühungen im Rahmen des Weltflüchtlingsjahres. Die österreichische Regierung beabsichtigt, alle Lager für Flüchtlinge zu schließen und sie durch Dauerwohnungen für Flüchtlinge zu ersetzen. In Anerkennung der finanziellen Lasten, die der österreichischen Regierung aus der Flüchtlingsbetreuung erwachsen, wird mit der Gewährung der Unterstützung seitens der USA einem Ersuchen der österreichischen Regierung, des Sonderbeauftragten des Generalsekretärs und des Hochkommissärs der Vereinten Nationen für die Flüchtlinge, zur

Verwirklichung des Planes zur Schließung der Flüchtlingslager in Österreich beizutragen, entsprochen.

Zusätzlich zur Unterstützung seitens der USA hat die österreichische Regierung rund 14 Millionen S aus den Beiträgen Norwegens, Englands und der Schweiz zum Weltflüchtlingsjahr erhalten. Der UN-Hochkommissär für die Flüchtlinge wird 10.5 Millionen S zur Errichtung von 250 Wohneinheiten für Mandatsflüchtlinge beitragen. Die Bundesrepublik Deutschland wird 13 Millionen DM als zinsenfreies Darlehen für den Bau von 900 Wohneinheiten für Flüchtlinge deutscher Staatsangehörigkeit bereitstellen. Die Beihilfe der USA wird zum Bau von 1.950 Wohneinheiten, die einen Teil des österreichischen Gesamtprogramms zur Errichtung von 3.100 Einheiten darstellen, beitragen.

Das vorgesehene Bauvorhaben wird nach dem Muster der von der österreichischen Regierung bereits fertiggestellten 3.400 Wohneinheiten für Flüchtlinge durchgeführt, d.h. in Form von Wohnhäusern, deren jedes aus durchschnittlich zwölf Wohneinheiten mit Vorraum, Küche, Badezimmer und sonstigen, der Größe der Familie entsprechenden Räumen besteht. Diese Form der Ausführung kommt billiger zu stehen als Fertighäuser oder andere Wohnhausformen, die höhere Kosten für Grundstücke und Einrichtung erfordern. Die Wohnhäuser für die Flüchtlinge sollen dort errichtet werden, wo ihre wirtschaftliche Nutzung jederzeit gewährleistet erscheint. Diese Wohnungen werden mit Flüchtlingen belegt und bei Freiwerden von Wohnungen wird Flüchtlingen der Vorzug gegeben werden.

Die Bewohner werden einen Mietzins zu bezahlen haben, der beispielsweise bei einer Wohneinheit von 50 m<sup>2</sup> insgesamt schätzungsweise 280.- S (10.80 \$) monatlich betragen würde. Diese der österreichischen Regierung während der Zeit des Bestandes der mit dem Beitrag der Vereinigten Staaten finanzierten Häuser zufließenden Ertragsnisse werden niedriger sein als der im österreichischen Budget für ein Jahr eingesetzte Betrag für die Flüchtlingsbetreuung. Für die Verwaltung dieser Wohnungen werden die Bauherren, wie z.B. Gemeinden und gemeinnützige Wohnbauvereinigungen (Mietergenossenschaften), verantwortlich sein.

Die österreichische Regierung wird die Gegenwertmittel, die aus den ihr geschenkweise überlassenen Maislieferungen gemäß Titel II anfallen, auf ein auf ihren Namen lautendes Sonderkonto mit der Bezeichnung "Title II PL 480 Commodities Account" erlegen.

Abhebungen von diesem Konto können zur Finanzierung von Warenbezügen und Dienstleistungen verwendet werden, die für den Bau von Dauerwohnungen für Flüchtlinge nach dem 29. Juni 1961 angefallen sind (Bezug Schreiben der Amerikanischen Botschaft Nr. ICA-225 vom 18. Juli 1961 an das Bundeskanzleramt sowie Schreiben des Bundeskanzleramtes Zl. 135.078-11a/61 vom 28. Juli 1961 an die Amerikanische Botschaft). Diese Leistungen beinhalten auch solche, für die Vertragsabschlüsse schon vor dem Zeitpunkt der obenge-

nannten Verpflichtung getätigten wurden. Den Abhebungen werden die Verfahrensvorschriften gemäß Anlage zum Schreiben Nr. ICA-225 nach deren Genehmigung durch die österreichische Regierung und das Prinzip der Teilung der Gesamtkosten zugrunde gelegt. Da die österreichische Regierung bestätigt, daß sie zum 29. Juni 1961 bereits 26,019.327.- Schilling aus ihren Budget- oder Darlehensmitteln für dieses Programm aufgewendet hat, wird das Prinzip der Kosten- teilung wirksam, wenn die tatsächlichen Abhebungen vom Konto zu den weiteren österreichischen Aufwendungen für das Projekt in einem Verhältnis von 41.86 Millionen Schilling zu jenem Teil des öster- reichischen Gesamtbeitrages von 179.34 Millionen Schilling stehen, der noch für das Projekt aufzuwenden ist. Es besteht Einvernehmen darüber, daß dieses Verhältnis 1:4.28 beträgt.

Es wird angenommen, daß das Bauprogramm bis Ende 1962 abgeschlossen und der letzte Termin für Ausgaben vom Konto "Title II PL 480 - Commodities Account" der 30. Dezember 1963 sein wird.

Falls das Wohnbauprogramm vor Fertigstellung der derzeit beabsichtigten 1.950 Wohnungseinheiten gekürzt oder mit einem geringeren Kostenaufwand als veranschlagt durchgeführt wird oder sich aus der Zuwendung gemäß Titel II ein höherer Betrag als 41.86 Millionen Schilling ergibt, werden die ICA und die österreichische Regierung über eine anderweitige Verwendung allfälliger Restbeträge auf diesem Konto beraten, einschließlich ihrer Verwendung zur Unterstützung von auf dem Gebiet des Flüchtlingswesens tätigen US-Regierungsstellen an Stelle eines Dollarbeitrages der Vereinigten Staaten an internationale Flüchtlingsorganisationen. Für den Fall, daß im Rahmen dieses Programms errichtete Wohnungen so gelegen oder geplant sind oder so verwaltet werden, daß einwandfrei feststeht, daß sie keine Dauerwohnungen für Flüchtlinge in Österreich darstellen, wird die österreichische Regierung über Aufforderung der ICA auf das Konto "Title II PL 480 Commodities Account" einen Schil- lingbetrag refundieren, der dem zur Unterstützung solcher Wohnbau- vorhaben abgehobenen Schillingbetrag gemäß Titel II entspricht, und diese Refundierung wird wie ein nicht verausgabter Restbetrag im Rahmen dieses Abkommens behandelt werden.

Die Finanzierung, Berichterstattung, Rechnungskontrolle und Prüfung der Endverwendung in Zusammenhang mit dem Projekt wird gemäß den "Verfahrensvorschriften" erfolgen, die mit Schreiben der Botschaft vom 18. Juli 1961, Nr. ICA-225, übermittelt wurden.

Der vom Bundesministerium für Inneres mit Schreiben vom 5. Juli 1961, Zl. 187.396-12A/61, für das Programm zur Schaffung von Dauerwohnungen für Flüchtlinge übermittelte detaillierte Arbeitsplan für die Errichtung der Bauten gilt als integrierender Bestandteil des vorliegenden Schreibens."

Hiezu beeche ich mich Ihnen mitzuteilen, daß der Inhalt der v.e. Note der österreichischen Auffassung entspricht und daher diese Note und meine Antwort ein Abkommen zwischen unseren beiden Regierungen bilden, das am heutigen Tage in Kraft tritt.

Gleichzeitig möchte ich darauf hinweisen, daß österreichischerseits unter der in der Note Ihrer Botschaft erwähnten Schließung aller Flüchtlingslager die Auflösung aller Flüchtlingsbarackenlager, die unter der Verwaltung der österreichischen Bundesregierung stehen, verstanden wird.

Im Zuge der Verhandlungen wurde weiters vereinbart, daß der Schillingbetrag, der je Metertonne Futtermais auf das Sonderkonto zu erlegen ist, dem Verkaufspreis des Futtermaises abzüglich der nachweisbaren und von der International Cooperation Administration anerkannten Kosten (Umschlagskosten im Empfangshafen, Bahntransportkosten etc.) entspricht. Unter dem Verkaufspreis ist der in Österreich geltende amtliche Importabgabepreis für die Metertonne Futtermais zu verstehen. Einzelheiten über den Preis, die Maissorte, Lieferzeit, Empfänger, Verschiffung und allfällige sonstige Sonderbestimmungen werden in der nach Abschluß des Abkommens auszustellenden "Transferautorisation" angeführt werden.

Empfangen Sie, sehr geehrter Herr Botschafter, die erneute Versicherung meiner besonderen Wertschätzung

Dr A GORBACH

An

Seine Exzellenz  
 Herrn H. FREEMAN MATTHEWS  
*a.o. und bev. Botschafter  
 der Vereinigten Staaten  
 von Amerika  
 Wien IX*

*Translation*

REPUBLIC OF AUSTRIA  
 THE FEDERAL CHANCELLOR

ZI. 138.662-11a/61

VIENNA, October 3, 1961

MR. AMBASSADOR:

I have the honor to refer to the discussions between representatives of your Embassy and responsible departments of the Austrian Government concerning the utilization of schilling proceeds from the sale of approximately 30,000 metric tons of feed corn valued at \$1.61 million, to be granted by your government to the Austrian Government pursuant to an agreement under Title II of Public Law 480, and I acknowledge in this connection the receipt of a note from your Embassy, No. 141 of August 9, 1961, reading as follows:

[For the English language text of the note, see *ante*, p. 1651.]

With reference to the foregoing I have the honor to inform you that the content of your above-cited note conforms to the views of the Austrian Government and that the note and my reply thereto consti-

tute an agreement between our two governments, to enter into force on this date.

May I also point out that as understood by the Austrian Government the closing of all refugee camps mentioned in the note of your Embassy refers to the abandonment of all barracks cantonments for refugees which are administered by the Austrian Federal Government.

In the course of the discussion it was agreed further that the Schilling funds to be deposited in the Special Account for each metric ton of feed corn shall correspond to the sale price of the corn, less documentable expenses allowed by the International Cooperation Administration (charges for transshipment at port of entry, railway transportation charges, etc.). The sale price shall be understood to be the applicable official decree price in Austria (*Importabgabepreis*) per metric ton of imported feed corn. Particulars of price, type of corn, delivery terms, consignees, ocean shipment, and any other special provisions shall be specified in the "transfer authorization" to be executed after conclusion of this agreement.

Accept, Mr. Ambassador, the renewed assurance of my high consideration.

Dr A GORBACH

His Excellency H. FREEMAN MATTHEWS,  
*Ambassador Extraordinary and Plenipotentiary of the  
United States of America,  
Vienna.*

# GREECE

## Defense: Extension of Loan of Vessels

*Agreement effected by exchange of notes  
Dated at Washington September 21 and November 9, 1961;  
Entered into force November 9, 1961.*

*The Greek Ambassador to the Secretary of State*

ROYAL GREEK EMBASSY  
WASHINGTON, D.C.

No. 3336/I/2

The Ambassador of Greece presents his compliments to His Excellency the Secretary of State and has the honor to refer to the Agreement, effected by exchange of notes, at Athens, on July 26 and August 5, 1957,[<sup>1</sup>] relating to the loan by the Government of the United States to the Royal Hellenic Government of said vessels:

U.S.S. LAPON (SS 260) and  
U.S.S. JACK (SS 259)

As provided for in the above-mentioned Agreement, the period of loan for each vessel is five years from the date of delivery which was 24 September 1957, for U.S.S. LAPON and 21 April 1958, for U.S.S. JACK, respectively commissioned as S/M POSEIDON and S/M AMFITRITI, R.H.N.

The Ambassador of Greece has been instructed to inform the Secretary of State that the Royal Hellenic Government would greatly appreciate it if the Government of the United States would kindly agree that the period of loan may be extended, from the date of expiration, for an additional period of five years.

The Ambassador of Greece avails himself of this opportunity to renew to His Excellency the Secretary of State the assurances of his highest consideration.

SEPTEMBER 21, 1961.

[SEAL]

<sup>1</sup> TIAS 3887; 8 UST 1386.

*The Secretary of State to the Greek Ambassador*

The Secretary of State presents his compliments to His Excellency the Ambassador of Greece and has the honor to refer to his note of September 21, 1961, concerning the request of the Royal Hellenic Government that the period of loan of two naval vessels, U.S.S. "Jack" (S.S. 259) and U.S.S. "Lapon" (S.S. 260), be extended from the date of expiration for an additional period of five years.

Pursuant to the provisions of the Agreement between the United States of America and Greece effected by the exchange of notes signed at Athens on July 26 and August 5, 1957, and subject to all terms and conditions stated therein, the United States Government agrees that the period of loan for the naval vessels U.S.S. "Jack" and U.S.S. "Lapon" be extended from the date of expiration for an additional period of not more than five years.

O M M

DEPARTMENT OF STATE,  
*Washington, November 9, 1961*

# UNITED ARAB REPUBLIC

## Surplus Agricultural Commodities

*Agreement amending the agreement of September 2, 1961, as amended.*

*Effectuated by exchange of notes*

*Signed at Cairo November 11, 1961;  
Entered into force November 11, 1961.*

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*The American Ambassador to the Minister of Economy of the United Arab Republic*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
Cairo, November 11, 1961

EXCELLENCY:

I have the honor to refer to the Agricultural Commodities Agreement of September 2, 1961, as amended,[<sup>1</sup>] between the Government of the United States of America and the Government of the United Arab Republic.

The Government of the United States of America, in response to a request from the Government of the United Arab Republic, proposes further to amend Article I of the Agreement by adding the commodities "inedible tallow" in the amount of "\$3.5 million", "nonfat dry milk" in the amount of ".04 million", and "cottonseed and/or soybean oil" in the amount of "\$5.3 million"; by increasing the amount for "yellow corn" to "\$14.6 million" and the amount for ocean transportation to "\$10.1 million"; and by raising the total value of the Agreement to "\$91.54 million".

My Government also proposes to amend paragraph 1(A) of Article II of the Agreement by substituting for the phrase "(h) through (r)" the phrase "(h) through (s)".[<sup>2</sup>]

It is further proposed to amend the notes relating to wheat and corn of September 2, 1961, as amended,[<sup>1</sup>] by adding the following paragraph after the last numbered paragraph:

"5. The Government of the United Arab Republic also agrees that, in addition to the tallow and nonfat dry milk provided under this Agreement, the United Arab Republic will procure and import be-

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<sup>1</sup> TIAS 4844, 4868; *ante*, pp. 1240, 1434.

<sup>2</sup> 75 Stat. 306; 7 U.S.C. § 1704.

tween July 1, 1961 and June 30, 1962 from the United States of America not less than 20,000 metric tons of tallow and from the United States of America and countries friendly to it not less than 600 metric tons of dried milk."

If the foregoing is acceptable to your Government, it is proposed that this note together with your affirmative reply shall constitute an Agreement between our two Governments on this matter to enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN S. BADEAU

His Excellency

ABDEL MONEIM EL-KAISOUNI,  
*Minister of Economy*  
*of the United Arab Republic,*  
*Cairo.*

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*The Minister of Economy of the United Arab Republic to the  
American Ambassador*

UNITED ARAB REPUBLIC  
MINISTRY OF ECONOMY

OFFICE OF THE MINISTER

NOVEMBER 11, 1961

EXCELLENCY,

I have the honor to acknowledge the receipt of your note of November 11, 1961 which reads as follows:

"I have the honor to refer to the Agricultural Commodities Agreement of September 2, 1961, as amended, between the Government of the United States of America and the Government of the United Arab Republic.

"The Government of the United States of America, in response to a request from the Government of the United Arab Republic, proposes further to amend Article I of the Agreement by adding the commodities "inedible tallow" in the amount of "\$3.5 million", "non-fat dry milk" in the amount of ".04 million", and "cottonseed and/or soybean oil" in the amount of "\$5.3 million"; by increasing the amount for "yellow corn" to "\$14.6 million" and the amount for ocean transportation to "\$10.1 million"; and by raising the total value of the Agreement to "\$91.54 million".

"My Government also proposes to amend paragraph 1(A) of Article II of the Agreement by substituting for the phrase "(h) through (r)" the phrase "(h) through (s)".

"It is further proposed to amend the notes relating to wheat and corn of September 2, 1961, as amended, by adding the following paragraph after the last numbered paragraph:

'5. The Government of the United Arab Republic also agrees that, in addition to the tallow and nonfat dry milk provided under this Agreement, the United Arab Republic will procure and import between July 1, 1961 and June 30, 1962 from the United States of America not less than 20,000 metric tons of tallow and from the United States of America and countries friendly to it not less than 600 metric tons of dried milk.'

"If the foregoing is acceptable to your Government, it is proposed that this note together with your affirmative reply shall constitute an Agreement between our two Governments on this matter to enter into force on the date of your note in reply."

I have the honor to inform Your Excellency that the terms of the foregoing note are acceptable to the Government of the United Arab Republic and that the Government of the United Arab Republic considers Your Excellency's note and the present reply as constituting an Agreement between our two Governments on this subject, the Agreement to enter into force on today's date.

Accept, Excellency, the renewed assurance of my highest consideration.

A KAISSOUNI

His Excellency

JOHN S. BADEAU,

*Ambassador of the*

*United States of America,*

*Cairo.*

# ECUADOR

## Commission for Educational Exchange

*Agreement amending the agreement of October 31, 1956.*

*Effectuated by exchange of notes*

*Signed at Quito May 9, 1961;*

*Entered into force May 9, 1961.*

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*The American Ambassador to the Ecuadorean Minister of Foreign Affairs*

Note 411

QUITO, May 9, 1961

**EXCELLENCY:**

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Ecuador dated October 31, 1956,[<sup>1</sup>] to promote further mutual understanding between the peoples of the United States of America and Ecuador by means of a wider exchange of knowledge and professional talents through educational activities. I have the honor to refer also to recent conversations between the representatives of our two Governments on the same subject and to confirm the understanding reached that the aforementioned Agreement be amended as follows:

1. Article 3 is amended to read as follows:

“All commitments, obligations and expenditures authorized by the Commission shall be made in accordance with an annual budget, to be approved by the Secretary of State of the United States of America; provided, however, that in no case shall a total amount of the currency of Ecuador in excess of the equivalent of the statutory limitation of \$1,000,000 be expended under the terms of this Agreement during any single calendar year.”

2. Article 4 is amended as follows:

a. by deleting the word “six” in the first sentence and substituting the word “eight”, and by deleting both references to the word “three” and substituting the word “four” where it appears in the first sentence; and

b. by changing “December 31”, to “August 31” in the second paragraph.

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<sup>1</sup> TIAS 3808; 8 UST 585.

3. Article 8 is amended by deleting the first paragraph and substituting therefore the following three paragraphs:

"The Government of the United States of America and the Government of Ecuador agree that currency of Ecuador up to an aggregate amount equivalent to \$293,827 (U.S. currency), acquired by the Government of the United States of America pursuant to the Surplus Agricultural Commodities Agreement dated October 7, 1955,[<sup>1</sup>] may be used for purposes of this Agreement. When the currency of Ecuador thus acquired by the Government of the United States of America is deposited by the Government of the United States of America to the credit of the Commission, the rate of exchange to be used in determining the amount of currency of Ecuador to be so deposited shall be the rate specified in Article III, paragraph 2, sub-section (b) of such Surplus Agricultural Commodities Agreement. When any other currency of Ecuador owed to or owned by the Government of the United States of America is deposited for purposes of this Agreement, the rate of exchange will be determined by mutual agreement at the time such currency is to be deposited.

"In addition to the funds provided in the first paragraph of this Article, the Government of the United States of America and the Government of Ecuador agree that there may be used for purposes of this Agreement:

(a) up to an aggregate amount of 1,515,000 sucres, acquired by the Government of the United States of America pursuant to the Surplus Agricultural Commodities Agreement dated February 15, 1957; [<sup>2</sup>]

(b) up to an aggregate amount of 1,556,730 sucres, acquired by the Government of the United States of America pursuant to the Surplus Agricultural Commodities Agreement dated June 30, 1958; [<sup>3</sup>]

(c) up to an aggregate amount of 1,800,000 sucres, acquired by the Government of the United States of America pursuant to the Surplus Agricultural Commodities Agreement dated September 27, 1960; [<sup>4</sup>] and

(d) any other currency of Ecuador held or available for expenditure by the Government of the United States of America.

"The performance of this Agreement shall be subject to the availability of appropriations to the Secretary of State of the United States of America, when required by the laws of the United States for reimbursement to the Treasury of the United States for currency

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<sup>1</sup> TIAS 3391; 6 UST 3887.

<sup>2</sup> TIAS 3768; 8 UST 255.

<sup>3</sup> TIAS 4105; 9 UST 1192.

<sup>4</sup> TIAS 4626; 11 UST 2427.

of Ecuador held or available for expenditure by the Government of the United States of America."

Upon receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Ecuador, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of exchange of this note and your reply.

Accept, Excellency, the assurances of my highest consideration.

MAURICE M. BERNBAUM

His Excellency

Dr. JOSÉ RICARDO CHIRIBOGA VILLAGÓMEZ,  
*Minister of Foreign Affairs.*

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*The Ecuadorean Minister of Foreign Affairs to the American  
Ambassador [¹]*

REPÚBLICA DEL ECUADOR  
MINISTERIO DE RELACIONES EXTERIORES

Nº 585.2/5 DAO-T

QUITO, a 9 de Mayo de 1961.

SEÑOR EMBAJADOR:

Tengo a honra referirme al Acuerdo entre el Gobierno del Ecuador y el Gobierno de los Estados Unidos de América, de 31 de octubre de 1956, para promover un mayor entendimiento mutuo entre los pueblos del Ecuador y de los Estados Unidos de América, por medio de un intercambio más amplio de conocimientos y aptitudes profesionales, a través de actividades educacionales. Hónrame también en referirme a las recientes conversaciones mantenidas entre los representantes de nuestros Gobiernos sobre la misma materia, para confirmar el entendimiento alcanzado e introducir en dicho Acuerdo las siguientes reformas:

1. El artículo III es reformado como sigue:

"todos los compromisos, obligaciones o gastos autorizados por la Comisión deberán ser llevados a cabo de acuerdo con un presupuesto anual que será aprobado por el Secretario de Estado de los Estados Unidos de América; quedando entendido, sin embargo, que en ningún caso, bajo los términos de este Acuerdo, podrá gastarse una suma total que exceda el equivalente limitado estatutariamente a S/ 1.000.000, moneda ecuatoriana, durante un año calendario".

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<sup>¹</sup> The English language translation of the Ecuadorean note is not printed. It is identical, *mutatis mutandis*, to the text contained in the United States note; *ante*, p. 1664.

2. El artículo IV es reformado como sigue:

“a. Suprímese la palabra “seis” en la primera frase y se la sustituye por la palabra “ochos”, y, suprimiendo las dos menciones de la palabra “tres” que aparecen en dicha primera frase, se las sustituye por la palabra “cuatro”; y

“b. Cámbiase “Diciembre 31” por “Agosto 31” en el segundo párrafo.”

3. El artículo VIII se reforma con la supresión del primer párrafo, sustituyéndolo por los tres párrafos siguientes:

“El Gobierno del Ecuador y el Gobierno de los Estados Unidos de América convienen en que moneda ecuatoriana hasta en un monto equivalente a \$ 293.827 (moneda americana), adquirida por el Gobierno de los Estados Unidos de América de conformidad con el Acuerdo de Excedentes Agrícolas de 7 de octubre de 1955, podrá ser utilizada para los propósitos de este Acuerdo. Cuando la moneda ecuatoriana así adquirida por el Gobierno de los Estados Unidos de América sea depositada por el Gobierno de los Estados Unidos de América al crédito de la Comisión, el tipo de cambio aplicable para determinar la cantidad de moneda ecuatoriana que deba ser depositada será el tipo especificado en el artículo III, parágrafo 2, sub-sección (b) de tal Acuerdo de Excedentes Agrícolas. Cuando cualquier otra suma en moneda ecuatoriana debida a o por el Gobierno de los Estados Unidos de América sea depositada para los fines de este Acuerdo, el tipo de cambio será determinado de mutuo acuerdo al momento en que el dinero deba ser depositado.

“Además de los fondos previstos en el primer párrafo de este artículo, el Gobierno del Ecuador y el Gobierno de los Estados Unidos de América convienen en que, para los fines de este Acuerdo, podrán utilizarse:

(a) Una suma de hasta 1.515.000 sucre, adquirida por el Gobierno de los Estados Unidos de América de conformidad con el Acuerdo de Excedentes Agrícolas de 15 de febrero de 1957;

(b) Una suma de hasta 1.556.730 sucre adquirida por el Gobierno de los Estados Unidos de América conforme al Convenio de Excedentes Agrícolas, fechado el 30 de junio de 1958;

(c) Una suma de hasta 1.800.000 sucre, adquirida por el Gobierno de los Estados Unidos de América conforme el Convenio de Excedentes Agrícolas de 27 de septiembre de 1960; y

(d) Cualquier otra suma en moneda ecuatoriana mantenida o disponible para su gasto por el Gobierno de los Estados Unidos de América.

“El cumplimiento de este Acuerdo estará sujeto a la disponibilidad de asignaciones al Secretario de Estado de los Estados Unidos de

América, cuando así lo dispongan las leyes de los Estados Unidos de América para los reintegros al Tesoro de los Estados Unidos de América por dinero en moneda del Ecuador mantenida o disponible para gastos del Gobierno de los Estados Unidos de América".

Al recibo de una Nota de Vuestra Excelencia, que indique que las estipulaciones precedentes son aceptables para el Gobierno de los Estados Unidos de América, el Gobierno del Ecuador considerará que esta Nota y su respuesta a ella, constituyen un Acuerdo entre los Gobiernos de los dos países sobre esta materia, el cual entrará en vigencia en la fecha del intercambio de esta Nota con la de respuesta de Vuestra Excelencia.

Ruégole aceptar, Excelencia, las seguridades de mi más alta consideración.

JOSE R. CHIRIBOGA V

Al Excelentísimo señor don MAURICE M. BERNBAUM,  
*Embañador Extraordinario y Plenipotenciario de los  
Estados Unidos de América.  
Presente.*

# CANADA

## Saint Lawrence Seaway: Channel Improvements in Lake Erie (Pelee Passage)

*Agreement effected by exchange of notes  
Dated at Ottawa June 8, 1959, and October 17, 1961;  
Entered into force October 17, 1961.*

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*The American Ambassador to the Canadian Secretary of State for External Affairs*

No. 297

The Ambassador of the United States of America presents his compliments to the Secretary of State for External Affairs and has the honor to refer to navigation improvements being carried out in the St. Marys River, St. Clair River and Detroit River Sections of the Great Lakes connecting channels as a result of agreements between the United States and Canada.

In addition to these projects, the United States Government is now desirous of the authorization of the Canadian Government in order to make channel improvements in Canadian waters along the sailing courses in Lake Erie, east of the Detroit River navigation light and through the Pelee Passage.

Work on the connecting channels, of which the Lake Erie-Pelee Passage project would be a part, was authorized on the United States side by Public Law 434, 84th Congress, March 21, 1956.<sup>[1]</sup>

The work would consist of the removal of shoals and rock obstacles from the sailing courses shown on the attached maps<sup>[2]</sup> in order to ensure the safe operation of deep draft vessels. The authorized project depth is 28.5 feet below low water datum. An additional depth of 1 foot would be provided in the rock areas. The excavated materials would be deposited below a depth of 25 feet in the areas shown on the maps. The maps also indicate the area needed for disposal of material to be dredged from the channel at the mouth of the Detroit River. The total work area will be about two miles wide and twenty miles long.

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<sup>[1]</sup> 70 Stat. 54.

<sup>[2]</sup> The maps are deposited with the certified copy of the note in the archives of the Department of State where they are available for reference.

The United States Government would appreciate the consideration of the Canadian Government with a view to granting its permission for this project in Lake Erie.

R. B. W.

Enclosures:

Two Maps of the Pelee Passage Area of Lake Erie, prepared by the United States Army Corps of Engineers—(one copy each).

EMBASSY OF THE UNITED STATES OF AMERICA,  
Ottawa, June 8, 1959.

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*The Canadian Secretary of State for External Affairs to the American Ambassador*

DEPARTMENT OF  
EXTERNAL AFFAIRS  
CANADA

No 167

The Secretary of State for External Affairs presents his compliments to His Excellency the Ambassador of the United States of America and has the honour to refer to the Ambassador's Note No. 297 of June 8, 1959, concerning proposed channel improvements to be undertaken in Canadian waters along the sailing courses in Lake Erie, east of the Detroit River navigation light and through the Pelee Passage.

It is noted that the work would consist of the removal of shoals and rock obstacles from the sailing courses shown on the maps attached to the Note under reference in order to ensure the safe operation of deep draft vessels. The authorized project depth is 28.5 feet below low water datum. An additional depth of one foot would be provided in the rock areas. The excavated materials would be deposited below a depth of 25 feet in the areas shown on the attached map.<sup>[1]</sup> It is noted further that the project area will be approximately twenty miles long and two miles wide.

The Canadian Government agrees to the above-noted proposal subject to the following terms and conditions:

- a) That Canada will be responsible for providing the dumping grounds shown on the attached map in accordance with the conditions outlined in paragraph (2) above.

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<sup>[1]</sup> The map is deposited with the signed original note in the archives of the Department of State where it is available for reference.

- b) That the final plans and specifications for the improvement of the channel, including those for spoil disposal areas, shall be approved by the Canadian Government.
- c) That dredging and excavations and the deposit of dredged and excavated materials shall not be carried out on Canadian territory until a date to be fixed by the Canadian Government. In this way, the Canadian Government will have such time as it may require to make all necessary arrangements to permit the dredging to be started. As soon as these arrangements have been completed, the United States Embassy will be informed of the date on which operations may commence.
- d) That the United States Government will ensure, in a manner satisfactory to the Canadian Government, that the contractor or contractors for this work will as a matter of contract responsibility be required to (i) perform and complete the work in accordance with the plans and specifications as duly approved by the Canadian authorities; (ii) be responsible for all damages to persons or property that occur as a result of their fault or negligence in connection with the prosecution of the work; (iii) carry adequate insurance commensurate with the responsibility; and (iv) satisfy the requirements of all applicable Canadian Law.
- e) That neither party shall be responsible for physical injury or damage to persons or property in the territory of the other which may be caused by any act authorized or provided for by this Note.
- f) That during the progress of the work, and subsequent thereto, such soundings, gaugings and meterings shall be carried out by the United States authorities as the Canadian authorities may require, and the Government of Canada kept informed of the results obtained. Authorized Canadian Government representatives shall be free at all times to inspect the works during progress, and to make such check surveys with soundings, meterings and gaugings, in any part of the area affected by the project as may be considered desirable at any time.
- g) That any machine, plant, vessel, barge or the operators or crews thereof, used on these works, shall not be permitted to tie up, discharge ashes, fuel oil, waste oil, etc., in a manner prejudicial to the health, well-being and activities of the owners and/or users of land or water areas, or to commit any other nuisance in Canadian territory during the progress of, or subsequent to, the carrying out of these works. The attention of the United States Government is also drawn to Section 33 of the Fisheries Act of Canada and Section 40 of the Regulations under the Migratory Birds Convention Act which refer to the pollution of waters with special reference to the effect upon fish and migratory birds.

- h) That the works carried out in Canadian territory shall be without prejudice to the sovereign rights of Canada.
- i) That Canadian contractors shall be given an equal opportunity with United States contractors to bid on any portion of the work proposed for accomplishment by contract; that, regardless of the nationality of the successful contracting firm, Canadian and United States labour shall, to the extent available, be employed on such contracts in approximately equal numbers; that clearance of United States workers be made through the Immigration Branch of the Department of Citizenship and Immigration and the National Employment Service of Canada; and that wage rates and other working conditions shall be in accordance with the Canadian Fair Wages and Hours of Labour Act.
- j) That customs duties and Federal sales and excise taxes shall be remitted on equipment, materials and supplies used or consumed for and in connection with the project. This remission shall not extend to items for personal use, including tobacco, food and beverages actually landed in Canada.
- k) That the Canadian Coasting Regulations, where necessary, will be waived with respect to dredges, barges, tow-boats and other similar equipment employed on the project.
- l) That the Unemployment Insurance Act of Canada and regulations thereunder will apply to any Canadian workmen who may be employed on the project and also to United States workmen employed on the project if they are employed on Canadian territory by a contractor (not by the United States Army Corps of Engineers) and cannot be covered under any employment insurance law of the United States; if any Canadian workmen are employed directly by the United States Army Corps of Engineers, the arrangement whereby the United States Armed Forces will insure Canadian employees from July 1, 1956, will apply.
- m) That the United States Government will ensure that the necessary arrangements are made with the authorities of the Province of Ontario concerning the Workmen's Compensation Act of that province.
- n) That administrative arrangements concerning this project may be made from time to time between authorized agencies of the two Governments.
- o) That each party to this agreement undertakes that all requests received by its supervisory personnel connected with the project from authorities within its jurisdiction for information concerning personnel employed upon the project, when such information is not related to the employment of such personnel upon the project, shall be brought to the attention of the other party.

The party from whom the information is requested will give due consideration to the position which the other party may take with regard to the provision of such information.

If the conditions outlined above meet with the approval of the United States Government, it is proposed that this Note and the Ambassador's reply, together with the Ambassador's Note No. 297 of June 8, 1959, shall constitute a special agreement between our two Governments under Article III of the Boundary Waters Treaty of January 11, 1909.<sup>[1]</sup>

H. C. G.

OTTAWA,  
October 17, 1961

*The American Chargé d'Affaires ad interim to the Canadian Secretary of State for External Affairs*

No. 88

The Charge d'Affaires ad interim of the United States of America presents his compliments to the Secretary of State for External Affairs and has the honor to refer to Note No. 167 of October 17, 1961 from the Secretary of State for External Affairs approving on behalf of the Canadian Government, subject to certain conditions, proposed channel improvements to be undertaken in Canadian waters along the sailing courses in Lake Erie, east of the Detroit River navigation light and through the Pelee Passage.

The Charge d'Affaires ad interim of the United States of America has the honor to confirm the acceptance by the Government of the United States of America of the conditions set forth by the Canadian Government in its Note No. 167. That note and this reply thereto, together with the Ambassador's note No. 297 of June 8, 1959, shall constitute a special agreement between the two Governments under Article III of the Boundary Waters Treaty of January 11, 1909.

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EMBASSY OF THE UNITED STATES OF AMERICA,  
Ottawa, October 17, 1961.

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<sup>1</sup> TS 548; 36 Stat. 2449.

# MULTILATERAL International Trade in Cotton Textiles

*Arrangements done at Geneva July 21, 1961; [<sup>1</sup>]  
Accepted by the President of the United States of America September 7, 1961;  
Notification of acceptance by the United States of America dated September 7, 1961.*

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<sup>1</sup> The texts printed herein are as certified by the GATT Executive Secretary, Geneva.

**GENERAL AGREEMENT ON TARIFFS AND TRADE [<sup>1</sup>]**

21 JULY 1961

**ARRANGEMENTS REGARDING INTERNATIONAL TRADE IN  
COTTON TEXTILES**

THE PARTICIPATING COUNTRIES recognize the need to take co-operative and constructive action with a view to the development of world trade and that such action should be designed to facilitate economic expansion and in particular to promote the development of the less-developed countries by providing increasing access for their exports of manufactured products.

They take note, however, that in some countries situations have arisen which, in the view of these countries, cause or threaten to cause "disruption" of the market for cotton textiles. In using the expression "disruption" the countries concerned have in mind situations of the kind described in the Decision of the CONTRACTING PARTIES of 19 November 1960 the relevant extract from which is annexed as Appendix A[<sup>2</sup>] to this Agreement.

The participating countries desire to deal with these problems in such a way as to provide growing opportunities for exports of these products provided that the development of this trade proceeds in a reasonable and orderly manner so as to avoid disruptive effects in individual markets and on individual lines of production.

**I. SHORT-TERM ARRANGEMENT**

Pending a long-term solution the participating countries agree to deal with immediate problems relating to cotton textiles through international action designed, at the same time:

- (i) to significantly increase access to markets where imports are at present subject to restriction;
- (ii) to maintain orderly access to markets where restrictions are not at present maintained; and
- (iii) to secure from exporting countries, where necessary, a measure of restraint in their export policy so as to avoid disruptive effects in import markets.

<sup>1</sup> TIAS 1700; 61 Stat., pts. 5 and 6.

<sup>2</sup> Post, p. 1678.

Accordingly the participating countries agree to adopt the following short-term arrangement for the twelve-month period beginning 1 October 1961.

A. A participating country, if unrestricted imports of cotton textiles are causing or threatening to cause disruption of its domestic market, may request any participating country to restrain, at a specified level not lower than the level prevailing for the twelve-month period ending 30 June 1961, its total exports of any category (see Appendix B)<sup>[2]</sup> of cotton textiles causing or threatening to cause such disruption, and failing agreement within thirty days, the requesting country may decline to accept imports at a level higher than the specified level.<sup>1</sup> In critical circumstances, action may be taken provisionally by either country involved while the request is under discussion. Nothing in this arrangement shall prevent the negotiation of mutually acceptable bilateral arrangements on other terms.

It is intended by the participating countries that this procedure will be used sparingly, with full regard for their agreed objective of attaining and safeguarding maximum freedom of trade, and only to avoid disruption of domestic industry resulting from an abnormal increase in imports.

B. A country requested to restrain its exports to a specified level may exceed the specified level for any category by 5 per cent provided that its total exports to the requesting country of the categories of products subject to restraint do not exceed the aggregate for all the categories.

C. If a requesting country determines that a shift in the pattern of imports within any category is producing undue concentration of imports of any particular item and that such concentration is causing or threatening disruption, the requesting country may, under the procedure set forth in paragraph A above, request the producing country to restrain its total exports of the said item during the 12 months beginning 1 October 1961 to a prescribed level not lower than that which prevailed during the year ending 30 June 1961.

D. Participants agree to take action to prevent circumvention or frustration of this short-term arrangement by non-participants, or

<sup>1</sup> In Canada, there is no legislation whereby imports may be limited in a precise quantitative manner as envisaged in this paragraph. The provision available for limiting imports in order to avoid injury or a threat of injury to a domestic industry is contained in Section 40 A(7)(c) of the Customs Act which authorizes the application of special values for duty purposes. These special values cannot be used to achieve a precise level of imports. Accordingly, the participating countries recognize that, should Canada find it necessary to take action to limit imports pursuant to this arrangement, it would not be in a position to ensure that imports would not fall below the minimum level as defined in this paragraph. [Footnote in the original.]

<sup>2</sup> Post, p. 1678.

by trans-shipment, or by substitution of directly competitive textiles. In particular, if the purposes of this arrangement are being frustrated or are in danger of being frustrated through the substitution of directly competitive textiles, the provisions of paragraph A above shall apply to such goods, to the extent necessary to prevent such frustration.

E. Participating countries presently maintaining quantitative restrictions on cotton textile imports shall, as from 1 January 1962, significantly increase access to their markets by countries the imports from which are now restricted. A specific statement of the new access will be forthcoming.

F. This short-term arrangement shall be valid for a period of 12 months, beginning on 1 October 1961; however, the provisions of section E above shall enter into force not later than 1 January 1962.

G. In accordance with GATT provisions for joint consultations the parties to this arrangement shall meet as necessary to consider any problems arising out of the application of this Agreement. Such consultations could, in particular, take place in the event that a country, the exports of which are under restraint as a result of action taken under paragraph A above, considers that experience shows that the level of restraint is inequitable.

## II. LONG-TERM ARRANGEMENT

A. Participating countries agree to create a Provisional Cotton Textile Committee and to request the CONTRACTING PARTIES to confirm the establishment of the Committee at the nineteenth session.

The Committee shall:

1. undertake work looking toward a long-term solution to the problems in the field of cotton textiles on the basis of the guiding principles set out in the Preamble to this Agreement.
2. Collect all useful data for this purpose.
3. At an early date, not later than 30 April 1962, make recommendations for such long-term solution.

B. The discussions and consultations to be undertaken by the Committee on the long-term problem shall be of the kind provided for by the Market Disruption Committee at the seventeenth session of the CONTRACTING PARTIES. The Committee shall, as appropriate, from time to time report to this Committee and to Committee III of the Expansion of Trade Programme on progress made and on its findings.

C. The Provisional Cotton Textile Committee referred to in this article shall meet on 9 October 1961 to initiate consideration of this long-term problem.

**APPENDIX A****Extract from the CONTRACTING PARTIES'****Decision of 19 November 1960**

"These situations [market disruption] generally contain the following elements in combination:

- (i) a sharp and substantial increase or potential increase of imports of particular products from particular sources;
- (ii) these products are offered at prices which are substantially below those prevailing for similar goods of comparable quality in the market of the importing country;
- (iii) there is serious damage to domestic producers or threat thereof;
- (iv) the price differentials referred to in paragraph (ii) above do not arise from governmental intervention in the fixing or formation of prices or from dumping practices.

In some situations other elements are also present and the enumeration above is not, therefore, intended as an exhaustive definition of market disruption."

**Appendix B****Cotton Textile Categories**

<u>List of Categories</u>	<u>Unit</u>
1. Cotton yarn, carded, singles, not ornamented, etc.	lb.
2. Cotton yarn, plied, carded, not ornamented, etc.	"
3. Cotton yarn, singles, combed, not ornamented, etc.	"
4. Cotton yarn, plied, combed, not ornamented, etc.	"
5. Gingham, carded yarn	Sq. yds.
6. Gingham, combed yarn	" "
7. Velveteens	" "
8. Corduroy	" "
9. Sheetings, carded yarn	" "
10. Sheetings, combed yarn	" "
11. Lawns, carded yarn	" "
12. Lawns, combed yarn	" "
13. Voiles, carded yarn	" "
14. Voiles, combed yarn	" "
15. Poplin and broadcloth, carded yarn	" "

<u>List of Categories (cont'd)</u>	<u>Unit</u>
16. Poplin and broadcloth, combed yarn	Sq. yds.
17. Typewriter ribbon cloth	" "
18. Print cloth type shirting, 80 x 80 type, carded yarn	" "
19. Print cloth type shirting, other than 80 x 80 type, carded yarn	" "
20. Shirting, carded yarn	" "
21. Shirting, combed yarn	" "
22. Twill and sateen, carded yarn	" "
23. Twill and sateen, combed yarn	" "
24. Yarn-dyed fabrics, except ginghams, carded yarn	" "
25. Yarn-dyed fabrics, except ginghams, combed yarn	" "
26. Fabrics, n.e.s., carded yarn	" "
27. Fabrics, n.e.s., combed yarn	" "
28. Pillowcases, plain, carded yarn	Numbers
29. Pillowcases, plain, combed yarn	"
30. Dish towels	"
31. Towels, other than dish towels	"
32. Handkerchiefs	Dozen
33. Table damasks and manufactures of	lb.
34. Sheets, carded yarn	Numbers
35. Sheets, combed yarn	"
36. Bedspreads	"
37. Braided and woven elastics	lb.
38. Fishing nets	"
39. Gloves and mittens	Doz.
40. Hose and half hose	Doz. prs.
41. Men's and boys' all white T. shirts, knit or crocheted	Doz.
42. Other T. shirts	Doz.
43. Knitshirts, other than T. shirts and Sweatshirts (including infants)	Doz.
44. Sweaters and cardigan	Doz.
45. Men's and boys' shirts, dress, not knit or crocheted	Doz.
46. Men's and boys' shirts, sport, not knit or crocheted	Doz.
47. Men's and boys' shirts, work, not knit or crocheted	Doz.
48. Raincoats, $\frac{3}{4}$ length or over	Doz.
49. All other coats	Doz.
50. Men's and boys' trousers, slacks and shorts (outer), not knit or crocheted	Doz.
51. Women's, misses' and children's trousers, slacks and shorts (outer), not knit or crocheted	Doz.

<u>List of Categories (cont'd)</u>	<u>Unit</u>
52. Blouses, and blouses combined with skirts, trousers, or shorts	Doz.
53. Women's, misses', children's and infants' dresses (including nurses' and other uniform dresses), not knit or crocheted	Doz.
54. Playsuits, sunsuits, washsuits, creepers, rompers, etc. (except blouse and shorts; blouse and trouser; or blouse, shorts and skirt sets)	Doz.
55. Dressing gowns, including bathrobes and beach- robes, lounging gowns, dusters and house-coats, not knit or crocheted	Doz.
56. Men's and boys' undershirts, (not T. shirts)	Doz.
57. Men's and boys' briefs and undershorts	Doz.
58. Drawers, shorts and briefs (except men's and boys' briefs), knit or crocheted	Doz.
59. All other underwear, not knit or crocheted	Doz.
60. Nightwear and pyjamas	Doz.
61. Brassieres and other body supporting garments	Doz.
62. Other knitted or crocheted clothing	Units or lbs.
63. Other clothing, not knit or crocheted	Units or lbs.
64. All other cotton textile items	Units or lbs.

To whatever extent this List of Categories may present questions in the light of established listing practices of any participating country, such questions shall be resolved by consultation between the countries concerned or by the process of joint consultation referred to in Paragraph G of the short-term Arrangement.

*Note by the Department of State*

The following participating countries notified the Executive Secretary of the General Agreement on Tariffs and Trade of the acceptance of the arrangements regarding international trade in cotton textiles on the respective dates indicated:

<u>Participating Country</u>	<u>Date of Acceptance</u>
United States of America	September 7, 1961
Belgium	October 13, 1961
Canada	September 22, 1961
Denmark	October 23, 1961
France	October 13, 1961
Federal Republic of Germany	October 13, 1961
India	October 13, 1961
Italy	October 13, 1961
Japan	October 13, 1961
Luxembourg	October 13, 1961
The Netherlands	October 13, 1961
Norway	November 10, 1961
Portugal	October 23, 1961
Spain	October 16, 1961
Sweden	October 23, 1961

# FEDERAL REPUBLIC OF GERMANY

## Experimental Communications Satellites: Intercontinental Testing

*Agreement effected by exchange of notes*

*Signed at Bonn/Bad Godesberg and Bonn September 5 and 29,  
1961;*

*Entered into force September 29, 1961.*

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*The American Ambassador to the Minister of Foreign Affairs of the  
Federal Republic of Germany*

EMBASSY OF THE  
UNITED STATES OF AMERICA

No. 45

EXCELLENCY:

I have the honor to propose a program of joint participation between the United States National Aeronautics and Space Administration and the Deutsche Bundespost of the Federal Republic of Germany in intercontinental testing in connection with the experimental communications satellites planned to be launched by the United States under Projects Relay and Rebound. I have the honor to propose further that the details and procedures with respect to such joint participation be in accordance with arrangements between these agencies.

If the foregoing proposals are acceptable to the Government of the Federal Republic of Germany, I have the honor to propose that this note and your reply to that effect, shall constitute an Agreement between the two Governments in this matter, which shall enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

WALTER DOWLING

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Bonn/Bad Godesberg, September 5, 1961.*

His Excellency

Dr. HEINRICH VON BRENTANO,  
*Federal Minister of Foreign Affairs,  
Bonn.*

*The Minister of Foreign Affairs of the Federal Republic of Germany  
to the American Ambassador*

DER BUNDESMINISTER  
DES AUSWÄRTIGEN

#202-81.21-2698/61

BONN, den 29. September 1961

HERR BOTSCHAFTER,

ich beeche mich, den Empfang Ihrer Note vom 5. d. M. zu bestätigen, deren Wortlaut in Übersetzung wie folgt lautet:

“Ich habe die Ehre, ein Programm für die gemeinsame Beteiligung der Nationalen Weltraumbehörde der Vereinigten Staaten und der Deutschen Bundespost an der interkontinentalen Erprobung von Versuchsfernmeldesatelliten vorzuschlagen, die von den Vereinigten Staaten im Rahmen der Projekte “Relay” und “Rebound” abgeschossen werden sollen. Ich beeche mich, weiterhin vorzuschlagen, daß die Einzelheiten und das Verfahren dieser gemeinsamen Beteiligung mit Vereinbarungen zwischen den genannten Stellen übereinstimmen sollen.

Falls sich die Regierung der Bundesrepublik Deutschland mit diesen Vorschlägen einverstanden erklärt, beeche ich mich vorzuschlagen, daß diese Note und Ihre Antwortnote eine Vereinbarung zwischen den beiden Regierungen in dieser Angelegenheit bilden sollen, die mit dem Datum Ihrer Antwortnote in Kraft tritt.”

Ich beeche mich, Ihnen mitzuteilen, daß die Regierung der Bundesrepublik Deutschland mit den in Ihrer Note enthaltenen Vorschlägen und damit einverstanden ist, daß Ihre Note und diese Antwort eine Vereinbarung zwischen unseren beiden Regierungen bilden, die mit dem Datum dieser Antwort in Kraft tritt.

Genehmigen Sie, Herr Botschafter, den Ausdruck meiner ausgezeichnetsten Hochachtung

v BRENTANO

Seiner Exzellenz  
dem Botschafter der  
Vereinigten Staaten von Amerika  
Herrn WALTER DOWLING

*Translation*

THE FEDERAL MINISTER  
OF FOREIGN AFFAIRS

#202-81.21-2698/61

BONN, September 29, 1961

MR. AMBASSADOR:

I have the honor to acknowledge receipt of your Note of the 5th of this month which reads as follows:

[For the English language text of the note, see *ante*, p. 1682.]

I have the honor to inform you that the Government of the Federal Republic of Germany concurs in the proposals contained in your Note and agrees that your Note and this reply shall constitute an Agreement between the two Governments which shall enter into force on the date of this reply.

Accept, Excellency, the assurances of my highest consideration.

v BRENTANO

His Excellency

WALTER DOWLING,

*Ambassador of the United States of America.*

# PAKISTAN

## Passport Visas

*Agreement effected by exchange of notes  
Dated at Karachi March 16 and June 27, 1959;  
Entered into force June 27, 1959.  
With related notes dated July 28, 1959, and September 6 and 29,  
1961.*

*The American Embassy to the Pakistani Ministry of Foreign Affairs  
and Commonwealth Relations*

No. 607

KARACHI, March 16, 1959.

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Commonwealth Relations, and has the honor to inform the Ministry that the President of the United States has proclaimed the year 1960 as "Visit the United States of America Year." Private and public agencies are being urged to encourage and facilitate travel to and within the United States during the year 1960.

In this connection the Department of State is reviewing visa schedules now in effect, with the object of extending maximum visa facilities, on a reciprocal basis, consistant with United States visa laws. Thanks to the friendly relationship existing between Pakistan and the United States most types of visas now being given by each country to nationals of the other are of maximum validity. However, the Department of State has asked the Embassy to solicit the Ministry's views as to the possibility of making certain types of visas, now made valid for one year, valid for two years.

Specifically the Department of State hopes to arrange, reciprocally, to increase to two years the validity of multiple entry visas issued to the following classes of persons.

- A-1 Ambassador, public minister, diplomatic or consular officer, and members of immediate family.
- A-2 Other foreign government official or employee.
- A-3 Attendant, servant or personal employees of A-1 and A-2 classes and members of immediate family.
- G-1 Principal resident representative of recognized foreign member government of international organization, his staff, and members of immediate family.

- G-2 Other representative of recognized foreign member government to international organization and members of immediate family.
- G-4 International organization officer or employee of G-1, G-2 and G-4 classes and members of immediate family.
- G-5 Attendant, servant or personal employee of G-1, G-2 and G-4 classes, and members of immediate family.

The Embassy will appreciate learning from the Ministry whether the Government of Pakistan would view favorably making these increases. If so, it is planned to incorporate these changes into United States visa schedules for Pakistan.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

**THE MINISTRY OF FOREIGN AFFAIRS AND  
COMMONWEALTH RELATIONS  
Karachi**

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*The Pakistani Ministry of Foreign Affairs and Commonwealth Relations to the American Embassy*

**MINISTRY OF FOREIGN AFFAIRS  
&  
COMMONWEALTH RELATIONS  
KARACHI**

No. PVI-12/4/59.

*June 27, 1959.*

The Ministry of Foreign Affairs and Commonwealth Relations presents its compliments to the Embassy of the United States of America in Pakistan, and has the honour to refer to their Note No. 607, dated the 16th March 1959, concerning the possibility of making certain types of visas, now made valid for one year, valid for two years on the basis of reciprocity.

2. The Ministry has the honour to inform the Embassy that the Government of Pakistan agree with the Government of the United States of America to increase from one year to two years the validity of the multiple entry visas issued to the following classes of persons on the basis of reciprocity subject to the exceptions made in paragraph 3[<sup>1</sup>] below :

A-1. Ambassador, public minister, diplomatic or consular officer, and members of immediate family.

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<sup>1</sup> See exchange of notes ; *post*, pp. 1687-1689.

- A-2. Other foreign government official or employee, and members of immediate family.
  - A-3. Attendant, servant or personal employees of A-1 and A-2 classes, and members of immediate family.
  - G-1. Principal resident representative recognised foreign member government of international organization, his staff, and members of immediate family.
  - G-2. Other representative of recognized foreign member government to international organization, and members of immediate family.
  - G-4. International organization officer or employee of G-1, G-2 and G-4 classes, and members of immediate family.
  - G-5. Attendant, servant or personal employee of G-1, G-2 and G-4 classes, and members of immediate family.
3. It is suggested that the Ambassador of Pakistan to the U.S.A. and other Pakistan Diplomatic Officers posted in the U.S.A. including the Pakistan Permanent Representative to the United Nations, and members of their families, might on a reciprocal basis, be granted multiple entry visas valid for the period of their assignment instead of for two years.<sup>[1]</sup>
4. The Government of Pakistan further agree that the Embassy's Note and the present reply shall constitute an Agreement between the two Governments which shall take effect from the 1st August 1959.
5. The Ministry shall be grateful if the Embassy of the United States of America could kindly confirm paragraph 4 above.
6. The Ministry avails itself of this opportunity to renew to the Embassy the assurances of its highest consideration.



THE EMBASSY OF THE UNITED  
STATES OF AMERICA IN PAKISTAN,  
*Karachi*

*The American Embassy to the Pakistani Ministry of Foreign Affairs  
and Commonwealth Relations*

Note No. 64.

KARACHI, PAKISTAN, July 28, 1959

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Commonwealth Rela-

<sup>1</sup> See exchange of notes, *infra*.

tions, and has the honor to refer to the Ministry's Note No. PVI-12/4/59, dated June 27, 1959, concerning the agreement to make certain types of visas, now made valid for one year, valid for two years on the basis of reciprocity.

The Embassy has the honor to inform the Ministry that the Government of the United States of America agrees with the Government of Pakistan to increase from one year to two years the validity of the multiple entry visas issued to the following classes of persons on the basis of reciprocity:

- A-1. Ambassador, public minister, diplomatic or consular officer, and members of immediate family.
- A-2. Other foreign government official or employee, and members of immediate family.
- A-3. Attendant, servant or personal employees of A-1 and A-2 classes, and members of immediate family.
- G-1. Principal resident representative recognised foreign member government of international organization, his staff, and members of immediate family.
- G-2. Other representative of recognized foreign member government to international organization, and members of immediate family.
- G-4. International organization officer or employee of G-1, G-2 and G-4 classes, and members of immediate family.
- G-5. Attendant, servant or personal employee of G-1, G-2 and G-4 classes, and members of immediate family.

The Government of the United States of America further agrees that the Embassy's Note No. 607 dated March 16, 1959 and the Ministry's Note shall constitute an Agreement between the two Governments which shall take effect from August 1, 1959.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

THE MINISTRY OF FOREIGN AFFAIRS AND  
COMMONWEALTH RELATIONS  
*Government of Pakistan*  
*Karachi.*

*The American Embassy to the Pakistani Ministry of External Affairs*

No. 191

KARACHI, September 6, 1961

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs and has the honor to refer to the Ministry's Note No. PVI-12/4/59.

The Embassy has the honor further to request that the Ministry confirm that the Embassy is correct in its understanding that the suggestion contained in paragraph 3 of the referenced note does not

constitute part of the agreement between the two governments referred to in paragraph 4 of the referenced note.

Unfortunately, because of legal restrictions, paragraph 3 is not acceptable to the Government of the United States.

It is requested, therefore, that the Ministry confirm that Embassy Note 607 of March 16, 1959 and the Ministry's Note PVI-12/4/59 of June 27, 1959, excluding paragraph 3 of the latter, constitute the agreement between the two Governments. As publication of this agreement awaits clarification of the matter, an urgent reply is requested.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

**THE MINISTRY OF EXTERNAL AFFAIRS**  
*Government of Pakistan*  
*Karachi*

*The Pakistani Ministry of Home Affairs to the American Embassy*

D. O. No.

GOVERNMENT OF PAKISTAN  
MINISTRY OF HOME AFFAIRS  
*Karachi the 29th Sept. 1961.*

No. PVI-10/3/61

The Ministry of Home Affairs presents its compliments to the Embassy of the United States of America in Pakistan and has the honour to refer to their note No. 191 dated the 6th September, 1961, regarding the possibility of making certain type of visas, now valid for one year, valid for two years on basis of reciprocity.

2. It is confirmed that the Embassy's note No. 607 of 16th March, 1959 and former Ministry of Foreign Affairs & Commonwealth Relation's note No. PVI.12/4/59 of 27th June, 1959 excluding paragraph 3 of the latter constitute the agreement between the two Governments.
3. The Ministry avails itself of this opportunity to renew to the Embassy the assurances of its highest consideration.

**THE EMBASSY OF THE UNITED STATES  
OF AMERICA IN PAKISTAN,**  
*Karachi.*



# PAN AMERICAN UNION

## Financing of Assistance Under Alliance for Progress

*Agreement signed at Washington November 29, 1961;  
Entered into force November 29, 1961.*

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### AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PAN AMERICAN UNION CONCERNING CERTAIN FUNDS TO BE MADE AVAILABLE UNDER THE ALLIANCE FOR PROGRESS

WHEREAS the President and Congress of the United States of America have endorsed the establishment of a cooperative program for the social progress of the American Republics and have instituted the Special Inter-American Fund for Social Progress to assist in carrying out such a cooperative program;

WHEREAS the representatives of the American Republics in the Act of Bogotá of September 12, 1960 [¹] and the Charter of Punta del Este of August 17, 1961 [²] establishing an Alliance for Progress, expressed their support and willingness to participate in a great co-operative effort to accelerate the economic and social development of their countries;

WHEREAS in Chapter IV of the Act of Bogotá it was recommended that the Inter-American Economic and Social Council should undertake to organize annual consultation meetings to review the social and economic progress of member countries, to analyze and discuss the progress achieved and the problems encountered in each country, to exchange opinions on possible measures that might be adopted to intensify further social and economic progress and to prepare reports on the outlook for the future; and this recommendation was endorsed and procedures to carry it out were recommended by Resolution D appended to the Charter of Punta del Este;

WHEREAS under Title II, Chapter IV, paragraph 3 of the Charter of Punta del Este the United States expressed its willingness to assist in the financing of technical assistance projects proposed by a participating country or by the Pan American Union for the purpose of providing experts, carrying out investigations and studies and

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<sup>1</sup> *Department of State Bulletin*, Oct. 3, 1960, p. 537.

<sup>2</sup> *Department of State Bulletin*, Sept. 11, 1961, p. 462.

convening meetings of experts and officials on development and related problems;

AND WHEREAS under Resolution A.4 appended to the Charter of Punta del Este it was recommended that the Secretary General of the Organization of American States immediately establish task forces to undertake investigations and studies and prepare reports in certain fields;

The Government of the United States of America and the Pan American Union (General Secretariat of the Organization of American States) agree as follows:

#### ARTICLE I

The Government of the United States of America (hereinafter referred to as the United States) undertakes to finance in accordance with the terms of this Agreement, from a sum of \$6,000,000 set aside for this purpose in the Special Inter-American Fund for Social Progress or from any additional funds which the United States may subsequently agree to use for this purpose, the following activities, to be executed under the general direction of the Pan American Union (hereinafter referred to as the Union):

A. Field investigations and studies on a multi-country basis relating to social and economic development including those relating to the organization and strengthening of national agencies for the preparation of development programs, agrarian reform and rural development including cooperatives, health, housing, education and training, tax policy and tax administration and public administration.

B. Meetings of experts and officials to consider the results of the investigations and studies described in paragraph A above for the purpose of facilitating or recommending action thereon.

C. Payment of technical experts employed or contracted by the Union on a temporary basis to be placed at the disposition of governments at their request for the purpose of assisting them in: the establishment and strengthening of mechanisms for preparing plans and projects; the formulation of a national development plan; the preparation of specific projects consistent with national development programs; the creation and operation of public information programs relating to the formulation and implementation of national development plans and programs; and the preparation of reports for submission to the annual consultative meetings of the Inter-American Economic and Social Council.

D. Payment of technical experts employed or contracted by the Union on a temporary basis to assist in the review of national development plans as envisaged by Title II, Chapter V, paragraph 3 of the Charter of Punta del Este.

**ARTICLE II**

In rendering their assistance, the experts provided for under paragraphs C and D of Article I shall be guided by the principles and criteria set forth in Title II, Chapters I and II of the Charter of Punta del Este. It is recognized that it is the responsibility of governments to formulate their own national development plans and that therefore the assistance rendered by experts shall supplement these national planning efforts.

**ARTICLE III**

A. The funds provided under this Agreement may be available for payment of the salaries, per diem and travel expenses of experts employed or contracted under Article I, supplies and services related to specific projects, and for payment or reimbursement of general overhead costs of the Union arising from the organization and support of the activities under Article I, to the extent of 10% of the costs of such activities. However, the figure of 10% shall be subject to review and modification after experience of one year has been obtained.

B. None of the funds provided under this Agreement shall be used:

- (i) to finance salaries of the permanent staff of the Union, including members of the Panel of Experts envisaged by Title II, Chapter V, paragraph 3 of the Charter of Punta del Este;
- (ii) to finance activities which did not result directly from the Act of Bogotá or the Charter of Punta del Este;
- (iii) to reimburse other international agencies for the salaries of experts furnished by such agencies which are cooperating with the Union in carrying out the activities described under Article I.

However, funds may be utilized to pay per diem, travel and other expenses of experts of the Union or other agencies required for the accomplishment of specific assignments under this Agreement.

C. Within the limits specified above the funds provided under this Agreement may be expended through joint arrangement of the Union with other cooperating international and private agencies.

**ARTICLE IV**

The Union shall exercise the same care in the discharge of its functions under this Agreement as it exercises with respect to the administration and management of its own affairs. The Union in its work under this Agreement shall avoid duplication of activities and shall coordinate its assistance with that provided by other national, international and private agencies.

#### ARTICLE V

A. Funds provided under this Agreement may be used for activities in the Western Hemisphere except in those countries being subjected to economic or diplomatic sanctions by the Organization of American States or in those American Republics which were not original signatories of the Charter of Punta del Este.

B. The funds provided under this Agreement shall be administered by the Union as a special fund in separate accounts.

C. Funds will be advanced from time to time by the United States as needed for carrying out the purposes of the Agreement. The Union will advise the United States with respect to estimated needs for activities under Article I (including the identification of projects under paragraphs A and B and their scope and their cost estimates) on a quarterly basis, and subject to its agreement as to such needs and projects the United States will advance funds at the beginning of the quarter to meet such needs.

#### ARTICLE VI

The Union shall issue annual and semi-annual reports containing appropriate information with respect to receipts and disbursements and balances in the separate accounts with respect to the funds provided under this Agreement. In addition, at least every six months the Union shall issue a detailed report containing appropriate information with respect to the operation and the progress of projects under this Agreement, together with any other information relevant thereto. After the completion of each project a report shall be issued concerning that project. Observations which the United States may desire to make to the Union upon any such reports may be presented as deemed appropriate.

#### ARTICLE VII

The United States and the Union shall designate officials through whom such supplementary arrangements may be made as may be necessary pursuant to this Agreement.

#### ARTICLE VIII

This Agreement shall enter into force on the date of signing. This Agreement shall be subject to termination at the end of the quarterly period provided for in paragraph C of Article V by the giving of 60 days notice by either party.

**ARTICLE IX**

Any unused funds provided under this Agreement which the Union has at the time of termination of the Agreement and upon the settlement of all accounts due and payable shall revert to the United States.

DONE at Washington, in duplicate, this twenty-ninth day of November, 1961.

**FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:**

JOHN F. KENNEDY

**FOR THE PAN AMERICAN UNION:**

JOSÉ A. MORA

# BOLIVIA

## Radio Communications Between Amateur Stations on Behalf of Third Parties

*Agreement effected by exchange of notes  
Dated at La Paz October 23, 1961;  
Entered into force November 22, 1961.*

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*The American Embassy to the Bolivian Ministry of Foreign Affairs  
and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA

No. 134

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Worship of the Republic of Bolivia and has the honor to propose that an agreement be concluded between the Government of the United States and the Government of Bolivia to permit the exchange of third party messages between the radio amateurs of the United States and Bolivia.

In informal conversations between officers of this Embassy and representatives of the Ministry of Public Works and Communications, a preliminary understanding has been reached on the advisability of concluding such an agreement.

The Embassy has been authorized to submit for the consideration of the Bolivian Government, the following proposal:

"Amateur radio stations of Bolivia and of the United States may exchange internationally messages from or to third parties, provided:

- "1. No compensation may be directly or indirectly paid on such messages or communications.
- "2. Such communications shall not include commercial or political information but shall be limited to conversations or messages of a technical or personal nature for which, by reason of their unimportance, recourse to the public telecommunications service is not justified. To the extent that in the event of disaster, the public telecommunications service is not readily available for expeditious handling of communications relating

- directly to safety of life or property, such communications may be handled by amateur stations of the respective countries.
- "3. This arrangement shall apply to Bolivia, and to the United States and its territories and possessions, including Puerto Rico and the Virgin Islands and to the Panama Canal Zone. It shall also be applicable to the case of amateur stations licensed by the United States authorities to United States citizens in other areas of the world in which the United States exercises licensing authority.
- "4. This arrangement shall be subject to termination by either government on sixty days' notice to the other government, by further arrangement between the two governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith."

The Embassy has the honor to suggest to the Ministry of Foreign Affairs and Worship, providing that the Ministry concurs with the proposal quoted above, that this note, together with the Ministry's note in reply concurring with the proposal, constitute an understanding between the two Governments with respect to this matter, such understanding to be effective 30 days from the time of the Ministry's note in reply.

The Embassy takes this opportunity to renew to the Ministry the assurances of its highest consideration.

RBS

EMBASSY OF THE UNITED STATES OF AMERICA,  
La Paz, October 23, 1961.

*The Bolivian Ministry of Foreign Affairs and Worship to the American Embassy*

REPUBLICA DE BOLIVIA  
MINISTERIO DE RELACIONES  
EXTERIORES Y CULTO

No. DGNA 751

LA PAZ, Octubre 23, 1961.

El Ministerio de Relaciones Exteriores y Culto de la República de Bolivia, saluda atentamente a la Honorable Embajada de los Estados Unidos de América y tiene el honor de avisar recibo de su atenta Nota Verbal No. 134 del 23 de octubre en curso, mediante la cual se propone la concertación de un Acuerdo entre los Gobiernos de los Estados Unidos de América y Bolivia que permita el intercambio de mensajes de terceras partes entre Radio Aficionados de los Estados Unidos de América y Bolivia, que textualmente dice :

“ No. 134.— La Embajada de los Estados Unidos de América presenta sus saludos al Ministerio de Relaciones Exteriores y Culto de la República de Bolivia y tiene el honor de proponer la conclusión de un Acuerdo entre el Gobierno de los Estados Unidos de América y el Gobierno de Bolivia que permita el intercambio de mensajes de terceras personas entre Radio Aficionados de los Estados Unidos y Bolivia.

En conversaciones informales entre personeros de esta Embajada y representantes del Ministerio de Obras Públicas y Comunicaciones, se alcanzó un entendimiento preliminar en cuanto a la plausibilidad de llegar a un Acuerdo de este tipo.

La Embajada ha sido autorizada para someter a consideración del Gobierno de Bolivia, la siguiente proposición :

“ Las estaciones de Radio Aficionados de Bolivia y los Estados Unidos podrán intercambiar internacionalmente mensajes de terceras partes o a terceras partes, siempre que :

“1º. No se pague compensación alguna, directa o indirectamente sobre esos mensajes o comunicaciones.

“2º. Esos mensajes no incluirán informaciones comerciales o políticas y se limitarán a conversaciones o mensajes de carácter técnico o personal, cuya insignificancia no justifica el recurrir a los servicios de Telecomunicación Pública. En el evento de que por un desastre, el servicio de Telecomunicación Pública no se encuentre, con prontitud, disponible para el rápido despacho de comunicaciones relativas directamente a la seguridad de vidas o propiedades, esas comunicaciones podrán ser transmitidas por estaciones de Radio Aficionados de los respectivos países.

“3º. Este arreglo se aplicará a Bolivia y a los Estados Unidos de América y sus territorios y posesiones, incluyendo Puerto Rico, las Islas Vírgenes y la Zona del Canal de Panamá. También será aplicable al caso de Estaciones de Radio Aficionados que tengan licencia de los Estados Unidos, a ciudadanos de los Estados Unidos en otras áreas del mundo en las cuales los Estados Unidos ejerzan autoridad para conceder licencias.

“4º. Este arreglo estará sujeto a su terminación por parte de uno u otro Gobierno, previa notificación dada al otro Gobierno con sesenta días de anticipación; por otro arreglo entre los dos Gobiernos que trate sobre el mismo asunto o por la aprobación de legislación, en uno u otro país que sea incompatible con el mismo.”

“ La Embajada tiene el honor de sugerir al Ministerio de Relaciones Exteriores y Culto, en caso de la aceptación del Ministerio de la proposición arriba citada, que esta nota, conjuntamente con la nota

de respuesta del Ministerio, aceptando la propuesta, constituyan un entendimiento entre los dos Gobiernos con respecto a la materia y que tal entendimiento sea efectivo 30 despues de la fecha de respuesta del Ministerio.

Embajada de los Estados Unidos de América. La Paz octubre 23 de 1961. ”.

El Ministerio de Relaciones Exteriores y Culto se complace en comunicar a la Honorable Embajada de los Estados Unidos de América la aceptación del Gobierno de Bolivia de la propuesta citada, la misma que entrará en vigor 30 dias despues de la fecha de la presente nota.

El Ministerio de Relaciones Exteriores y Culto aprovecha la oportunidad para reiterar a la Honorable Embajada de los Estados Unidos de América las seguridades de su consideración más distinguida.

E ARZE Q

*Translation*

REPUBLIC OF BOLIVIA  
MINISTRY OF FOREIGN AFFAIRS  
AND WORSHIP

No. DGNA 751

LA PAZ, October 23, 1961

The Ministry of Foreign Affairs and Worship of the Republic of Bolivia presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of its Note Verbale No. 134 of October 23, 1961, proposing the conclusion of an Agreement between the Governments of the United States of America and Bolivia to permit the exchange of third party messages between the radio amateurs of the United States of America and Bolivia, which reads as follows:

[For the English language text of the note, see *ante*, p. 1695.]

The Ministry of Foreign Affairs and Worship takes pleasure in informing the Embassy of the United States of America of the acceptance by the Government of Bolivia of the above proposal, which will enter into force 30 days after the date of this note.<sup>[1]</sup>

The Ministry of Foreign Affairs and Worship avails itself of the opportunity to renew to the Embassy of the United States of America the assurances of its most distinguished consideration.

E ARZE Q

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<sup>[1]</sup> Nov. 22, 1961.

# PHILIPPINES

## Peace Corps Program

*Agreement effected by exchange of notes  
Signed at Manila October 11 and 31, 1961;  
Entered into force October 31, 1961.*

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*The American Ambassador to the Philippine Minister for Foreign Affairs*

No. 316

MANILA, October 11, 1961.

EXCELLENCY:

I have the honor to refer to recent conversations between representatives of our two Governments concerning appropriate arrangements with respect to the men and women of the United States of America who volunteer to serve in the Peace Corps and who would live and work for periods of time in the Republic of the Philippines. In these conversations the Government of the Republic of the Philippines has indicated that it would welcome Peace Corps Volunteers and Volunteer Leaders.

I have the honor to propose the following understandings with respect to the Peace Corps:

1. The Government of the Republic of the Philippines will accord equitable treatment to Peace Corps Volunteers and Volunteer Leaders, both as to their persons and their property; afford them, particularly in case of need, full aid and protection; and fully inform and cooperate with representatives of the Government of the United States of America with respect to all matters concerning them.
2. The Government of the Republic of the Philippines will accept a Peace Corps representative and his staff who will discharge functions for the Government of the United States of America with respect to Peace Corps programs. The size of the staff shall be agreed upon by the Government of the Republic of the Philippines and the Government of the United States of America.
3. The Government of the Republic of the Philippines will exempt equipment, materials, and supplies used in connection with Peace Corps programs from taxes and from customs duties and charges.

4. The Government of the Republic of the Philippines will exempt Peace Corps Volunteers, Volunteer Leaders and the Peace Corps representatives and staff from immigration fees, from income tax as to all income derived from their Peace Corps work and from sources outside the Republic of the Philippines, from social security taxes and from all other taxes, charges and fees except (a) sales taxes or other charges or fees included in the prices of goods and services or (b) license fees. The representative and staff shall receive the same treatment with respect to the payment of customs, import, export and all other duties and fees on personal property, equipment and supplies imported into the Republic of the Philippines for their own use as is accorded personnel of comparable rank or grade of the Embassy of the United States of America.

5. Appropriate representatives of the Government of the United States of America and the Government of the Republic of the Philippines may make from time to time such arrangements with respect to Peace Corps Volunteers and Volunteer Leaders and Peace Corps programs in the Republic of the Philippines as appear necessary or desirable for the purpose of implementing this agreement.

I have the honor to propose that, if these understandings are acceptable to the Government of the Republic of the Philippines, this note and Your Excellency's reply note concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply note and which shall remain in force until ninety days after the date of written notification from either Government to the other of intention to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN D. HICKERSON

His Excellency

FELIXBERTO M. SERRANO,  
*Minister for Foreign Affairs,*  
*Manila.*

*The Philippine Secretary of Foreign Affairs to the American Ambassador*

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FOREIGN AFFAIRS

915

MANILA, October 31, 1961

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's Note No. 316 dated October 11, 1961, the text of which follows:

"Excellency:

I have the honor to refer to recent conversations between representatives of our two Governments concerning appropriate arrangements with respect to the men and women of the United States of America who volunteer to serve in the Peace Corps and who would live and work for periods of time in the Republic of the Philippines. In these conversations the Government of the Republic of the Philippines has indicated that it would welcome Peace Corps Volunteers and Volunteer Leaders.

I have the honor to propose the following understandings with respect to the Peace Corps:

1. The Government of the Republic of the Philippines will accord equitable treatment to Peace Corps Volunteers and Volunteer Leaders, both as to their persons and their property; afford them, particularly in case of need, full aid and protection; and fully inform and cooperate with representatives of the Government of the United States of America with respect to all matters concerning them.
2. The Government of the Republic of the Philippines will accept a Peace Corps representative and his staff who will discharge functions for the Government of the United States of America with respect to Peace Corps programs. The size of the staff shall be agreed upon by the Government of the Republic of the Philippines and the Government of the United States of America.
3. The Government of the Republic of the Philippines will exempt equipment, materials, and supplies used in connection with Peace Corps programs from taxes and from customs duties and charges.
4. The Government of the Republic of the Philippines will exempt Peace Corps Volunteers, Volunteer Leaders and the Peace Corps representatives and staff from immigration fees, from income tax as to all income derived from their Peace Corps work and from sources outside the Republic of the Philippines, from social security taxes and from all other taxes, charges and fees

except (a) sales taxes or other charges or fees included in the prices of goods and services or (b) license fees. The representative and staff shall receive the same treatment with respect to the payment of customs, import, export and all other duties and fees on personal property, equipment and supplies imported into the Republic of the Philippines for their own use as is accorded personnel of comparable rank or grade of the Embassy of the United States of America.

5. Appropriate representatives of the Government of the United States of America and the Government of the Republic of the Philippines may make from time to time such arrangements with respect to Peace Corps Volunteers and Volunteer Leaders and Peace Corps programs in the Republic of the Philippines as appear necessary or desirable for the purpose of implementing this agreement.

I have the honor to propose that, if these understandings are acceptable to the Government of the Republic of the Philippines, this note and Your Excellency's reply note concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply note and which shall remain in force until ninety days after the date of written notification from either Government to the other of intention to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration."

The understandings stated in Your Excellency's Note are acceptable to the Philippine Government. In accordance with Your Excellency's proposal, therefore, it is accepted that this exchange of notes consisting of Your Excellency's Note No. 316 dated October 11, 1961 and this reply Note, hereby constitutes an agreement between our two Governments, effective as of this date and to remain in force until ninety days after the date of written notification from either Government to the other of intention to terminate the said agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

F M SERRANO

Felixberto M. Serrano  
*Secretary of Foreign Affairs*

His Excellency

JOHN D. HICKERSON

*Ambassador of the United States of America*  
Manila

# VIET-NAM

## Amity and Economic Relations

*Treaty signed at Saigon April 3, 1961;*

*Ratification advised by the Senate of the United States of America  
September 11, 1961;*

*Ratified by the President of the United States of America Sep-  
tember 26, 1961;*

*Ratified by Viet-Nam July 25, 1961;*

*Ratifications exchanged at Saigon October 31, 1961;*

*Proclaimed by the President of the United States of America No-  
vember 10, 1961;*

*Entered into force November 30, 1961.*

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

WHEREAS a treaty of amity and economic relations between the United States of America and the Republic of Viet-Nam was signed at Saigon on April 3, 1961, the original of which treaty, being in the English and Vietnamese languages, is word for word as follows:

**TREATY OF AMITY  
AND  
ECONOMIC RELATIONS  
BETWEEN  
THE UNITED STATES OF AMERICA  
AND  
THE REPUBLIC OF VIETNAM**

The United States of America and the Republic of Viet-Nam, desirous of promoting friendly relations between their peoples and of encouraging mutually beneficial trade and closer economic intercourse generally, have resolved to conclude a Treaty of Amity and Economic Relations, and have appointed as their Plenipotentiaries:

The President of the United States of America:

Mr. Elbridge Durbrow, Ambassador Extraordinary and  
Plenipotentiary of the United States of America at Saigon;

and

The President of the Republic of Viet-Nam:

Mr. Vu Van Mau, Secretary of State for Foreign Affairs;

Who, having communicated to each other their full powers found to be in due form, agree as follows:

#### Article I

1. Nationals of either Party shall, subject to the laws relating to the entry and sojourn of aliens, be permitted to enter the territories of the other Party, to travel therein freely, and to reside at places of their choice. Nationals of either Party shall in particular be permitted to enter the territories of the other Party and to remain therein for the purpose of: (a) carrying on trade between the territories of the two Parties and engaging in related commercial activities; or (b) developing and directing the operations of an enterprise in which they have invested or are actively in process of investing a substantial amount of capital. Each Party reserves the right to exclude or expel aliens on grounds relating to public order, morals, health and safety.

2. Nationals of either Party shall receive the most constant protection and security within the territories of the other Party, in no case less than that required by international law. When any such national is in custody, he shall in every respect receive reasonable and humane treatment; and, on his demand, the diplomatic or consular representative of his country shall be immediately notified and accorded full opportunity to safeguard his interests. He shall be promptly informed of the accusations against him, allowed ample facilities to defend himself, and given a prompt and impartial disposition of his case.

3. Nationals of either Party within the territories of the other Party shall, either individually or through associations, and so long as their activities are not contrary to public order, safety or morals: (a) enjoy freedom of conscience and the right to hold religious services and engage in religious activities generally; (b) be permitted to

engage in philanthropic, educational and scientific activities; (c) have the right to gather and transmit information for dissemination to the public abroad; and (d) be permitted to communicate with other persons inside and outside such territories by mail, telegraph or other means open to the general public.

### Article II

1. Companies constituted under the applicable laws and regulations of either Party shall be deemed companies thereof and shall have their juridical status recognized within the territories of the other Party. As used in the present treaty, "companies" means:

- (a) As concerns the United States of America, corporations, partnerships, companies and other associations, whether or not with limited liability and whether or not for pecuniary profit;
- (b) As concerns the Republic of Viet-Nam, *sociétés de personnes*, *sociétés de capitaux*, and, in general, other societies, associations, companies, foundations, legal entities or juridical persons, whether or not with limited liability and whether or not for pecuniary profit.

2. Nationals and companies of either Party shall have free access to the courts of justice and administrative agencies within the territories of the other Party, in all degrees of jurisdiction, both in defense and in pursuit of their rights. Such access shall be allowed upon terms no less favorable than those applicable to nationals and companies of such other Party or of any third country, including the terms applicable to requirements for deposit of security. It is understood that companies not engaged in activities within the country shall enjoy the right of such access without any requirement of registration or domestication.

3. Contracts entered into between nationals and companies of either Party and nationals and companies of the other Party, that provide for the settlement by arbitration of controversies, shall not be deemed unenforceable within the territories of such other Party merely on the grounds that the place designated for the arbitration proceedings is outside such territories or that the nationality of one or more of the arbitrators is not that of such other Party. No award duly rendered pursuant to any such contract, and final and enforceable under the laws of the place where rendered, shall be deemed invalid or denied effective means of enforcement within the territories of either Party merely on the grounds that the place where such award was rendered is outside such territories or that the nationality of one or more of the arbitrators is not that of such Party.

### Article III

1. Nationals of either Party shall be accorded national treatment in the application of laws and regulations within the territories of the other Party that establish a pecuniary compensation or other benefit

or service, on account of disease, injury or death arising out of and in the course of employment or due to the nature of employment.

2. In addition to the rights and privileges provided in Paragraph 1 of the present Article, nationals of either Party within the territories of the other Party shall be accorded national treatment in the application of laws and regulations establishing compulsory systems of social security, under which benefits are paid without an individual test of financial need in the following cases: (a) sickness, including temporary disability for work, and maternity; (b) invalidity, or occupational disability; (c) death of father, spouse, or any other person liable for maintenance; (d) unemployment.

#### Article IV

1. Each Party shall at all times accord fair and equitable treatment to nationals and companies of the other Party, and to their property and enterprises; shall refrain from applying unreasonable or discriminatory measures that would impair their legally acquired rights and interests; and shall assure that their lawful contractual rights are afforded effective means of enforcement, in conformity with the applicable laws.

2. Property of nationals and companies of either Party, including direct or indirect interests in property, shall receive the most constant protection and security within the territories of the other Party. Such property shall not be taken except for a public purpose, nor shall it be taken without the payment of just compensation. Such compensation shall be in an effectively realizable form and without unnecessary delay, and shall represent the full equivalent of the property taken; and adequate provision shall have been made at or prior to the time of taking for the determination and payment thereof.

3. The dwellings, offices, warehouses, factories and other premises of nationals and companies of either Party located within the territories of the other Party shall not be subject to entry or molestation without just cause. Official searches and examinations of such premises and their contents shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

#### Article V

1. Enterprises which are or may hereafter be established or acquired by nationals and companies of either Party within the territories of the other Party and which are owned or controlled by such nationals and companies, whether in the form of individual proprietorships, direct branches or companies constituted under the laws of such other Party, shall be permitted freely to conduct their activities therein upon terms no less favorable than like enterprises owned or controlled by nationals and companies of such other Party or of any third country.

2. Nationals and companies of either Party shall enjoy the right to continued control and management of their enterprises within the territories of the other Party; shall be permitted to engage accountants and other technical experts, executive personnel, attorneys, agents and other specialized employees of their choice, regardless of nationality; and shall be permitted without discrimination to do all things normally found necessary and proper to the effective conduct of enterprises engaged in like activities.

3. Laws regarding qualifications for the practice of a profession shall not prevent nationals and companies of either Party from engaging accountants and other technical experts for making examinations, audits and technical investigations for internal purposes in connection with the planning and operation of their enterprises within the territories of the other Party.

#### Article VI

1. Nationals and companies of either Party shall be accorded national treatment, within the territories of the other Party with respect to: (a) leasing real property needed for their residence or for the conduct of activities pursuant to the present Treaty; (b) purchasing and otherwise acquiring personal property of all kinds, subject to any limitations on acquisition of shares in enterprises that may be imposed consistently with Article V; and (c) disposing of property of all kinds by sale, testament or otherwise. The rights set forth in (a) above shall be subject to compliance with the formalities prescribed in the legislation of such other Party, provided that such formalities shall not impair the substance of such rights.

2. Nationals and companies of either Party shall be accorded within the territories of the other Party effective protection in the exclusive use of inventions, trade marks and trade names, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities.

#### Article VII

1. Nationals and companies of either Party shall not be subject to the payment of taxes, fees or charges within the territories of the other Party, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country. In the case of nationals of either Party residing within the territories of the other Party, and of companies of either Party engaged in trade or other gainful pursuit or in non-profit activities therein, such taxes, fees, charges and requirements shall not be more burdensome than those borne by nationals and companies of such other Party.

2. Each Party, however, reserves the right to: (a) extend specific tax advantages only on the basis of reciprocity, or pursuant to agreements for the avoidance of double taxation or the mutual protection

of revenue; and (b) apply special provisions in extending advantages to its nationals and residents in connection with joint returns by husband and wife, and as to the exemptions of a personal nature allowed to non-residents in connection with income and inheritance taxes.

3. Companies of either Party shall not be subject, within the territories of the other Party, to taxes upon any income, transactions or capital not attributable to the operations and investment thereof within such territories.

4. The foregoing provisions shall not prevent the levying, in appropriate cases, of fees relating to the accomplishment of police and other formalities, if these fees are also levied on other foreigners. The rates for such fees shall not exceed those charged the nationals of any other country.

#### Article VIII

1. Neither Party shall apply restrictions on the making of payments, remittances, and other transfers of funds to or from the territories of the other Party, except (a) to the extent necessary to assure the availability of foreign exchange for payments for goods and services essential to the health and welfare of its people, or (b) in the case of a member of the International Monetary Fund, restrictions specifically requested or approved by the Fund.

2. If either Party applies exchange restrictions, it shall promptly make reasonable provision, taking into account its foreign exchange reserves and the extent of disequilibrium in its balance of payments, for the withdrawal, in foreign exchange in the currency of the other Party, of: (a) the compensation referred to in Article IV, paragraph 2, of the present Treaty, (b) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise, and (c) amounts for amortization of loans, depreciation of direct investments and capital transfers, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawals shall be a rate which is specifically approved by the International Monetary Fund for such transactions or, in the absence of a rate so approved, an effective rate which, inclusive of any taxes or surcharges on exchange transfers, is just and reasonable.

3. Either Party applying exchange restrictions shall in general administer them in a manner not to influence disadvantageously the competitive position of the commerce, transport or investment of capital of the other Party in comparison with the commerce, transport or investments of any third country.

#### Article IX

1. Each Party shall accord to products of the other Party, from whatever place and by whatever type of carrier arriving, and to prod-

ucts destined for exportation to the territories of such other Party, by whatever route and by whatever type of carrier, treatment no less favorable than that accorded like products of, or destined for exportation to, any third country, in all matters relating to: (a) customs duties, as well as any other charges, regulations and formalities levied upon or in connection with importation and exportation; and (b) internal taxation, sale, distribution, storage and use. The same rule shall apply with respect to the international transfer of payments for imports and exports.

2. Neither Party shall impose restrictions or prohibitions on the importation of any product of the other Party, or on the exportation of any product to the territories of the other Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either Party imposes quantitative restrictions on the importation or exportation of any product in which the other Party has an important interest:

(a) It shall as a general rule give prior public notice of the total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and

(b) If it makes allotments to any third country, it shall afford such other Party a share proportionate to the amount of the product, by quantity or value, supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either Party may impose prohibitions or restrictions on sanitary or other customary grounds of a non-commercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other Party.

5. Either Party may adopt measures necessary to assure the utilization of accumulated inconvertible currencies or to deal with a stringency of foreign exchange. However, such measures shall deviate no more than necessary from a policy designed to promote the maximum development of non-discriminatory international trade and to expedite the attainment of a balance-of-payments position which will obviate the necessity of such measures.

6. Each Party reserves the right to accord special advantages: (a) to products of its national fisheries, (b) to adjacent countries in order to facilitate frontier traffic, or (c) by virtue of a customs union or free trade area of which either Party, after consultation with the other Party, may become a member. Each Party, moreover, reserves rights and obligations it may have under the General Agreement on Tariffs and Trade,<sup>[1]</sup> and special advantages it may accord pursuant thereto.

<sup>[1]</sup> TIAS 1700; 61 Stat., pts. 5 and 6.

### Article X

1. In the administration of its customs regulations and procedures, each Party shall: (a) promptly publish all requirements of general application affecting importation and exportation; (b) apply such requirements in a uniform, impartial and reasonable manner; (c) refrain, as a general practice, from enforcing new or more burdensome requirements until after public notice thereof; (d) allow appeals to be taken from rulings of the customs authorities; and (e) not impose greater than nominal penalties for infractions resulting from clerical errors or from mistakes made in good faith.

2. Nationals and companies of either Party shall be accorded treatment no less favorable than that accorded nationals and companies of the other Party, or of any third country, with respect to all matters relating to importation and exportation.

3. Neither Party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either country from obtaining marine insurance on such products in companies of either Party.

### Article XI

1. Between the territories of the two Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either Party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that Party both on the high seas and within the ports, places and waters of the other Party.

3. Vessels of either Party shall have liberty, on equal terms with vessels of the other Party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places and waters of such other Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other Party; but each Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries.

4. Vessels of either Party shall be accorded national treatment and most-favored-nation treatment by the other Party with respect to the right to carry all products that may be carried by vessel to or from the territories of such other Party; and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other Party, with respect to: (a) duties and charges of all kinds, (b) the administration of the customs, and (c) bounties, drawbacks and other privileges of this nature.

5. Vessels of either Party that are in distress shall be permitted to take refuge in the nearest port or haven of the other Party, and shall receive friendly treatment and assistance.

6. The term "vessels", as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with reference to paragraphs 2 and 5 of the present Article, include fishing vessels or vessels of war.

### Article XII

1. Each Party undertakes (a) that enterprises owned or controlled by its Government, and that monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (b) that the nationals, companies and commerce of such other Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each Party shall accord to the nationals, companies and commerce of the other Party fair and equitable treatment, as compared with that accorded to the nationals, companies and commerce of any third country, with respect to: (a) the governmental purchase of supplies, (b) the awarding of concessions and other government contracts, and (c) the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges.

3. The Parties recognize that conditions of competitive equality should be maintained in situations in which publicly owned or controlled trading or manufacturing enterprises of either Party engage in competition, within the territories thereof, with privately owned and controlled enterprises of nationals and companies of the other Party. Accordingly, such private enterprises shall, in such situations, be entitled to the benefit of any special advantages of an economic nature accorded such public enterprises, whether in the nature of subsidies, tax exemptions or otherwise. The foregoing rule shall not apply, however, to special advantages given in connection with: (a) manufacturing goods for government use, or supplying goods and services to the Government for government use; or (b) supplying at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practically obtainable by such groups.

### Article XIII

1. The present Treaty shall not preclude the application of measures:

- (a) regulating the importation or exportation of gold or silver;
- (b) relating to fissionable materials, the radioactive byproducts thereof, or the sources thereof;
- (c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried

- on directly or indirectly for the purpose of supplying a military establishment;
- (d) necessary to fulfill the obligations of a Party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests;
- (e) denying to any company in the ownership or direction of which nationals of any third country or countries have directly or indirectly the controlling interest, the advantages of the present Treaty, except with respect to recognition of juridical status and with respect to access to courts of justice and to administrative tribunals and agencies.
2. The present Treaty does not accord any rights to engage in political activities.
3. The most-favored-nation provisions of the present Treaty relating to the treatment of goods shall not extend to advantages accorded by the United States of America or its Territories and possessions, irrespective of any future change in their political status, to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone, nor to advantages which the Republic of Viet-Nam may accord to third countries pursuant to agreements heretofore concluded with them. Each Party agrees that before applying any new preferential rates of duty affecting articles of substantial trading interest to the other Party, it will inform the other Party of its plans and afford it an opportunity for consultation.
4. The provisions of Article I, paragraph 1 (b), shall be construed as extending to persons who represent nationals and companies of the same nationality which have invested or are actively in the process of investing a substantial amount of capital in an enterprise in the territories of the other Party and who are employed by such nationals and companies in a responsible capacity.

#### Article XIV

1. Each Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other Party may make with respect to any matter affecting the operation of the present Treaty.

2. Any dispute between the Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy, shall be submitted to the International Court of Justice, unless the Parties agree to settlement by some other pacific means.

#### Article XV

1. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Saigon as soon as possible.

2. The present Treaty shall enter into force one month after the day of exchange of ratifications. It shall remain in force for ten

years and shall continue in force thereafter until terminated as provided herein.

3. Either Party may, by giving one year's written notice to the other Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Treaty and have affixed hereunto their seals.

DONE in duplicate, in the English and Vietnamese languages, both equally authentic, at Saigon this third day of April, one thousand nine hundred sixty-one.

FOR THE UNITED STATES OF  
AMERICA:

ELBRIDGE DURBROW  
[SEAL]

FOR THE REPUBLIC OF  
VIET-NAM:

VU VAN MAU  
[SEAL]

H I E P - U O C      T H A N - H U U  
V A  
L I E N - L A C      K I N H - T E  
G I U A  
H I E P - C H U N G - Q U O C      H O A - K Y  
V A  
V I E T - N A M      C O N G - H O A

Hiệp-Chung-Quốc Hoa-Kỳ và Việt-Nam Cộng-Hoa với ước-vọng phát-triển mỗi bang-giao hữu-nghị giữa hai dân-tộc, và, nói chung, khuyên-khích công-cuộc trao đổi thương-mại ích-lợi cho đôi bên và những mối liên-lạc kinh-tê chặt chẽ hơn, đã quyết-định ký-kết một Hiệp-ước thân-hữu và liên-lạc kinh-tê, và nhằm mục-đích ấy, mỗi bên đã cử các vị Đại-diện toàn quyền là :

Về phần Tổng-Thông Hiệp-Chung-Quốc Hoa-Kỳ :

O. Elbridge Durbrow  
Đại-sứ Toàn quyền tại Saigon

Về phần Tổng-Thông Việt-Nam Cộng-Hoa :

O. Vũ văn Mẫu  
Bộ-Trưởng Ngoại-Giao

Các vị này, sau khi đã trao đổi và kiểm-nhận là hợp-lệ các toàn-quyền-trạng của hai bên, đã thoả-thuận những điều-khoản như sau :

#### ĐIỀU NHỨT

1. - Bản-dân của mỗi nước, với điều-kiện tôn-trọng luật-lệ quy-định việc nhập-cảnh và lưu-trú của ngoại-kiều, được phép nhập lãnh-thổ của nước kia, tự-do đi lại, và cư-ngụ tại nơi mình chọn; nhất là bản-dân của mỗi nước được phép nhập lãnh-thổ nước kia và lưu-trú tại đó với mục-đích :

- a) giao-thương giữa hai nước và hoạt-động trong các ngành thương-mại liên-hệ hay
- b) khuêch-trương và điều-khiển các công việc những xí-nghiệp mà trong đó họ đã đầu-tư hoặc đang xúc-tiên đầu-tư một số vốn quan-trọng. Mỗi nước tự dành quyền cấm ngoại-kiều nhập-cảnh hoặc quyền trực-xuất họ vì lý-do trật-tự công-cộng, phong-hoá, vệ-sinh và an-ninh.

2. - Bản-dân của mỗi nước được hưởng trên lãnh-thổ của nước kia sự bảo-vệ và an-toàn hàng-cửu nhất và trong bất luận trường-hop nào, ít nhất cũng được hưởng sự bảo-vệ và an-toàn như trong quốc-tế-pháp quy-định. Khi bản-dân của một nước bị giam-giữ thì về mọi phương-diện người ấy phải được đối-dài một cách hợp-lệ và nhân-đạo, và khi người ấy yêu-cầu thì vị đại-diện ngoại-giao hay lãnh-sự nước họ phải được cấp-bảo và được mọi thuận-tiện để bảo-vệ quyền lợi của họ. Đương-sự phải được cho biết ngay bị buộc vào tội gì, phải được hưởng mọi đê-dai để bảo-chứa cho mình và phải được xét-xử nhanh chóng và công-minh.

3. - Bản-dân của mỗi nước trên lãnh-thổ của nước kia được hưởng, với tư-cách cá-nhân hay với tư-cách hội-viên các hiệp-hội, và miễn là hoạt-động không trái với trật-tự công-cộng, an-ninh hay luân-lý :

- a) quyền tự-do tín-ngưỡng, quyền cự-hành lễ-nghi tôn-giáo và, nói chung, tham-gia mọi hoạt-động tôn-giáo,

- b) phép hoạt-động về từ-thiện, văn-hoa và khoa-học,
- c) quyền thâu-thập và thông-báo tin-tức với mục-đích phô-biên những tin-tức ấy ở ngoại-quốc, và
- d) phép thông-tin với người khác ở trong và ngoài những lãnh-thổ ấy bằng thư-tín, điện-tín hay bằng mọi phương-tiện khác cung-danh cho công-chung xú-dụng.

## ĐIỀU HAI

1. - Những hội-xã thành-lập theo luật-lệ hiện hành trên lãnh-thổ của mỗi nước được coi như thuộc-hệ nước đó và tư-cách pháp-nhân của những hội-xã ấy được thừa-nhận trên lãnh-thổ của nước kia.

Trong bản Hiệp-ước này, danh-từ "hội-xã" chỉ-định :

a) Đôi với Hiệp-Chung-Quốc Hoa-Kỳ :

"corporations", "partnerships", các hội-xã và hiệp-hội khác bất luân có trách-nhiệm hữu-hạn hay không và có mục-đích vụ-lợi hay không;

b) Đôi với Việt-Nam Cộng-Hoa :

các hội cộng-nhân, hội cộng-tư và, nói chung, tất cả các hội, hiệp-hội, hội-xã, tặng-lập, pháp-lý thực-thể hoặc pháp-nhân, bất luân có trách-nhiệm hữu-hạn hay không và có mục-đích vụ-lợi hay không.

2. - Bản-dân và hội-xã của mỗi nước được quyền tự-do đáo-tung tại các toà-án và các cơ-quan hành-chánh trên lãnh-thổ của nước kia, ở mọi cấp-bực, trong việc bảo vệ cũng như truy-sách quyền lợi của họ. Quyền đáo-tung này được hành-sử với những điều-kiện không được kém những điều-kiện áp-dụng cho bản-dân và hội-xã của nước kia hoặc của bất cứ một đế-tam quốc-gia nào khác, kể cả những điều bắt buộc áp-dụng về việc đóng tiền bão-chứng. Hai bên thoả-thuận rằng những hội-xã không hoạt-động trên lãnh-thổ của nước kia cũng được quyền đáo-tung kể trên mà không bị bắt buộc phải theo thủ-tục đăng-ký hay tuyên-định cư-sở.

3. - Những khê-ước ký-kết giữa bản-dân và hội-xã của một trong hai nước với bản-dân và hội-xã của nước kia đều có dự-trù sự dàn-xệp những mồi tranh-chấp bằng trọng-tài thì sẽ không thể coi là bất khả thi-hành trên lãnh-thổ của nước kia chỉ vì lẻ nó chỉ-định cho thủ-tục trọng-tài ở ngoài lãnh-thổ nước đó hoặc vì lẻ nó nhiều trọng-tài không có quốc-tịch của nước đó. Không một quyết-định trọng-tài nào, tuyên-phán theo đúng điều-khoản của khê-ước mà theo luật-lệ nói tuyên-phán đã có tính-cách chung-thẩm và có hiệu-lực ngay, lại có thể coi như vô hiệu-lực hay bị tước đoạt phương-tiện thi-hành trên lãnh-thổ của một trong hai nước chỉ vì lẻ nó tuyên-phán quyết-định trọng-tài ấy ở ngoài lãnh-thổ của nước đó hoặc vì lẻ nó nhiều trọng-tài không có quốc-tịch của nước đó.

## ĐIỀU BA

1. - Bản-dân của mỗi nước, trên lãnh-thổ của nước kia, được đòi xú như dân bản-quốc trong việc áp-dụng các luật-lệ ân-định quyền được bồi thường bằng tiền hay được trợ-cấp hoặc hưởng dịch-vụ khác vì ôm đau, thương-tích hay thiệt-mạng do công việc gây ra trong lúc làm công việc ấy hoặc vì do tính-chất công việc ấy mà xảy đến.

2. - Ngoài những quyền và đặc-quyền do đoạn nhút của điều này ân-định, bản-dân của mỗi nước ở trên lãnh-thổ của nước kia, được đòi-xú như dân bản-quốc trong việc áp-dụng luật-lệ ân-định chê-dộ bảo-hiểm xã-hội bắt buộc; theo đó đương-sự được hưởng trợ-cấp mà không phải dẫn chứng tình trạng túng thiêu của mình, trong những trường hợp sau đây :

- a) ôm đau kể cả sự mất năng lực làm việc nhất thời và sanh đẻ;
- b) tàn-phê hay mất năng lực hành-nghiệp;
- c) tang cha, chồng hay bất cứ người nào khác cắp dường đương-sự;
- d) thất-nghiệp.

## ĐIỀU TƯ

1. - Mỗi nước sẽ dành một sự đòi xú thành chính và công bằng đối với bản-dân và hội-xã của nước kia cũng như đối với tài-sản và xí-nghiệp của họ; tránh áp-dụng mọi biện-pháp có tính-cách không hợp lý hay kỳ-thi có thể làm tổn thương đến các quyền lợi thủ-đắc hợp-pháp và sẽ quan-tâm đến việc cho đương-sự có phương-tiện hữu-hiệu để hưởng dụng, theo luật-pháp hiện-hành, những quyền lợi ước định họ đã thủ-đắc một cách hợp-pháp.

2. - Tài-sản của bản-dân và hội-xã của mỗi nước, kể cả những quyền-lợi trực-tiếp hay gián-tiếp, phải được hưởng sự bảo-vệ và đảm-bảo hằng-cửu nhất trên lãnh-thổ của nước kia. Những tài-sản đó sẽ không bị truất-hữu, trừ phi vì lý-do công-ich và không thể bị truất-hữu mà không được bồi thường đích-đáng. Sự bồi thường này phải được trả dưới một hình thức có thể hiện-kim-hoa thực sự, trong một thời hạn không quá đáng và phải tương-đương với thực giá của tài-sản bị truất-hữu. Ngoài ra những biện-pháp thích-nghiệp phải được trù-liệu ngay khi hay trước khi truất-hữu, để ân-định và thanh-toán số tiền bồi thường đó.

3. - Chỗ cư-ngụ, văn-phòng, kho hàng, xưởng kỹ-nghệ và tất cả các cơ-sở khác của bản-dân và hội-xã của mỗi nước đặt trên lãnh-thổ của nước kia sẽ không bị khám xét hay bị phiến-nhiều một cách vô cớ.

Các sự khám xét và kiểm-soát những cơ-sở này và những phẩm-vật tích trữ ở đó, sẽ do nhà chức trách thi-hành đúng luật-pháp và phải để ý không phiến-nhiều các người cư-ngụ tại đó và công cuộc làm ăn của họ.

## ĐIỀU NĂM

1. - Những xí-nghiệp mà bản-dân và hội-xã của mỗi nước đã  
hay sẽ thiết-lập, đã hay sẽ mua tậu, trên lãnh-thổ của nước kia và  
thuộc quyền sở-hữu hay kiểm-soát của những bản-dân và hội-xã nói  
trên, bất luận dưới hình thức tư-sản, chi-cuộc trực-thuộc hay công-ty  
thành-lập đúng theo luật-pháp của nước kia sẽ được phép tự-do hoạt-  
động trên lãnh-thổ nước ấy với những điều-kiện không kèm thuận-lợi  
so với các điều-kiện của các xí-nghiệp tương-tự thuộc quyền sở-hữu  
hoặc kiểm-soát của bản-dân hay hội-xã của nước ấy hay của bất cứ một  
nước nào khác.

2. - Bản-dân và hội-xã của mỗi nước sẽ được quyền liên-tục  
kiểm-soát và điều-khiển những xí-nghiệp của họ trên lãnh-thổ của nước  
kia, sẽ được quyền tuyển-dụng bút-toán-viên và các chuyên-viên kỹ-  
thuật khác, nhân-viên chấp-hành, cỗ-vân pháp-luật, mọi nhân-viên và  
chuyên-viên cộng-sự tùy ý lựa-chọn bất luận quốc-tịch và sẽ được phép  
làm tất cả các việc không loại biệt-mà thường được coi là cần-thiết và  
thích-nghi để xúc-tiên công cuộc của những xí-nghiệp hoạt-động trong  
các ngành ấy.

3. - Những luật-lệ liên-quan đến điều-kiện hành nghề sẽ  
không cấm-doán việc những bản-dân và hội-xã của mỗi nước tuyển-  
dụng bút-toán-viên, và các chuyên-viên kỹ-thuật khác để đảm-nhận  
việc khảo-xét giám-định kê-toán và để điều-tra kỹ-thuật, trong phạm-  
vi nội-bộ, về sự tổ-chức và điều-hành các xí-nghiệp của họ lập trên  
lãnh-thổ nước kia.

## ĐIỀU SÁU

1. - Bản-dân và hội-xã của mỗi nước sẽ được đối-xử như dân  
và hội-xã bản-quốc trên lãnh-thổ của nước kia về các phương-diện :

- a) thuê mướn các bất-động-sản cần-thiết để làm nơi cư-ngụ  
hay để thi hành các hoạt-động phù-hợp với hiệp-ước này,
- b) mua tậu và thu-đắc bằng mọi cách khác những động-sản  
hữu-hình và vô-hình đú mọi loại trong phạm vi các giới-  
hạn chiêu theo điều V về việc thu-đắc cỗ-phần trong các  
xí-nghiệp và
- c) sử-dụng các sản-nghiệp đú mọi loại bằng cách bán, bằng  
chúc-thư hay bất luận bằng cách nào khác.

Các quyền ghi trong đoạn a) trên đây phải lè-thuộc các thể-  
thức do luật-lệ của mỗi nước ân-định, miễn là những thể-thức nói trên  
không phuong hại gì` đên bản-chất của các quyền này.

2. - Bản-dân và hội-xã của mỗi nước trên lãnh-thổ của nước  
kia được bảo-vệ một cách hiệu-quả về vân-de độc-quyền sử-dụng các  
sự phát-minh, các tiêu-hiệu chê-tạo và thương-hiệu miễn là họ tuân  
theo các luật-lệ hiện-hành, nêu có, liên-quan đên sự đăng-ký và các  
thể-thức khác.

## ĐIỀU BÂY

1. - Bản-dân và hội-xã của mỗi nước sẽ không phải trả trên lãnh-thổ nước kia những sắc-thuê, lệ-phí hay lệ-khoản nặng hơn, và cũng không phải tuân theo những điều bắt buộc khắc-nghiệt hơn về việc đánh thuế và nộp thuế so sánh với bản-dân, kiều-dân và hội-xã của bất cứ một đế-tam quốc-gia nào khác. Trong trường hợp bản-dân của một nước, cư-ngụ trên lãnh-thổ của nước kia, và hội-xã của một nước hoạt động thương-mại hay hoạt-động để kiêm lợi hay không kiêm lợi trên lãnh-thổ của nước kia, những thuê, lệ-phí, lệ-khoản và các điều bắt buộc về thuê khoá không được nặng hơn thuê-má và các điều-khoản áp-dụng cho những bản-dân và hội-xã của nước này.

2. - Tuy nhiên, mỗi nước vẫn có quyền

a) áp-dụng những đặc-lợi về thuê-khoá, nhưng chỉ trên căn-bản hổ-tướng hay chiêu theo những thoả-ước nhằm mục-đích tránh đánh thuê hai lần hoặc để hổ-tướng bảo-trợ lợi-tức, và

b) thi-hành những điều-khoản đặc-biệt để áp-dụng những đặc-lợi cho dân bản-quốc và cho ngoại-kiều có quy-chê thường-trú về lợi-tức chung của cả hai vợ-chồng, và về việc miễn trừ có tinh-cách cá-nhân dành cho những ngoại-kiều không có quy-chê thường-trú về phuong-diện thuê lợi-tức và thuê thửa-kê di-sản.

3. - Những hội-xã của mỗi nước đặt trên lãnh-thổ của nước kia không phải trả thuê lợi-tức, về các sự giao-dịch hay về sô-vôn không liên-quan đến công việc và sự đầu-tư của những hội-xã đó trên lãnh-thổ nước ấy.

4. - Trong những trường hợp thích-đáng, các điều-khoản trên đây không ngăn cản việc thâu các phí-khoản liên-hệ đến sự thi-hành những thể-thức về cảnh-sát và thể-thức nào khác, nếu các phí-khoản này cũng đánh vào các ngoại-kiều khác. Giá-ngạch các phí-khoản nói trên không thể nào cao hơn giá-ngạch các phí-khoản do bản-dân của bất cứ đế-tam quốc-gia nào khác phải trả.

## ĐIỀU TÂM

1. - Không một nước nào được hạn-chê việc trả tiền, trả hoa-hồng và các vụ chuyển ngân-khác sang lãnh-thổ nước kia hoặc từ lãnh-thổ nước kia đến, chỉ trừ :

- a) trong phạm vi thiêt-yêu để đảm-bảo một quỹ dự-trữ ngoại-tệ để trả những hàng-hoa và dịch-vụ thiêt-yêu cho sức khoẻ và an-lạc của dân bản-quốc, hay
- b) trong trường hợp nước đó là hội-viên của Quỹ Tiền-Tệ Quốc-Tế, những sự hạn-chê do Quỹ đó minh thị đòi hỏi hay chấp-thuận.

2. - Nếu một trong hai nước thi-hành những sự hạn-chê về hối-doái thi, tùy theo số tồn trữ của quỹ ngoại-tệ và mức sai-biệt của cán cân chi-phó, nước đó phải thi-hành mau chóng những biện-pháp hợp-lý để cho phép thu-hồi bằng tiền-tệ nước kia :

- a) những bối-khoản nói trong điều IV đoạn 2 của Hiệp-ước này,
- b) số tiền thâu-hoạch dưới hình thức lương-bổng, lợi-túc, cỗ-túc, hoa-hồng, phú kim, tiền công về các dịch-vụ chuyên-môn, hay dưới hình thức khác, và
- c) những món tiền để trả lắn nợ, việc hoàn-giảm số vốn đầu-tư trực-tiếp và chuyển vốn tuy theo nhu-cầu chuyển ngân đặc-biệt về những vụ giao-dịch khác. Nếu có nhiều hối-suất thi-hối-suất được áp-dụng trong những vụ chuyển hối trên phải hoặc là hối-suất được Quy Tiền-Tệ Quốc-Tệ minh-thị chấp-thuận hoặc là một hối-suất thiết-thực có tính cách công bằng và hợp lý kể cả các thuê chánh-thức và phụ-trội về việc chuyển ngân, nếu không có hối-suất do Quy Tiền-Tệ Quốc-Tệ chấp-thuận.

3. - Khi một trong hai nước thi-hành những hạn-chê về hối-doái thi, đại-phàm, nước đó phải áp-dụng sao cho những hạn-chê ấy đúng thiệt hại đến địa vị của nước kia về phương-diện cạnh tranh trong các ngành thương-mại, chuyên-chở và các vụ đầu-tư đối với bất cứ một đế-tam quốc-gia nào khác.

## ĐIỀU CHÍNH

1. - Mỗi nước sẽ dành cho sản-phẩm của nước kia, dù xuất-xứ ở đâu tới và chuyên-chở bằng cách nào, và cho các sản-phẩm dành để xuất-cảng sang nước kia, bất luận hành-trình và cách chuyên-chở, một chê-dộ không kém chê-dộ dành cho các sản-phẩm tương-tự xuất-xứ ở một đế-tam quốc-gia nào khác hay cho các sản-phẩm dành để xuất-cảng sang đế-tam quốc-gia ấy, về các khoản :

- a) thuế-quan cũng như các thứ thuế, các luât-lệ và thủ-tục khác, đánh vào hay liên-quan đến sự nhập-cảng và xuất-cảng, và
- b) thuế nội-địa, việc bán hàng, phân-phối hàng, nhập kho và sử-dụng các hàng ấy. Quy-lệ này cũng được áp-dụng cho việc chuyển ngân quốc-tệ để tra tiền hàng nhập-cảng và xuất-cảng.

2. - Không một nước nào được hạn-chê hay cầm-doán nhập-cảng một thứ hàng nào của nước kia, hay xuất-cảng một thứ hàng nào sang những lãnh-thổ của nước kia, trừ phi sự nhập-cảng hay xuất-cảng thứ hàng tương-tự, đối với tất cả các đế-tam quốc-gia khác, cũng bị hạn-chê hoặc cầm-doán như vậy.

3. - Nếu một trong hai nước hạn-chê số lượng nhập-cảng hay xuất-cảng một thứ hàng-hoa quan-hệ tối quyền lợi của nước kia thi :

a) nước ấy, trên nguyên-tắc, phải cho công-bô trước tổng số hàng-hoa, về trọng-lượng hay giá-trị có thể nhập-cảng hay xuất-cảng trong một thời gian nhất định, cũng như những sự thay đổi trong tổng số hàng-hoa hay thời hạn nói trên, và

b) Nếu nước ấy phân-phối cho đế-tam quốc-gia nào thì cũng phải cấp cho nước kia một phần tỷ-lệ của số lượng hay trị giá thứ hàng đã bán cho hay mua từ nước ấy trong một thời gian tiêu-biểu trước, và sau khi đã cân nhắc những yêu-tố đặc-biệt đã ảnh-hưởng đến sự buôn bán thứ hàng đó.

4. - Mỗi nước có thể cấm-doán hay hạn-chê, vì lý-do vệ-sinh hay vì các lý-do thông thương khác không có tính cách thương-mại hay vì mục-đích phòng ngừa những hành-vi gian-lận hay bất-chính, với điều kiện là sự cấm-doán hay hạn-chê ấy không có tính cách biện-biệt độc-doán đối với nền thương-mại của nước kia.

5. - Mỗi nước có thể áp-dụng những biện-pháp cần-thiết để sử-dụng những tiền-tệ đã tích-luy mà không thể đoái-hoán được, hoặc để giải-quyet vần-de hạn-chê hôi-đoái. Tuy nhiên, các biện-pháp ấy không được làm sai lạc quá mức cần-thiết chính-sách nhằm mục-đích khuyến-kích sự phát-triển tối đa nền thương-mại quốc-tế trên căn-bản bắt phân-biệt và việc xúc-tiên sự thăng-băng chi-thu ngõ hầu khôi phái bắt buộc áp-dụng những biện-pháp nói trên.

6. - Mỗi nước vẫn giữ quyền ban cấp những đặc-lợi :

- a) cho các sản-phẩm ngành ngư-nghiệp quốc-gia,
- b) cho các nước lân cận, để sự buôn bán trong vùng duyên cảng được dễ dàng hay,
- c) vì điều-khoản liên-hiệp quan-thuê hay khu-vực tự-do thương-mại nào mà nước này, sau khi đã tham-kảo ý-kiên của nước kia, có thể gia-nhập. Ngoài ra, mỗi nước được duy-trì những quyền lợi và nghĩa-vụ của mình trong sự thi-hành "Thỏa-hiệp Tổng-quát về Quan-thuê và Thương-mại" (GATT), và giữ quyền ban cấp những đặc-lợi cho các nước hội-viên trong khuôn khổ Thỏa-hiệp đó.

## ĐIỀU MƯỜI

1. - Trong sự thi-hành các thủ-tục và luật-lệ quan-thuê của mình, mỗi nước sẽ :

- a) công-bô cấp thời, tất cả những điều bắt buộc tổng-quát về nhập-cảng và xuất-cảng,
- b) áp-dụng những điều bắt buộc ấy một cách đồng nhất, vô-tự và hợp le,
- c) và, coi như thông-lệ, tránh áp-dụng những điều bắt buộc mới hay khắc-nghiệt hơn trước khi thông-báo cho công-chúng biết,

- d) cho phép kháng cáo các quyết-định của nhà chức-trách quan-thuê,
- e) không phạt nặng hơn sự phạt chiêu-lệ những vụ phạm-pháp do vô ý sai-lầm, hay sai-lầm nhưng không có gian ý.

2. - Mỗi nước sẽ dành cho bản-dân và hội-xã của nước kia, một sự đối ngô không kém sự đối ngô áp-dụng cho dân và hội-xã bản-quốc hay của một đệ-tam quốc-gia nào khác, về tất cả những vấn-đề liên-quan đến sự nhập-cảng và xuất-cảng.

3. - Không một nước nào được áp-dụng những biện-pháp có tính cách biện-biệt để làm khó dễ hay ngăn cản không cho các nhà nhập-cảng hay xuất-cảng hàng-hoa của một trong hai nước, ký-kết khê-ước bảo-hiểm hàng hải về các loại hàng-hoa nói trên với các công-ty của nước kia.

#### ĐIỀU MUÔI MỘT

1. - Việc thương-mại, và lưu-thông hàng-hải, giữa các lãnh-thổ của hai nước sẽ được tự-do.

2. - Tàu bè mang ký-hiệu của một trong hai nước và có đủ văn-kiện, chiêu theo luật-lệ của nước ấy chứng minh quốc-tịch, sẽ được coi là những tàu bè của nước đó, ở ngoài khơi cũng như ở trong các hải-cảng, các điểm và thủy-phận của nước kia.

3. - Tàu bè của mỗi nước, ngang hàng với tàu bè của nước kia hay của bất cứ một đệ-tam quốc-gia nào khác, được tự-do du-nhập với các hàng-hoa chở trên tàu vào những hải-cảng, nhưng khu phận và thủy phận của nước kia mở cho thương-mại và giao-thông với ngoại-quốc. Về mọi phương diện, những tàu bè này và những hàng-hoa chở trên tàu được đối xử như tàu bè và hàng-hoa bản-quốc và được hưởng chê-dộ tôi-huệ-quốc trong các hải-cảng, các khu phận và thủy phận của nước kia; tuy nhiên mỗi nước có thể dành những quyền-lợi và những đặc-quyền cho các tàu bè của mình về phương-diện buôn bán dọc ven biển, thủy-vận nội-địa và ngành ngư-nghiệp quốc-gia.

4. - Tàu bè của mỗi nước được nước kia đối xử như tàu bè bản-quốc và hưởng chê-dộ tôi-huệ-quốc về mọi vấn-đề liên-quan đến quyền chuyên chở tất cả các sản-phẩm có thể chuyên chở được bằng tàu bè từ nước này sang nước kia; và các sản-phẩm này sẽ được hưởng một chê-dộ không kém chê-dộ dành cho các sản-phẩm tương-tự do các tàu bè của mình chuyên chở, về phương-diện :

- a) thuế khoá và phụ-kim đú mọi loại
- b) áp-dụng giá-biểu quan-thuê và
- c) tiền-tưởng kim, tiền-hoàn thuế và các đặc-quyền khác đồng-loại.

5. - Tàu bè của mỗi nước, một khi lâm-nguy, sẽ được quyền trú-ẩn tại hải-cảng gần nhất của nước kia, và sẽ được tiếp-dai và giúp đỡ tú-tê.

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6. - Trong Hiệp-ước này, danh-từ "tàu bè" dùng để chỉ tất cả các loại tàu bè hoặc do tư-nhân làm sở-hữu-chủ hay do tư-nhân khai-thác; hoặc do Chính-Phủ làm sở-hữu-chủ hay do Chính-Phủ khai-thác; tuy nhiên, ngoại trừ các điều ghi trong đoạn 2 và 5 của điều này, danh-từ ấy không áp-dụng cho tàu bè đánh cá hay tàu chiến.

## ĐIỀU MƯỜI HAI

1. - Mỗi nước cam-đoan rằng :

a) lúc mua bán, những hàng-hoa xuất-cảng hay nhập-cảng có ảnh-hưởng đên nền thương-mại của nước kia, những xí-nghiệp thuộc quyền sở-hữu hoặc kiểm-soát của Chính-Phủ mình, và những độc-quyền hay đại-lý được hưởng những ưu-quyền chuyên-độc hay đặc-biệt trên lãnh-thổ nước mình, sẽ chỉ hành động căn cứ trên lập trường thương-mại về giá cả, phẩm-chất, số lượng sẵn có, điều-kiện tiêu-thụ, sự chuyên chở và các điều-kiện mua bán khác, và

b) bản-dân, hội-xã và nền thương-mại của nước kia sẽ được dành mọi cơ-hội thích nghi để cạnh tranh trong việc mua bán đó, theo như tục-lệ buôn bán thông thường.

2. - Mỗi nước sẽ dành cho bản-dân, hội-xã cùng nền thương-mại của nước kia một sự đối xứng thành-chính và công-bằng so với sự đối-xứng dành cho bản-dân, hội-xã và nền thương-mại của bất luận một đệ-tam quốc-gia nào khác, liên-quan đến việc :

- a) Cung cấp vật liệu cho Chính-Phủ
- b) Đầu thầu các nhượng quyền và khê-ước khác của Chính-Phủ và
- c) Mua bất cứ một dịch-vụ nào do Chính-Phủ hay do một độc-quyền hay đại-lý nào được hưởng những ưu-quyền chuyên-độc hay đặc biệt bán ra.

3. - Hai nước công-nhận sự cần-thiết phải duy-trì những điều-kiện cạnh tranh công-bằng trong những trường hợp các xí-nghiệp thương-mại hay kỹ-nghệ thuộc quyền sở-hữu hay đặt dưới quyền kiểm-soát của Chính-Phủ mỗi nước, cạnh tranh ngay trong nước mình với những xí-nghiệp tư, thuộc quyền sở-hữu và đặt dưới sự kiểm-soát của bản-dân và hội-xã của nước kia. Do đó, trong những trường hợp nói trên, những xí-nghiệp tư ấy sẽ được quyền hưởng tất cả những đặc lợi về kinh-tế mà xí-nghiệp công, đồng-loại, vẫn được hưởng bất luận dưới hình-thức trợ-cấp, miễn thuế hay dưới hình-thức nào khác. Tuy nhiên, quy-tắc trên sẽ không áp-dụng đối với những đặc-lợi liên-quan đến sự :

- a) chế-tạo các phẩm-vật dành cho Chính-Phủ sử-dụng hay cung-cấp cho Chính-Phủ những phẩm-vật và dịch-vụ để Chính-Phủ sử-dụng, hoặc
- b) cung-cấp với giá hạ đặc-biệt so với giá cạnh-tranh, những phẩm-vật và dịch-vụ thiết-yêu mà một vài nhóm đặc-biệt trong dân chúng cần dùng mà, trên thực-tê, không thể tự cung-cấp được bằng cách khác.

### ĐIỀU MUÔI BA

1. - Bản Hiệp-ước này không loại trừ việc áp-dụng những biện-pháp :

- a) quy-định sự xuất-cảng hay nhập-cảng vàng bạc,
- b) liên-hệ đến những chất có thể phân-tán (fissionable materials), những phô-sản phóng-xạ, những nguyên-liệu nguồn gốc của các chất có thể phân-tán (fissionable materials) nói trên,
- c) quy-định sự sản-xuất hay buôn bán vũ-kí, đạn-dược và chiến-cụ hay sự buôn bán các phẩm-vật khác có mục-đích trực-tiếp hay gián-tiếp cung-cấp cho một cơ-sở quân-sự,
- d) cần-thiết cho sự thi-hành những nghĩa-vụ của một nước để duy-trì hay vẫn-hồi hoà-bình và an-ninh quốc-tế, hoặc cần-thiết cho sự bảo-vệ những quyền lợi an-ninh thiết-yếu của mình,
- e) khước từ những đặc-lợi của bản Hiệp-ước này đối với bất cứ một hội-xã nào trong đó bản-dân của một hay nhiều đế-tam quốc-gia khác nắm giữ quyền sở-hữu hay quản-đốc, trực-tiếp hay gián-tiếp có quyền lợi, ngoại trừ việc thừa-nhận tư-cách pháp-nhân và quyền đào-tụng tại các tòa-án tư-pháp và hành-chánh, và quyền tiếp-xúc với các cơ-quan chính-quyền.

2. - Hiệp-ước này không cho phép hoạt-động chính-trị.

3. - Những điều-khoản thuộc về tội-huệ-quốc trù-liệu trong bản Hiệp-ước này và liên-hệ đến chê-dộ các hàng-hoa sẽ không áp-dụng cho những đặc-lợi mà Hiệp-Chung-Quốc Hoa-Kỳ, các lãnh-thổ ở ngoài thuộc Hoa-Kỳ và các thuộc-địa Hoa-Kỳ, bắt luân các sự thay đổi có thể xảy ra sau này trong quy-chê chính-trị của những lãnh-thổ và thuộc-địa ấy, dành lẫn cho nhau, hoặc dành cho nước Cộng-Hoà Cuba, nước Cộng-Hoà Phi-luật-Tân, đất đai ở Thái-bình-Dương thuộc quyền giám-hộ của Hoa-Kỳ, hay cho khu-vực Kinh-Đào Panama, và cũng sẽ không áp-dụng cho những đặc-lợi mà nước Việt-Nam Cộng-Hoà có thể dành cho các đế-tam quốc-gia, chiêu theo các hiệp-ước đã ký-kết từ trước tối nay giữa nước Việt-Nam và các quốc-gia ấy.

Trước khi áp-dụng bất cứ thuê-suất ưu đãi mới nào cho những hàng-hoa có tính cách thương-mại quan-trọng đặc-biệt cho bên kia, mỗi nước ứng-thuận sẽ thông-báo cho bên kia được tướng dự-định của mình và sẽ dành cho nước ấy được cơ-hội tham-vấn.

4. - Những điều-khoản của điều I đoạn 1-b) được coi như áp-dụng đối với những người đại-diện cho các bản-dân hay cho các hội-xã cùng một quốc-tịch đã đầu-tư hoặc đang xúc-tiền đầu-tư một số vốn quan-trọng trong một xí-nghiệp ở nội-địa của nước kia và được các bản-dân và hội-xã nói trên giao phó cho những chức-vụ có trọng trách.

### ĐIỀU MUÔI BÔN

1. - Mỗi nước sẽ đảm thiện chí cứu xét và dành mọi thuận-tiện để trao đổi ý-kiện về những đế-nghị mà nước kia có thể nêu lên liên-quan đến sự thi-hành bản Hiệp-ước này.

2. - Mọi cuộc tranh-chấp giữa hai nước, liên-hệ đến sự giải-thích hay sự thi-hành Hiệp-ước này, nếu không được giải-quyết thoả-mản bằng đường lối ngoại-giao sẽ được đưa ra trước Toà-án quốc-tế, trừ phi hai nước thoả-thuận dùng một thể-thức hoà-giai nào khác.

#### ĐIỀU MƯỜI LÂM

1. - Hiệp-ước này sẽ được phê-chuẩn và các văn-kiện phê-chuẩn sẽ được trao đổi tại Saigon, càng sớm càng hay.

2. - Hiệp-ước này sẽ có hiệu-lực một tháng sau ngày trao đổi các văn-kiện phê-chuẩn và có hiệu-lực trong một thời hạn là mươi năm và sẽ tiếp-tục có hiệu-lực sau thời hạn đó, cho đến khi nào bị cáo-báй theo thể-thức trù-liệu trong điều này.

3. - Mỗi nước có thể cáo-báй bản Hiệp-ước này bằng văn-thư báo trước một năm, sau khi thời hạn mươi năm đầu tiên chấm dứt, hay bất cứ lúc nào sau thời hạn đó.

Để chứng nhận, các Đại-Diện Toàn-quyền của mỗi nước đã ký vào bản Hiệp-ước này và đã đóng ấn của mình.

Làm thành hai bản bằng Anh-ngữ và Việt-ngữ, cả hai đều có giá-trị công-chính, tại Saigon ngày ba tháng tư năm Một ngàn chín trăm sáu mươi một.

THAY MẶT HIỆP-CHUNG-QUỐC  
HOA-KÝ

THAY MẶT VIỆT-NAM  
CỘNG-HOÀ

WHEREAS the Senate of the United States of America by their resolution of September 11, 1961, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said treaty;

WHEREAS the said treaty was ratified by the President of the United States of America on September 26, 1961, in pursuance of the said advice and consent of the Senate, and has been duly ratified on the part of the Republic of Viet-Nam;

WHEREAS the respective instruments of ratification of the said treaty were duly exchanged at Saigon on October 31, 1961;

AND WHEREAS it is provided in Article XV of the said treaty that the treaty shall enter into force one month after the day of exchange of ratifications;

Now, THEREFORE, be it known that I, John F. Kennedy, President of the United States of America, do hereby proclaim and make public the said treaty to the end that the same and every article and clause thereof may be observed and fulfilled in good faith on and after November 30, 1961, one month after the day of exchange of ratifications, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of November in the year of our Lord one thousand nine hundred sixty-one  
[SEAL] and of the Independence of the United States of America the one hundred eighty-sixth.

JOHN F KENNEDY

By the President:

DEAN RUSK

*Secretary of State*

# MULTILATERAL

## Organization for Economic Cooperation and Development (OECD)

*Convention and protocols signed at Paris December 14, 1960;  
Ratification advised by the Senate of the United States of America,  
with interpretation and explanation, March 16, 1961;  
Ratified by the President of the United States of America, subject  
to said interpretation and explanation, March 23, 1961;  
Ratification deposited with the Government of the French Repub-  
lic, April 12, 1961;  
Proclaimed by the President of the United States of America,  
November 20, 1961;  
Entered into force September 30, 1961.  
And memorandum of understanding.*

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS the Convention on the Organization for Economic Co-operation and Development and two protocols relating thereto were signed at Paris on December 14, 1960 by representatives of the United States, Canada, and the eighteen member countries of the Organization for European Economic Cooperation;

WHEREAS the texts of the said Convention and the two protocols relating thereto, in the French and English languages, as certified by the Government of the French Republic, are word for word as follows:

**CONVENTION  
RELATIVE A  
L'ORGANISATION DE COOPÉRATION ET DE DÉVELOP-  
PEMENT ÉCONOMIQUES**

**CONVENTION  
ON THE  
ORGANISATION FOR ECONOMIC CO-OPERATION AND  
DEVELOPMENT**

**CONVENTION RELATIVE A  
L'ORGANISATION DE CO-  
OPÉRATION ET DE DÉ-  
VELOPPEMENT ÉCONO-  
MIQUES**

LES GOUVERNEMENTS de la République Fédérale d'Allemagne, de la République d'Autriche, du Royaume de Belgique, du Canada, du Royaume de Danemark, de l'Espagne, des États-Unis d'Amérique, de la République Française, du Royaume de Grèce, de l'Irlande, de la République d'Islande, de la République Italienne, du Grand-Duché de Luxembourg, du Royaume de Norvège, du Royaume des Pays-Bas, de la République Portugaise, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, du Royaume de Suède, de la Confédération Suisse et de la République de Turquie;

CONSIDÉRANT que la puissance et la prospérité de l'économie sont essentielles pour atteindre les buts des Nations Unies, sauvegarder les libertés individuelles et accroître le bien-être général;

ESTIMANT qu'ils peuvent progresser très efficacement dans cette voie en renforçant la tradition de coopération qui s'est développée entre eux;

RECONNAISSANT que le redressement et le progrès économiques de l'Europe, auxquels leur colla-

**CONVENTION ON THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT**

THE GOVERNMENTS of the Republic of Austria, the Kingdom of Belgium, Canada, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Kingdom of Greece, the Republic of Iceland, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the Portuguese Republic, Spain, the Kingdom of Sweden, the Swiss Confederation, the Turkish Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America;

CONSIDERING that economic strength and prosperity are essential for the attainment of the purposes of the United Nations, the preservation of individual liberty and the increase of general well-being;

BELIEVING that they can further these aims most effectively by strengthening the tradition of co-operation which has evolved among them;

RECOGNISING that the economic recovery and progress of Europe to which their participation in the

boration au sein de l'Organisation Européenne de Coopération Économique a apporté une contribution très importante, ont ouvert de nouvelles perspectives permettant de renforcer cette tradition et de l'appliquer à des tâches nouvelles et à des objectifs plus larges;

CONVAINCUS qu'une coopération plus large constituera une contribution essentielle à des relations pacifiques et harmonieuses entre les peuples;

RECONNAISSANT que leurs économies dépendent de plus en plus les unes des autres;

DÉTERMINÉS, grâce à des consultations mutuelles et à la coopération, à développer au maximum et à utiliser plus efficacement leurs capacités et leurs possibilités pour réaliser la plus forte expansion possible de leur économie et améliorer le bien-être économique et social de leurs peuples;

ESTIMANT que les nations plus avancées dans le domaine économique devraient coopérer pour aider au mieux de leurs facultés les pays en voie de développement économique;

RECONNAISSANT que la poursuite de l'expansion du commerce mondial constitue l'un des facteurs les plus importants propres à favoriser l'essor des économies des divers pays et à améliorer les rapports économiques internationaux;

DÉTERMINÉS à réaliser ces desseins d'une façon compatible avec les obligations découlant de leur participation à d'autres organisa-

Organisation for European Economic Co-operation [¹] has made a major contribution, have opened new perspectives for strengthening that tradition and applying it to new tasks and broader objectives;

CONVINCED that broader cooperation will make a vital contribution to peaceful and harmonious relations among the peoples of the world;

RECOGNISING the increasing interdependence of their economies;

DETERMINED by consultation and co-operation to use more effectively their capacities and potentialities so as to promote the highest sustainable growth of their economies and improve the economic and social well-being of their peoples;

BELIEVING that the economically more advanced nations should cooperate in assisting to the best of their ability the countries in process of economic development;

RECOGNISING that the further expansion of world trade is one of the most important factors favouring the economic development of countries and the improvement of international economic relations; and

DETERMINED to pursue these purposes in a manner consistent with their obligations in other international organisations or insti-

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<sup>¹</sup> Established by the convention for European economic cooperation, signed at Paris Apr. 16, 1948. See Department of State publication 3145.

tions, institutions ou accords internationaux;

SONT CONVENUS des dispositions suivantes pour la reconstitution de l'Organisation Européenne de Coopération Économique en Organisation de Coopération et de Développement Économiques:

#### *Article 1*

L'Organisation de Coopération et de Développement Économiques (appelée ci-dessous l'*« Organisation »*) a pour objectif de promouvoir des politiques visant:

a) à réaliser la plus forte expansion possible de l'économie et de l'emploi et une progression du niveau de vie dans les pays Membres, tout en maintenant la stabilité financière, et à contribuer ainsi au développement de l'économie mondiale;

b) à contribuer à une saine expansion économique dans les pays Membres, ainsi que non membres, en voie de développement économique;

c) à contribuer à l'expansion du commerce mondial sur une base multilatérale et non discriminatoire conformément aux obligations internationales.

#### *Article 2*

En vue d'atteindre ces objectifs, les Membres conviennent, tant individuellement que conjointement:

a) d'assurer l'utilisation efficace de leurs ressources économiques;

b) dans le domaine scientifique et technologique, d'assurer le développement de leurs ressources,

tutions in which they participate or under agreements to which they are a party;

HAVE THEREFORE AGREED on the following provisions for the reconstitution of the Organisation for European Economic Co-operation as the Organisation for Economic Co-operation and Development:

#### *Article 1*

The aims of the Organisation for Economic Co-operation and Development (hereinafter called the "Organisation") shall be to promote policies designed:

(a) to achieve the highest sustainable economic growth and employment and a rising standard of living in Member countries, while maintaining financial stability, and thus to contribute to the development of the world economy;

(b) to contribute to sound economic expansion in Member as well as non-member countries in the process of economic development; and

(c) to contribute to the expansion of world trade on a multilateral, non-discriminatory basis in accordance with international obligations.

#### *Article 2*

In the pursuit of these aims, the Members agree that they will, both individually and jointly:

(a) promote the efficient use of their economic resources;

(b) in the scientific and technological field, promote the development of their resources, encourage

d'encourager la recherche et de research and promote vocational favoriser la formation profes- training; sionnelle;

*c)* de suivre des politiques con-  
ques pour assurer la croissance  
économique et la stabilité finan-  
cière interne et externe, et d'éviter  
que ne se développent des situ-  
ations qui pourraient mettre en  
danger leur économie ou celle  
d'autres pays;

*d)* de poursuivre leurs efforts  
en vue de réduire ou de supprimer  
les obstacles aux échanges de biens  
et de services, ainsi qu'aux paie-  
ments courants, et de maintenir et  
étendre la libération des mouve-  
ments de capitaux;

*e)* de contribuer au dévelloppement  
économique des pays Mem-  
bres et non membres en voie de  
développement économique par  
des moyens appropriés et, en parti-  
culier, par l'apport à ces pays de  
capitaux, en tenant en outre  
compte de l'importance que pré-  
sentent pour leur économie la four-  
niture d'assistance technique et  
l'élargissement des débouchés of-  
ferts à leurs produits d'exporta-  
tion.

(c) pursue policies designed to  
achieve economic growth and in-  
ternal and external financial sta-  
bility and to avoid developments  
which might endanger their econ-  
omies or those of other countries;

(d) pursue their efforts to re-  
duce or abolish obstacles to the ex-  
change of goods and services and  
current payments and maintain  
and extend the liberalisation of  
capital movements; and

(e) contribute to the economic  
development of both Member and  
non-member countries in the proc-  
ess of economic development by  
appropriate means and, in partic-  
ular, by the flow of capital to those  
countries, having regard to the  
importance to their economies of  
receiving technical assistance and  
of securing expanding export  
markets.

### *Article 3*

En vue d'atteindre les objectifs fixés à l'Article 1 et de remplir les engagements énumérés à l'Article 2, les Membres conviennent:

*a)* de se tenir mutuellement in-  
formés et de fournir à l'Organisa-  
tion les renseignements nécessaires  
à l'accomplissement de ses tâches;

*b)* de se consulter d'une ma-  
nière continue, d'effectuer des  
études et de participer à des pro-  
jets acceptés d'un commun accord;

### *Article 3*

With a view to achieving the aims set out in Article 1 and to fulfilling the undertakings contained in Article 2, the Members agree that they will:

(a) keep each other informed and furnish the Organisation with the information necessary for the accomplishment of its tasks;

(b) consult together on a con-  
tinuing basis, carry out studies  
and participate in agreed proj-  
ects; and

c) de coopérer étroitement, s'il y a lieu par une action coordonnée.

(c) co-operate closely and where appropriate take co-ordinated action.

#### *Article 4*

Sont Membres de l'Organisation les Parties Contractantes à la présente Convention.

#### *Article 4*

The Contracting Parties to this Convention shall be Members of the Organisation.

#### *Article 5*

En vue d'atteindre ses objectifs, l'Organisation peut :

- a) prendre des décisions qui, sauf disposition différente, lient tous les Membres;
- b) faire des recommandations aux Membres;
- c) conclure des accords avec ses Membres, des États non membres et des organisations internationales.

In order to achieve its aims, the Organisation may :

- (a) take decisions which, except as otherwise provided, shall be binding on all the Members;
- (b) make recommendations to Members; and
- (c) enter into agreements with Members, non-member States and international organisations.

#### *Article 6*

1. A moins que l'Organisation n'en décide autrement à l'unanimité pour des cas spéciaux, les décisions sont prises et les recommandations sont faites par accord mutuel de tous les Membres.

2. Chaque Membre dispose d'une voix. Si un Membre s'abstient de voter une décision ou une recommandation, une telle abstention ne fait pas obstacle à cette décision ou recommandation, qui est applicable aux autres Membres mais pas au Membre qui s'abstient.

3. Aucune décision ne peut lier un Membre aussi longtemps qu'il ne s'est pas conformé aux prescriptions de sa procédure constitutionnelle. Les autres Membres peuvent convenir que cette décision s'appliquera provisoirement entre eux.

#### *Article 6*

1. Unless the Organisation otherwise agrees unanimously for special cases, decisions shall be taken and recommendations shall be made by mutual agreement of all the Members.

2. Each Member shall have one vote. If a Member abstains from voting on a decision or recommendation, such abstention shall not invalidate the decision or recommendation, which shall be applicable to the other Members but not to the abstaining Member.

3. No decision shall be binding on any Member until it has complied with the requirements of its own constitutional procedures. The other Members may agree that such a decision shall apply provisionally to them.

*Article 7*

Un Conseil, composé de tous les Membres, est l'organe duquel émanent tous les actes de l'Organisation. Le Conseil peut se réunir en sessions de ministres ou de représentants permanents.

*Article 7*

A Council composed of all the Members shall be the body from which all acts of the Organisation derive. The Council may meet in sessions of Ministers or of Permanent Representatives.

*Article 8*

Le Conseil désigne, chaque année, un Président qui préside les sessions ministérielles, et deux Vice-Présidents. Le Président peut être désigné pour une année supplémentaire consécutive à son premier mandat.

*Article 8*

The Council shall designate each year a Chairman, who shall preside at its ministerial sessions, and two Vice-Chairmen. The Chairman may be designated to serve one additional consecutive term.

*Article 9*

Le Conseil peut créer un Comité Exécutif et tout organe subsidiaire nécessaire pour atteindre les objectifs de l'Organisation.

*Article 9*

The Council may establish an Executive Committee and such subsidiary bodies as may be required for the achievement of the aims of the Organisation.

*Article 10*

1. Un Secrétaire général responsable devant le Conseil est nommé par celui-ci pour une période de cinq ans. Il est assisté d'un ou plusieurs Secrétaires généraux suppléants ou Secrétaires généraux adjoints nommés par le Conseil, sur la proposition du Secrétaire général.

2. Le Secrétaire général préside le Conseil aux sessions de représentants permanents. Il prête son concours au Conseil sous toute forme nécessaire et peut soumettre des propositions au Conseil ou à tout autre organe de l'Organisation.

*Article 10*

1. A Secretary-General responsible to the Council shall be appointed by the Council for a term of five years. He shall be assisted by one or more Deputy Secretaries-General or Assistant Secretaries-General appointed by the Council on the recommendation of the Secretary-General.

2. The Secretary-General shall serve as Chairman of the Council meeting at sessions of Permanent Representatives. He shall assist the Council in all appropriate ways and may submit proposals to the Council or to any other body of the Organisation.

*Article 11*

1. Le Secrétaire général nomme le personnel utile au fonctionnement de l'Organisation conformément aux plans d'organisation approuvés par le Conseil. Le statut du personnel est soumis à l'approbation du Conseil.
2. Étant donné le caractère international de l'Organisation, le Secrétaire général, les Secrétaires généraux suppléants ou adjoints et le personnel ne solliciteront ni recevront de directives d'aucun des Membres de l'Organisation, ni d'aucun Gouvernement ou autorité extérieurs à l'Organisation.

*Article 12*

Dans les conditions qu'il appartient au Conseil de déterminer, l'Organisation peut :

- a) exprimer des vœux à des États non membres et des organisations;
- b) établir et entretenir des relations avec des États non membres et des organisations;
- c) inviter des Gouvernements non membres et des organisations à participer à des activités de l'Organisation.

*Article 13*

La représentation dans l'Organisation des Communautés Européennes instituées par les Traités de Paris et de Rome en date des 18 avril 1951 et 25 mars 1957 est dé-

1. The Secretary-General shall appoint such staff as the Organisation may require in accordance with plans of organisation approved by the Council. Staff regulations shall be subject to approval by the Council.

2. Having regard to the international character of the Organisation, the Secretary-General, the Deputy or Assistant Secretaries-General and the staff shall neither seek nor receive instructions from any of the Members or from any Government or authority external to the Organisation.

*Article 12*

Upon such terms and conditions as the Council may determine, the Organisation may :

- (a) address communications to non-member States or organisations;
- (b) establish and maintain relations with non-member States or organisations; and
- (c) invite non-member Governments or organisations to participate in activities of the Organisation.

*Article 13*

Representation in the Organisation of the European Communities established by the Treaties of Paris and Rome of 18th April, 1951,[<sup>1</sup>] and 25th March, 1957,[<sup>2</sup>]

<sup>1</sup> Treaty instituting the European Coal and Steel Community (261 UNTS 140).

<sup>2</sup> Treaty establishing the European Economic Community (298 UNTS 11); treaty establishing the European Atomic Energy Community (298 UNTS 169); convention relating to certain institutions common to the European Communities (298 UNTS 269).

finie dans un Protocole Additionnel N° 1 à la présente Convention. shall be as defined in Supplementary Protocol No. 1 [<sup>1</sup>] to this Convention.

*Article 14*

1. La présente Convention sera ratifiée ou acceptée par les signataires conformément à leurs règles constitutionnelles respectives.
  2. Les instruments de ratification ou d'acceptation seront déposés auprès du Gouvernement de la République Française, désigné comme Gouvernement dépositaire.
  3. La présente Convention entrera en vigueur:
    - a) soit avant le 30 septembre 1961, dès que les instruments de ratification ou d'acceptation auront été déposés par tous les signataires;
    - b) soit le 30 septembre 1961, si à cette date quinze signataires au moins ont déposé ces instruments, et à l'égard de ces signataires, ainsi qu'à l'égard de tout autre signataire dès le dépôt de son instrument de ratification ou d'acceptation;
    - c) soit après le 30 septembre 1961, mais au plus tard deux ans après la signature de la présente Convention, dès que ces instruments auront été déposés par quinze signataires, et à l'égard de ces signataires, ainsi qu'à l'égard de tout autre signataire dès le dépôt de son instrument de ratification ou d'acceptation.
  4. Les signataires n'ayant pas déposé leur instrument de ratification ou d'acceptation lors de l'entrée en vigueur de la Conven-
- shall be as defined in Supplementary Protocol No. 1 [<sup>1</sup>] to this Convention.
1. This Convention shall be ratified or accepted by the Signatories in accordance with their respective constitutional requirements.
  2. Instruments of ratification or acceptance shall be deposited with the Government of the French Republic, hereby designated as depositary Government.
  3. This Convention shall come into force:
    - (a) before 30th September, 1961, upon the deposit of instruments of ratification or acceptance by all the Signatories; or
    - (b) on 30th September, 1961, if by that date fifteen Signatories or more have deposited such instruments as regards those Signatories; and thereafter as regards any other Signatory upon the deposit of its instrument of ratification or acceptance;
    - (c) after 30th September, 1961, but not later than two years from the signature of this Convention, upon the deposit of such instruments by fifteen Signatories, as regards those Signatories; and thereafter as regards any other Signatory upon the deposit of its instrument of ratification or acceptance.
  4. Any Signatory which has not deposited its instrument of ratification or acceptance when the Convention comes into force may

<sup>1</sup> Post, p. 1743.

tion pourront participer aux activités de l'Organisation dans les conditions qui seront fixées par accord entre l'Organisation et lesdits signataires.

take part in the activities of the Organisation upon conditions to be determined by agreement between the Organisation and such Signatory.

#### *Article 15*

La reconstitution de l'Organisation Européenne de Coopération Économique prendra effet lors de l'entrée en vigueur de la Convention, et ses objectifs, organes, pouvoirs et nom seront dès lors ceux qui sont prévus dans la Convention. La personnalité juridique que possède l'Organisation Européenne de Coopération Économique se continuera dans l'Organisation, mais les décisions, recommandations et résolutions de l'Organisation Européenne de Coopération Économique requièrent l'approbation du Conseil pour être applicables après l'entrée en vigueur de la présente Convention.

#### *Article 15*

When this Convention comes into force the reconstitution of the Organisation for European Economic Co-operation shall take effect, and its aims, organs, powers and name shall thereupon be as provided herein. The legal personality possessed by the Organisation for European Economic Co-operation shall continue in the Organisation, but decisions, recommendations and resolutions of the Organisation for European Economic Co-operation shall require approval of the Council to be effective after the coming into force of this Convention.<sup>[1]</sup>

#### *Article 16*

Le Conseil peut décider d'inviter tout Gouvernement prêt à assumer les obligations de membre, à adhérer à la présente Convention. Cette décision doit être prise à l'unanimité; toutefois, le Conseil peut admettre à l'unanimité, dans un cas particulier, la possibilité d'abstention, étant entendu que, nonobstant les dispositions de l'Article 6, la décision s'applique alors à tous les Membres. L'adhésion prend effet lors du dépôt de l'instrument d'adhésion auprès du Gouvernement dépositaire.

#### *Article 16*

The Council may decide to invite any Government prepared to assume the obligations of membership to accede to this Convention. Such decisions shall be unanimous, provided that for any particular case the Council may unanimously decide to permit abstention, in which case, notwithstanding the provisions of Article 6, the decision shall be applicable to all the Members. Accession shall take effect upon the deposit of an instrument of accession with the depositary Government.

#### *Article 17*

Toute Partie Contractante pourra mettre fin, en ce qui la con-

#### *Article 17*

Any Contracting Party may terminate the application of this Con-

<sup>[1]</sup> Post, p. 1754.

cerne, à l'application de la présente Convention, en donnant un préavis d'un an à cet effet au Gouvernement dépositaire.

#### *Article 18*

Le siège de l'Organisation est à Paris, sauf si le Conseil en décide autrement.

#### *Article 19*

La capacité juridique de l'Organisation et les priviléges, exemptions et immunités de l'Organisation, de ses fonctionnaires et des représentants de ses Membres auprès d'elle, sont définis dans le Protocole Additionnel N° 2 à la présente Convention.

#### *Article 20*

1. Chaque année, conformément à un Règlement financier adopté par le Conseil, le Secrétaire général soumet à l'approbation du Conseil un budget annuel, des comptes et tout budget annexe demandé par le Conseil.

2. Les dépenses générales de l'Organisation, approuvées par le Conseil sont réparties conformément à un barème qui sera arrêté par le Conseil. Les autres dépenses sont financées sur la base fixée par le Conseil.

#### *Article 21*

Dès la réception des instruments de ratification, d'acceptation, d'adhésion ou de préavis de retrait, le Gouvernement dépositaire en donnera communication à toutes les Parties Contractantes et au Secrétaire général de l'Organisation.

vention to itself by giving twelve months' notice to that effect to the depositary Government.

#### *Article 18*

The Headquarters of the Organisation shall be in Paris, unless the Council agrees otherwise.

#### *Article 19*

The legal capacity of the Organisation and the privileges, exemptions, and immunities of the Organisation, its officials and representatives to it of the Members shall be as provided in Supplementary Protocol No. 2 [¹] to this Convention.

#### *Article 20*

1. Each year, in accordance with Financial Regulations adopted by the Council, the Secretary-General shall present to the Council for approval an annual budget, accounts, and such subsidiary budgets as the Council shall request.

2. General expenses of the Organisation, as agreed by the Council, shall be apportioned in accordance with a scale to be decided upon by the Council. Other expenditure shall be financed on such basis as the Council may decide.

#### *Article 21*

Upon the receipt of any instrument of ratification, acceptance or accession, or of any notice of termination, the depositary Government shall give notice thereof to all the Contracting Parties and to the Secretary-General of the Organisation.

<sup>1</sup> Post, p. 1747.

EN FOI DE QUOI, les Plénipotentiaires soussignés, dûment habilités, ont apposé leurs signatures au bas de la présente Convention.

FAIT à Paris, le quatorze décembre mil neuf cent soixante, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé auprès du Gouvernement dépositaire, qui en communiquera une copie certifiée conforme à tous les signataires.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered, have appended their signatures to this Convention.

DONE in Paris, this fourteenth day of December, Nineteen Hundred and Sixty, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited with the depositary Government, by whom certified copies will be communicated to all the Signatories.

Pour la RÉPUBLIQUE FÉDÉRALE  
d'ALLEMAGNE:

LUDWIG ERHARD

For the FEDERAL REPUBLIC OF  
GERMANY:

ALBERT HILGER VAN  
SCHERPENBERG

Pour la RÉPUBLIQUE d'AUTRICHE: BRUNO KREISKY

For the REPUBLIC OF AUSTRIA: DR. FRITZ BOCK

Pour le ROYAUME de BELGIQUE: P. WIGNY

For the KINGDOM OF BELGIUM: R. OCKRENT

Pour le CANADA: DONALD M. FLEMING

For CANADA: GEORGE H. HEES

Pour le ROYAUME de DANEMARK: JENS OTTO KRAG

For the KINGDOM OF DENMARK:

Pour l'ESPAGNE: FERNANDO M. CASTIELLA

For SPAIN: A. ULLASTRES

Pour les ÉTATS-UNIS  
d'AMÉRIQUE: DOUGLAS DILLON

For the UNITED STATES OF  
AMERICA: W. RANDOLPH BURGESS

Pour la RÉPUBLIQUE FRANÇAISE: M. COUVE DE MURVILLE

For the FRENCH REPUBLIC: BAUMGARTNER

Pour le ROYAUME de GRÈCE:

For the KINGDOM OF GREECE: A. PROTOPAPADAKIS

Pour l'IRLANDE:

For IRELAND:

SEÁN Ó LOINSIGH

Pour la RÉPUBLIQUE D'ISLANDE:

For the REPUBLIC OF ICELAND:

GYLFÍ TH. GISLASON

Pour la RÉPUBLIQUE ITALIENNE: GIUSEPPE PELLA

For the ITALIAN REPUBLIC: CARLO RUSSO

Pour le GRAND-DUCHÉ DE LUXEM-

BOURG:

E. SCHÄUS

For the GRAND DUCHY OF LUXEM-

BOURG:

Pour le ROYAUME DE NORVÈGE:

For the KINGDOM OF NORWAY: HALVARD LANGE

Pour le ROYAUME DES PAYS-BAS: J. LUNS

For the KINGDOM OF THE NETHER- STIKKER  
LANDS:

Pour la RÉPUBLIQUE PORTUGAISE:

For the PORTUGUESE REPUBLIC: J. G. CORREIA DE OLIVEIRA

Pour le ROYAUME-UNI DE GRANDE-

BRETAGNE ET D'IRLANDE DU  
NORD:

SELWYN LLOYD

For the UNITED KINGDOM OF  
GREAT BRITAIN AND NORTH-  
ERN IRELAND:

Pour le ROYAUME DE SUÈDE:

For the KINGDOM OF SWEDEN: GUNNAR LANGE

Pour la CONFÉDÉRATION SUISSE:

For the SWISS CONFEDERATION: MAX PETITPIERRE

Pour la RÉPUBLIQUE DE TURQUIE:

For the TURKISH REPUBLIC: ALICAN

La présente copie est certifiée conforme à l'exemplaire unique de la Convention relative à l'Organisation de Coopération et de Développement Économiques, rédigé en langues française et anglaise, signé à Paris le quatorze décembre mil neuf cent soixante et déposé dans les Archives de la République Française.

LE MINISTRE PLÉNIOPOTENTIAIRE,  
CHEF DU PROTOCOLE:

L. CHANCEL

[SEAL]

L. Chancel

**PROTOCOLE ADDITIONNEL N° 1  
A LA CONVENTION RELATIVE A  
L'ORGANISATION DE COOPÉRATION ET DE DÉVELOP-  
PEMENT ÉCONOMIQUES**

**SUPPLEMENTARY PROTOCOL No. 1  
TO THE CONVENTION ON THE  
ORGANISATION FOR ECONOMIC CO-OPERATION AND  
DEVELOPMENT**

**PROTOCOLE ADDITIONNEL SUPPLEMENTAIRE PROTO-  
COL N° 1 A LA CONVENTION  
RELATIVE A L'ORGANISATION DE COOPÉRATION  
ET DE DÉVELOPPEMENT  
ÉCONOMIQUES**

LES SIGNATAIRES de la Convention relative à l'Organisation de Coopération et de Développement Économiques;

SONT CONVENUS de ce qui suit:

1. La représentation dans l'Organisation de Coopération et de Développement Économiques, des Communautés Européennes instituées par les Traité de Paris et de Rome, en date des 18 avril 1951 et 25 mars 1957, sera réglée conformément aux dispositions institutionnelles de ces Traités.
2. Les Commissions de la Communauté Économique Européenne et de la Communauté Européenne de l'Énergie Atomique ainsi que la Haute Autorité de la Communauté Européenne du Charbon et de l'Acier participeront aux travaux de cette Organisation.

EN FOI DE QUOI, les Plénipotentiaires soussignés, dûment habilités, ont apposé leurs signatures au bas du présent Protocole.

FAIT à Paris, le quatorze décembre mil neuf cent soixante, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé auprès du Gouvernement de la République Française, qui en com-

**COL No. 1 TO THE CONVENTION ON THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT**

THE SIGNATORIES of the Convention on the Organisation for Economic Co-operation and Development;

HAVE AGREED as follows:

1. Representation in the Organisation for Economic Co-operation and Development of the European Communities established by the Treaties of Paris and Rome of 18th April, 1951, and 25th March, 1957, shall be determined in accordance with the institutional provisions of those Treaties.
2. The Commissions of the European Economic Community and of the European Atomic Energy Community as well as the High Authority of the European Coal and Steel Community shall take part in the work of that Organisation.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered, have appended their signatures to this Protocol.

DONE in Paris, this fourteenth day of December, Nineteen Hundred and Sixty, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited with the Government of the French

muniquera une copie certifiée conforme à tous les signataires.

Republic, by whom certified copies will be communicated to all the Signatories.

Pour la RÉPUBLIQUE FÉDÉRALE  
d'ALLEMAGNE:

LUDWIG ERHARD

For the FEDERAL REPUBLIC OF GERMANY:

ALBERT HILGER VAN SCHERPENBERG

Pour la RÉPUBLIQUE d'AUTRICHE:

BRUNO KREISKY

For the REPUBLIC OF AUSTRIA:

DR. FRITZ BOCK

Pour le ROYAUME DE BELGIQUE:

P. WIGNY

For the KINGDOM OF BELGIUM:

R. OCKRENT

Pour le CANADA:

DONALD M. FLEMING

For CANADA:

GEORGE H. HEES

Pour le ROYAUME DE DANEMARK:

JENS OTTO KRAG

For the KINGDOM OF DENMARK:

Pour l'ESPAGNE:

FERNANDO M. CASTIELLA

For SPAIN:

A. ULLASTRES

Pour les ÉTATS-UNIS d'AMÉRIQUE:

DOUGLAS DILLON

For the UNITED STATES OF AMERICA:

W. RANDOLPH BURGESS

Pour la RÉPUBLIQUE FRANÇAISE:

M. COUVE DE MURVILLE

For the FRENCH REPUBLIC:

BAUMGARTNER

Pour le ROYAUME de GRÈCE:

A. PROTOPAPADAKIS

For the KINGDOM of GREECE:

Pour l'IRLANDE:

SEÁN ó LOINSIGH

For IRELAND:

Pour la RÉPUBLIQUE d'ISLANDE:

GYLFÍ TH. GISLASON

For the REPUBLIC of ICELAND:

Pour la RÉPUBLIQUE ITALIENNE:

GIUSEPPE PELLA

For the ITALIAN REPUBLIC:

CARLO RUSSO

Pour le GRAND-DUCHÉ DE LUXEM-

BOURG :

For the GRAND DUCHY OF LUXEM-

BOURG :

E. SCHAUS

Pour le ROYAUME DE NORVÈGE :

HALVARD LANGE

For the KINGDOM OF NORWAY :

Pour le ROYAUME DES PAYS-BAS : J. LUNS

For the KINGDOM OF THE NETHER- STIKKER  
LANDS :

Pour la RÉPUBLIQUE PORTUGAISE :

J. G. CORREIA DE OLIVEIRA

Pour le ROYAUME-UNI DE GRANDE-  
BRETAGNE ET D'IRLANDE DU  
NORD :

SELWYN LLOYD

For the UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN  
IRELAND :

Pour le ROYAUME DE SUÈDE :

GUNNAR LANGE

For the KINGDOM OF SWEDEN :

Pour la CONFÉDÉRATION SUISSE :

MAX PETITPIERRE

For the SWISS CONFEDERATION :

Pour la RÉPUBLIQUE DE TURQUIE :

ALICAN

For the TURKISH REPUBLIC :

La présente copie est certifiée conforme à l'exemplaire unique du Protocole Additionnel N° 1 à la Convention relative à l'Organisation de Coopération et de Développement Économiques, rédigé en langues française et anglaise, signé à Paris le quatorze décembre mil neuf cent soixante et déposé dans les Archives de la République Française.

LE MINISTRE PLÉNIIPOTENTIAIRE,  
CHEF DU PROTOCOLE :

L. CHANCEL

[SEAL]

L. Chancel

**PROTOCOLE ADDITIONNEL N° 2  
A LA CONVENTION RELATIVE A  
L'ORGANISATION DE COOPÉRATION ET DE  
DÉVELOPPEMENT ÉCONOMIQUES**

**SUPPLEMENTARY PROTOCOL No. 2  
TO THE CONVENTION ON THE  
ORGANISATION FOR ECONOMIC CO-OPERATION AND  
DEVELOPMENT**

**PROTOCOLE ADDITIONNEL N° 2 A LA CONVENTION RELATIVE A L'ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUES**

LES SIGNATAIRES de la Convention relative à l'Organisation de Coopération et de Développement Économiques (appelée ci-dessous l'« Organisation ») ;

SONT CONVENUS de ce qui suit :

L'Organisation jouit de la capacité juridique et l'Organisation, ses fonctionnaires et les représentants de ses Membres auprès d'elle jouissent des priviléges, exemptions et immunités suivants :

a) sur le territoire des Parties Contractantes à la Convention de Coopération Économique Européenne du 16 avril 1948, de la capacité juridique, des priviléges, exemptions et immunités prévus dans le Protocole Additionnel N° I à cette Convention ;

b) au Canada, de la capacité juridique, des priviléges, exemptions et immunités prévus dans tout accord ou arrangement sur la capacité juridique, les priviléges, exemptions et immunités qui interviendra entre le Gouvernement du Canada et l'Organisation ;

c) aux États-Unis, de la capacité juridique, des priviléges, exemptions et immunités prévus dans l'Executive Order N° 10133 du 27

**SUPPLEMENTARY PROTOCOL No. 2 TO THE CONVENTION ON THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT**

THE SIGNATORIES of the Convention on the Organisation for Economic Co-operation and Development (hereinafter called the "Organisation") ;

HAVE AGREED as follows :

The Organisation shall have legal capacity and the Organisation, its officials, and representatives to it of the Members shall be entitled to privileges, exemptions, and immunities as follows :

(a) in the territory of the Contracting Parties to the Convention for European Economic Co-operation of 16th April, 1948, the legal capacity, privileges, exemptions, and immunities provided for in Supplementary Protocol No. I to that Convention; [1]

(b) in Canada, the legal capacity, privileges, exemptions, and immunities provided for in any agreement or arrangement on legal capacity, privileges, exemptions, and immunities entered into between the Government of Canada and the Organisation ;

(c) in the United States, the legal capacity, privileges, exemptions, and immunities under the International Organisations Im-

<sup>1</sup> Department of State publication 3145.

juin 1950, conformément aux dispositions de l'International Organisations Immunities Act; et

*d)* dans tout autre pays, de la capacité juridique, des priviléges, exemptions et immunités prévus dans tout accord ou arrangement sur la capacité juridique, les priviléges, exemptions et immunités qui interviendra entre le Gouvernement intéressé et l'Organisation.

EN FOI DE QUOI, les Plénipotentiaires soussignés, dûment habilités, ont apposé leur signatures au bas du présent Protocole.

FAIT à Paris, le quatorze décembre mil neuf cent soixante, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire, qui sera déposé auprès du Gouvernement de la République Française, qui en communiquera une copie certifiée conforme à tous les signataires.

munities Act provided for in Executive Order No. 10133 of 27th June, 1950; [<sup>1</sup>] and

(*d*) elsewhere, the legal capacity, privileges, exemptions, and immunities provided for in any agreement or arrangement on legal capacity, privileges, exemptions, and immunities entered into between the Government concerned and the Organisation.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered, have appended their signatures to this Protocol.

DONE in Paris, this fourteenth day of December, Nineteen Hundred and Sixty, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited with the Government of the French Republic, by whom certified copies will be communicated to all the Signatories.

Pour la RÉPUBLIQUE FÉDÉRALE  
d'ALLEMAGNE:

LUDWIG ERHARD

For the FEDERAL REPUBLIC OF ALBERT HILGER VAN SCHERPENBERG  
GERMANY:

Pour la RÉPUBLIQUE d'AUTRICHE: BRUNO KREISKY

For the REPUBLIC OF AUSTRIA: DR. FRITZ BOCK

Pour le ROYAUME de BELGIQUE: P. WIGNY

For the KINGDOM OF BELGIUM: R. OCKRENT

Pour le CANADA: DONALD M. FLEMING

For CANADA: GEORGE H. HEES

Pour le ROYAUME de DANEMARK:

J. O. KRAG

For the KINGDOM OF DENMARK:

<sup>1</sup> 3 CFR, 1949-1953 Comp., p. 319.

Pour l'ESPAGNE: FERNANDO M. CASTIELLA

For SPAIN: A. ULLASTRES

Pour les ÉTATS-UNIS D'AMÉRIQUE: DOUGLAS DILLON

For the UNITED STATES OF AMERICA: W. RANDOLPH BURGESS

ICA:

Pour la RÉPUBLIQUE FRANÇAISE: M. COUVE DE MURVILLE

For the FRENCH REPUBLIC: BAUMGARTNER

Pour le ROYAUME DE GRÈCE: A. PROTOPAPADAKIS

For the KINGDOM OF GREECE:

Pour l'IRLANDE: SEÁN Ó LOINSIGH

For IRELAND:

Pour la RÉPUBLIQUE D'ISLANDE: GYLFI TH. GISLASON

For the REPUBLIC OF ICELAND:

Pour la RÉPUBLIQUE ITALIENNE: GIUSEPPE PELLA

For the ITALIAN REPUBLIC: CARLO RUSSO

Pour le GRAND-DUCHÉ DE LUXEMBOURG: E. SCHAUSS

For the GRAND DUCHY OF LUXEMBOURG:

Pour le ROYAUME DE NORVÈGE: HALVARD LANGE

For the KINGDOM OF NORWAY:

Pour le ROYAUME DES PAYS-BAS: J. LUNS

For the KINGDOM OF THE NETHERLANDS: STIKKER

Pour la RÉPUBLIQUE PORTUGAISE: J. G. CORREIA DE OLIVEIRA

For the PORTUGUESE REPUBLIC:

Pour le ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:

For the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND: SELWYN LLOYD

Pour le ROYAUME DE SUÈDE : **GUNNAR LANGE**  
For the KINGDOM OF SWEDEN :

Pour la CONFÉDÉRATION SUISSE : **MAX PETITPIERRE**  
For the SWISS CONFEDERATION :

Pour la RÉPUBLIQUE DE TURQUIE : **ALICAN**  
For the TURKISH REPUBLIC :

La présente copie est certifiée conforme à l'exemplaire unique du Protocole Additionnel N° 2 à la Convention relative à l'Organisation de Coopération et de Développement Économiques, rédigé en langues française et anglaise, signé à Paris le quatorze décembre mil neuf cent soixante et déposé dans les Archives de la République Française.

LE MINISTRE PLÉNIOPOTENTIAIRE,  
CHEF DU PROTOCOLE :  
**L. CHANCEL**  
[SEAL]  
**L. Chancel**

WHEREAS the Senate of the United States of America by their resolution of March 16, 1961, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Convention and the two protocols relating thereto "with the interpretation and explanation of the intent of the Senate that nothing in the convention, or the advice and consent of the Senate to the ratification thereof, confers any power on the Executive to bind the United States in substantive matters beyond what the Executive now has, or to bind the United States without compliance with applicable procedures imposed by domestic law, or confers any power on the Congress to take action in fields previously beyond the authority of Congress, or limits Congress in the exercise of any power it now has.";

WHEREAS the said Convention and the two protocols relating thereto were duly ratified by the President of the United States of America on March 23, 1961, in pursuance of the said advice and consent of the Senate of the United States of America and subject to the aforesaid interpretation and explanation;

WHEREAS it is provided in Article 14 of the said Convention that the Convention shall come into force on September 30, 1961 if by that date fifteen Signatories or more have deposited with the Government of the French Republic instruments of ratification or acceptance as regards those Signatories;

WHEREAS the two related protocols are considered to be integral parts of the said Convention;

WHEREAS instruments of ratification with respect to the said Convention and the two related protocols were, by September 30, 1961, deposited with the Government of the French Republic on behalf of the following Signatories to the Convention: Canada on April 10, the United States of America on April 12, the United Kingdom of Great Britain and Northern Ireland on May 2, Denmark on May 30, Iceland on June 5, Norway on July 4, Turkey on August 2, Spain on August 3, Portugal on August 4, France on August 7, Ireland on August 17, Belgium on September 13, the Federal Republic of Germany and Greece on September 27, Sweden and Switzerland on September 28, and Austria on September 29;

WHEREAS the said Convention came into force on September 30, 1961, pursuant to the aforesaid provision of Article 14, and the two related protocols came into force on the same date;

Now, THEREFORE, be it known that I, John F. Kennedy, President of the United States of America, do hereby proclaim and make public the said Convention on the Organization for Economic Cooperation and Development and the said two protocols relating thereto to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after September 30, 1961, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, subject to the aforesaid interpretation and explanation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twentieth day of November  
in the year of our Lord one thousand nine hundred sixty-  
[SEAL] one and of the Independence of the United States of  
America the one hundred eighty-sixth.

JOHN F KENNEDY

By the President:

DEAN RUSK  
*Secretary of State*

**MEMORANDUM D'ACCORD**

**POUR L'APPLICATION DE L'ARTICLE 15 DE LA CONVENTION  
RELATIVE A L'ORGANISATION DE COOPÉRATION  
ET DE DÉVELOPPEMENT ÉCONOMIQUES**

**MEMORANDUM OF UNDERSTANDING**

**ON THE APPLICATION OF ARTICLE 15 OF THE CONVENTION  
ON THE ORGANISATION FOR ECONOMIC CO-  
OPERATION AND DEVELOPMENT**

**MEMORANDUM D'ACCORD  
POUR L'APPLICATION DE  
L'ARTICLE 15 DE LA CON-  
VENTION RELATIVE A  
L'ORGANISATION DE CO-  
OPÉRATION ET DE DÉ-  
VELOPPEMENT ÉCONO-  
MIQUES**

L'Article 15 de la Convention relative à l'Organisation de Coopération et de Développement Économiques (appelée ci-dessous la « Convention ») prévoit que les décisions, recommandations et résolutions (appelées ci-dessous les « actes ») de l'Organisation Européenne de Coopération Économique requièrent l'approbation du Conseil de l'Organisation de Coopération et de Développement Économiques (appelé ci-dessous le « Conseil ») pour être applicables après l'entrée en vigueur de la Convention.

En vertu d'une Résolution adoptée à la réunion ministérielle des 22-23 juillet 1960, un Comité Préparatoire a été créé et chargé de poursuivre l'examen des actes de l'Organisation Européenne de Coopération Économique, de déterminer les actes dont il convient de recommander l'approbation au Conseil et de proposer, le cas échéant, les modifications nécessaires en vue d'adapter ces actes aux fonctions de l'Organisation de Coopération et de Développement Économiques.

**MEMORANDUM OF UNDER-  
STANDING ON THE AP-  
PLICATION OF ARTICLE  
15 OF THE CONVENTION  
ON THE ORGANISATION  
FOR ECONOMIC CO-OP-  
ERATION AND DEVELOP-  
MENT**

Article 15 of the Convention on the Organisation for Economic Co-operation and Development (hereinafter called the "Convention") provides that decisions, recommendations and resolutions (hereinafter called "acts") of the Organisation for European Economic Co-operation shall require approval of the Council of the Organisation for Economic Co-operation and Development (hereinafter called the "Council") to be effective after the coming into force of the Convention.

Pursuant to a Resolution adopted at the Ministerial Meeting of 22nd-23rd July, 1960, a Preparatory Committee has been established and instructed to carry further the review of the acts of the Organisation for European Economic Co-operation, to determine which acts should be recommended to the Council for approval, and to recommend, where necessary, the modifications required in order to adjust these acts to the functions of the Organisation for Economic Co-operation and Development.

A cette réunion ministérielle, il a été convenu qu'il devrait y avoir le maximum de certitude au sujet de l'approbation par le Conseil des actes de l'Organisation Européenne de Coopération Économique, conformément aux recommandations du Comité Préparatoire; il a été également convenu que le Canada et les États-Unis, n'étant pas Membres de l'Organisation Européenne de Coopération Économique, devraient avoir une certaine latitude en ce qui concerne lesdites recommandations.

En conséquence, les signataires de la Convention sont convenus de ce qui suit :

1. Les représentants des signataires au Conseil voteront l'approbation des actes de l'Organisation Européenne de Coopération Économique conformément aux recommandations du Comité Préparatoire, sauf dispositions contraires ci-dessous.

2. Tout signataire qui n'est pas Membre de l'Organisation Européenne de Coopération Économique sera dégagé de l'engagement prévu au paragraphe 1, en ce qui concerne toute recommandation ou partie de recommandation du Comité Préparatoire spécifiée par notification au Comité Préparatoire dans les dix jours du dépôt de son instrument de ratification ou d'acceptation de la Convention.

3. Si un signataire donne notification conformément au paragraphe 2, tout autre signataire aura le droit de demander, dans les quatorze jours de cette notification, que le Comité Préparatoire réexamine la recommandation ou partie de recommandation

At the said Ministerial Meeting it was agreed that there should be the maximum possible degree of certainty as regards approval by the Council of acts of the Organisation for European Economic Co-operation in accordance with the recommendations of the Preparatory Committee; it was also agreed that Canada and the United States, not being Members of the Organisation for European Economic Co-operation, should have a certain latitude with respect to the said recommendations.

Therefore the Signatories of the Convention have agreed as follows:

1. The representatives of the Signatories on the Council shall vote for approval of acts of the Organisation for European Economic Co-operation in accordance with the recommendations of the Preparatory Committee, except as otherwise provided hereinafter.

2. Any Signatory which has not been a Member of the Organisation for European Economic Co-operation shall be released from the commitment set out in paragraph 1 with respect to any recommendation or part thereof of the Preparatory Committee which it specifies in a notice to the Preparatory Committee no later than ten days after the deposit of its instrument of ratification or acceptance of the Convention.

3. If any Signatory gives notice pursuant to paragraph 2, any other Signatory, if in its view such notice changes the situation in regard to the recommendation or part thereof in question in an important respect, shall have the right to request, within fourteen

en cause, s'il considère que cette notification change la situation au regard de ladite recommandation ou partie de recommandation dans un de ses aspects importants.

4. a) Si un signataire donne notification conformément au paragraphe 2 et qu'il n'y ait pas de demande en vertu du paragraphe 3 ou qu'à la suite d'une demande le réexamen par le Comité Préparatoire n'aboutit pas à une modification de la recommandation ou partie de recommandation en cause, le représentant au Conseil du signataire ayant donné notification s'abstiendra de voter sur l'acte ou la partie d'acte auquel elle se rapporte.

b) Si le réexamen par le Comité Préparatoire prévu au paragraphe 3 aboutit à une modification de la recommandation ou partie de recommandation en cause, le représentant au Conseil du signataire ayant donné notification pourra s'abstenir de voter sur l'acte ou la partie d'acte auquel elle se rapporte.

c) L'abstention d'un signataire conformément aux sous-paragrapthes a) et b) du présent paragraphe, en ce qui concerne un acte ou une partie d'acte, ne fait pas obstacle à l'approbation de cet acte ou partie d'acte qui est applicable aux autres signataires mais pas au signataire qui s'abstient.

5. Les dispositions du présent Memorandum concernant les mesures à prendre avant le vote au Conseil entreront en vigueur dès sa signature; les dispositions concernant le vote au Conseil entrent en vigueur pour chaque signataire lors de l'entrée en vigueur de

days of such notice, that the Preparatory Committee reconsider such recommendation or part thereof.

4. (a) If a Signatory gives notice pursuant to paragraph 2 and no request is made pursuant to paragraph 3, or, if such a request having been made, the reconsideration by the Preparatory Committee does not result in any modification of the recommendation or part thereof in question, the representative on the Council of the Signatory which has given notice shall abstain from voting on the act or part thereof to which the recommendation or part thereof in question pertains.

(b) If the reconsideration by the Preparatory Committee provided for in paragraph 3 results in a modified recommendation or part thereof, the representative on the Council of the Signatory which has given notice may abstain from voting on the act or part thereof to which the modified recommendation or part thereof pertains.

(c) Abstention by a Signatory pursuant to sub-paragraph (a) or (b) of this paragraph with respect to any act or part thereof shall not invalidate the approval of that act or part which shall be applicable to the other Signatories but not to the abstaining Signatory.

5. The provisions of this Memorandum relating to actions to be taken before the voting in the Council shall come into force upon its signature; the provisions relating to the voting in the Council shall come into force for each Signatory upon the coming into

la Convention à l'égard de ce signataire.

EN FOI DE QUOI, les soussignés ont apposé leur signature au bas du présent Memorandum.

FAIT à Paris, le quatorze décembre mil neuf cent soixante, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé auprès du Gouvernement de la République Française, qui en communiquera une copie certifiée conforme à tous les signataires.

force of the Convention as regards that Signatory.

IN WITNESS WHEREOF, the undersigned have appended their signatures to this Memorandum.

DONE in Paris, this fourteenth day of December, Nineteen Hundred and Sixty, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited with the Government of the French Republic, by whom certified copies will be communicated to all the Signatories.

Pour la RÉPUBLIQUE FÉDÉRALE  
d'ALLEMAGNE:

LUDWIG ERHARD

For the FEDERAL REPUBLIC OF  
GERMANY:

ALBERT HILGER VAN SCHERPEN-  
BERG

Pour la RÉPUBLIQUE d'AUTRICHE:

BRUNO KREISKY

For the REPUBLIC OF AUSTRIA:

DR. FRITZ BOCK

Pour le ROYAUME de BELGIQUE:

P. WIGNY

For the KINGDOM of BELGIUM:

R. OCKRENT

Pour le CANADA:

DONALD M. FLEMING

For CANADA:

GEORGE H. HEES

Pour le ROYAUME de DANEMARK:  
For the KINGDOM of DENMARK:

JENS OTTO KRAG

Pour l'ESPAGNE:

FERNANDO M. CASTIELLA

For SPAIN:

A. ULLASTRES

Pour les ÉTATS-UNIS d'AMÉRIQUE:

DOUGLAS DILLON

For the UNITED STATES of AMER-  
ICA:

W. RANDOLPH BURGESS

Pour la RÉPUBLIQUE FRANÇAISE:

M. COUVE DE MURVILLE

For the FRENCH REPUBLIC:

BAUMGARTNER

Pour le ROYAUME de GRÈCE:

A. PROTOPAPADAKIS

For the KINGDOM of GREECE:

Pour l'IRLANDE: SEÁN Ó LOINSIGH

For IRELAND:

Pour la RÉPUBLIQUE D'ISLANDE: GYLFI TH. GISLASON

For the REPUBLIC OF ICELAND:

Pour la RÉPUBLIQUE ITALIENNE: GIUSEPPE PELLA

For the ITALIAN REPUBLIC: CARLO RUSSO

Pour le GRAND-DUCHÉ DE LUXEM-  
BOURG:

For the GRAND DUCHY OF LUXEM-  
BOURG: E. SCHAUSS

Pour le ROYAUME DE NORVÈGE: HALVARD LANGE

For the KINGDOM OF NORWAY:

Pour le ROYAUME DES PAYS-BAS: J. LUNS

For the KINGDOM OF THE NETHER-  
LANDS: STIKKER

Pour la RÉPUBLIQUE PORTUGAISE:

For the PORTUGUESE REPUBLIC: J. G. CORREIA DE OLIVEIRA

Pour le ROYAUME-UNI DE GRANDE-  
BRETAGNE ET D'IRLANDE DU  
NORD:

For the UNITED KINGDOM OF  
GREAT BRITAIN AND NORTH-  
ERN IRELAND: SELWYN LLOYD

Pour le ROYAUME DE SUÈDE:

For the KINGDOM OF SWEDEN: GUNNAR LANGE

Pour la CONFÉDÉRATION SUISSE:

For the SWISS CONFEDERATION: MAX PETITPIERRE

Pour la RÉPUBLIQUE DE TURQUIE:

For the TURKISH REPUBLIC: ALICAN

La présente copie est certifiée conforme à l'exemplaire unique du Memorandum d'Accord pour l'Application de l'Article 15 de la Convention relative à l'Organisation de Coopération et de Développement Économiques rédigé en langues française et anglaise, signé à Paris le quatorze décembre mil neuf cent soixante et déposé dans les Archives de la République Française.

LE MINISTRE PLÉNIOPOTENTIAIRE,  
CHEF DU PROTOCOLE:

L. CHANCEL

[SEAL]

L. Chancel



# MULTILATERAL

## Telecommunication

*Convention, with annexes, and final protocol [<sup>1</sup>]  
Signed at Geneva December 21, 1959;  
Signed on behalf of the United States of America, subject to certain declarations, December 21, 1959;  
Ratification advised by the Senate of the United States of America, subject to said declarations, September 25, 1961;  
Ratified by the President of the United States of America, subject to said declarations, October 4, 1961;  
Ratification of the United States of America deposited with the General Secretariat of the International Telecommunication Union October 23, 1961;  
Proclaimed by the President of the United States of America November 22, 1961;  
Entered into force with respect to the United States of America October 23, 1961.*

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS an international telecommunication convention and a final protocol thereto were formulated and adopted at the Plenipotentiary Conference of the International Telecommunication Union which met at Geneva October 14 through December 21, 1959, and were signed at Geneva on December 21, 1959, by the respective plenipotentiaries, duly empowered, of the United States of America and other countries represented at the said Conference;

WHEREAS the texts of the said convention and final protocol, in the English, French, Spanish, Chinese, and Russian languages, as certified by the International Telecommunication Union, are word for word as follows:

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<sup>1</sup> Texts are as certified by the International Telecommunication Union, Geneva. All footnotes in English herein except the one on p. 1838 were added by the Department of State.

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Geneva, 1959

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## **INTERNATIONAL TELECOMMUNICATION CONVENTION**

### **PREAMBLE**

- 1 While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments, with the object of facilitating relations and co-operation between the peoples by means of efficient telecommunication services, have agreed to conclude the following Convention.
- 2 The countries and groups of territories which become parties to the present Convention constitute the International Telecommunication Union.

### **CHAPTER I**

#### **Composition, Functions and Structure of the Union**

##### **ARTICLE 1**

###### **Composition of the Union**

- 3 1. The International Telecommunication Union shall comprise Members and Associate Members.
- 4 2. A Member of the Union shall be:
  - a) any country or group of territories listed in Annex 1 upon signature and ratification of, or accession to, this Convention, by it or on its behalf;
  - b) any country, not listed in Annex 1, which becomes a Member of the United Nations and which accedes to this Convention in accordance with Article 18;
  - c) any sovereign country, not listed in Annex 1 and not a Member of the United Nations, which applies for Membership in the Union

and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article 18.

7      3. An Associate Member of the Union shall be:

- a) any country, territory or group of territories listed in Annex 2 upon signature and ratification of, or accession to, this Convention, by it or on its behalf;
- b) any country which has not become a Member of the Union in accordance with 4 to 6 by acceding to this Convention in accordance with Article 18, after its application for Associate Membership has received approval by a majority of the Members of the Union;
- c) any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which a Member of the Union has signed and ratified or acceded to this Convention in accordance with Article 18 or 19, provided that its application for Associate Membership is sponsored by such a Member, after the application has received approval by a majority of the Members of the Union;
- d) any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article 20, and the application of which for Associate Membership has been sponsored by the United Nations.

11      4. If any territory or group of territories, forming part of a group of territories constituting a Member of the Union, becomes or has become an Associate Member of the Union in accordance with 7 and 9, its rights and obligations under this Convention shall be those of an Associate Member only.

12      5. For the purposes of 6, 8 and 9, if an application for Membership or Associate Membership is made, by diplomatic channel and through the intermediary of the country of the seat of the Union, during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

## ARTICLE 2

### **Rights and Obligations of Members and Associate Members**

13        1. (1) All Members shall be entitled to participate in conferences of the Union and shall be eligible for election to any of its organs.

14        (2) Each Member shall have one vote at all conferences of the Union, at meetings of the International Consultative Committees in which it participates and, if it is a Member of the Administrative Council, at all sessions of that Council.

15        (3) Each Member shall also have one vote in all consultations carried out by correspondence.

16        2. Associate Members shall have the same rights and obligations as Members of the Union, except that they shall not have the right to vote in any conference or other organ of the Union or to nominate candidates for membership of the International Frequency Registration Board. They shall not be eligible for election to the Administrative Council.

## ARTICLE 3

### **Seat of the Union**

17        The seat of the Union shall be at Geneva.

## ARTICLE 4

### **Purposes of the Union**

18        1. The purposes of the Union are:

a) to maintain and extend international co-operation for the improvement and rational use of telecommunication of all kinds;

19        b) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;

20        c) to harmonize the actions of nations in the attainment of those common ends.

- 21      2. To this end, the Union shall in particular:
- a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;
  - b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio frequency spectrum;
  - c) foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;
  - d) foster the creation, development and improvement of telecommunication equipment and networks in new or developing countries by every means at its disposal, especially its participation in the appropriate programmes of the United Nations;
  - e) promote the adoption of measures for ensuring the safety of life through the co-operation of telecommunication service;
  - f) undertake studies, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters for the benefit of all Members and Associate Members.

## ARTICLE 5

### Structure of the Union

- 27      The organization of the Union shall be as follows:
- 1. the Plenipotentiary Conference, which is the supreme organ of the Union;
  - 2. Administrative Conferences;
  - 3. the Administrative Council;
  - 4. the permanent organs of the Union, which are:
    - a) the General Secretariat;
    - b) the International Frequency Registration Board (I.F.R.B.);

- 32       c) the International Radio Consultative Committee (C.C.I.R.);  
33       d) the International Telegraph and Telephone Consultative Committee (C.C.I.T.T.).

## ARTICLE 6

### **Plenipotentiary Conference**

- 34       1. The Plenipotentiary Conference shall:
- 35       a) determine the general policies for fulfilling the purposes of the Union prescribed in Article 4 of this Convention;
  - 36       b) consider the report by the Administrative Council on its activities and those of the Union since the last Plenipotentiary Conference;
  - 37       c) establish the basis for the budget of the Union and determine a fiscal limit for the expenditure of the Union until the next Plenipotentiary Conference;
  - 38       d) fix the basic salaries, the salary scales and the system of allowances and pensions for all the officials of the Union;
  - 39       e) finally approve the accounts of the Union;
  - 40       f) elect the Members of the Union which are to serve on the Administrative Council;
  - 41       g) elect the Secretary-General and the Deputy Secretary-General and fix the dates of their taking office;
  - 42       h) revise the Convention if it considers this necessary;
  - 43       i) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded, on behalf of the Union, by the Administrative Council, and take such measures in connection therewith as it deems appropriate;
  - 44       j) deal with such other telecommunication questions as may be necessary.
- 45       2. The Plenipotentiary Conference shall normally meet at a date and place decided on by the preceding Plenipotentiary Conference.
- 45       3. (1) The date and place of the next Plenipotentiary Conference, or either one of these, may be changed:

- 46        a) when at least twenty Members and Associate Members of the Union have individually proposed a change to the Secretary-General, or,
- 47        b) on a proposal of the Administrative Council.
- 48        (2) In either case a new date or place or both shall be determined with the concurrence of a majority of the Members of the Union.

## ARTICLE 7

### Administrative Conferences

- 49        1. Administrative conferences of the Union shall comprise:
- 50            a) ordinary administrative conferences;
- 51            b) extraordinary administrative conferences;
- 51            c) special conferences, which include:
- 51              — special regional conferences;
- 51              — special service conferences, world or regional.
- 52        2. (1) Ordinary administrative conferences shall:
- 52            a) revise the Regulations provided for in 193 with which they are respectively concerned;
- 53            b) deal with all other matters deemed necessary within the terms of the Convention and the General Regulations and any directives given by the Plenipotentiary Conference.
- 54        (2) In addition, the ordinary administrative radio conference shall:
- 54            a) elect the members of the International Frequency Registration Board;
- 55            b) issue instructions to the Board concerning its activities and review these activities.
- 56        3. (1) The date and place of an ordinary administrative conference shall be determined:
- 56            a) by the preceding administrative conference, if it so desires; or
- 57            b) when at least twenty Members and Associate Members of the Union have addressed individual requests to the Secretary-General; or
- 58            c) on a proposal of the Administrative Council.

59        (2) When 57 or 58 applies, the place and date shall be determined with the concurrence of a majority of the Members of the Union.

60        4. (1) Extraordinary administrative conferences shall be convened to consider certain specific telecommunication matters. Only items included in their agenda may be discussed by such conferences.

61        (2) Extraordinary administrative conferences may revise certain provisions of any set of Administrative Regulations with which they are concerned, provided that the revision of such provisions is included in the Agenda approved by a majority of the Members in accordance with 65.

62        5. (1) An extraordinary administrative conference may be convened:

63            a) by a decision of the Plenipotentiary Conference, which shall determine its agenda and the date and place of its meeting; or

64            b) when at least twenty Members and Associate Members of the Union have individually informed the Secretary-General of their desire that such a conference shall be held to consider an agenda proposed by them; or

65            c) on a proposal of the Administrative Council.

66        (2) In the cases specified in 63 and 64 the date and place of the conference, as well as its agenda, shall be determined with the concurrence of a majority of the Members of the Union.

67        6. Special conferences shall be convened to consider only the matters included in their agenda. Their decisions must in all circumstances be in conformity with the terms of the Convention and Administrative Regulations.

68        7. (1) A special conference may be convened:

69            a) by a decision of the Plenipotentiary Conference or an ordinary or extraordinary administrative conference which shall determine its agenda and the date and place at which it shall meet; or

70            b) when at least twenty Members and Associate Members of the Union in the case of a special service world conference or one quarter of the Members and Associate Members of the region concerned in the case of a special regional conference or special service regional conference have individually made known to

the Secretary-General their desire that such a conference should be held to consider an agenda proposed by them; or

69      c) on a proposal of the Administrative Council.

70      (2) In the cases specified in 68 and 69, the date and place of the conference as well as its agenda shall be determined with the concurrence of a majority of the Members of the Union for special service world conferences, or of a majority of the Members in the region concerned for special regional conferences or for special service regional conferences.

71      8. (1) The date and place, or either, of an ordinary administrative conference, of an extraordinary administrative conference, or of a special service world conference may be changed:

a) when at least twenty Members and Associate Members of the Union have individually proposed a change to the Secretary-General; or

72      b) on a proposal of the Administrative Council.

73      (2) In either case a new date or place or both shall be determined with the concurrence of a majority of the Members of the Union.

74      9. (1) The date and place, or either, of special regional conferences or of special service regional conferences may be changed:

a) on a proposal of at least one quarter of the Members and Associate Members of the region concerned; or

75      b) on a proposal of the Administrative Council.

76      (2) In each case, a new date and place, or either, shall be determined with the concurrence of the majority of the Members of the region concerned.

## ARTICLE 8

### Rules of Procedure of Conferences

77      For the organization of their work and the conduct of their discussions, conferences shall apply the Rules of Procedure in the General Regulations annexed to the Convention. However, each conference may adopt such additional provisions as it may consider indispensable.

## ARTICLE 9

**Administrative Council****A. Organization and working arrangements**

- 78     1. (1) The Administrative Council shall be composed of twenty-five Members of the Union elected by the Plenipotentiary Conference with due regard to the need for equitable representation of all parts of the world. The Members of the Union elected to the Council shall hold office until the date on which a new Council is elected by the Plenipotentiary Conference. They shall be eligible for re-election.
- 79     (2) If between two Plenipotentiary Conferences a seat becomes vacant on the Administrative Council, it shall pass by right to the Member of the Union from the same region as the Member whose seat is vacated, which had obtained at the previous election the largest number of votes among those not elected.
- 80     2. Each of the Members of the Administrative Council shall appoint to serve on the Council a person qualified in the field of telecommunication services and so far as possible shall endeavour to avoid replacing that representative during the term of office of the Council.
- 81     3. Each Member of the Council shall have one vote.
- 82     4. The Administrative Council shall adopt its own Rules of Procedure.
- 83     5. The Administrative Council shall elect its own Chairman and Vice-Chairman at the beginning of each annual session. They shall serve until the opening of the next annual session and shall be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.
- 84     6. (1) The Council shall hold an annual session at the seat of the Union.
- 85       (2) During this session it may decide to hold, exceptionally, an additional session.
- 86       (3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by its Chairman at the request of the majority of its Members.
- 87     7. The Secretary-General and the Deputy Secretary-General, the Chairman and the Vice-Chairman of the International Frequency Registration Board and the Directors of the International Consultative Committees

may participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to its own members.

88 8. The Secretary-General of the Union shall act as Secretary of the Administrative Council.

89 9. (1) In the interval between Plenipotentiary Conferences, the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.

90 (2) The Council shall act only in formal session.

91 10. The representative of each Member of the Administrative Council shall have the right to attend, as an observer, all meetings of the permanent organs of the Union mentioned in 31, 32 and 33.

92 11. Only the travelling and subsistence expenses incurred by the representative of each Member of the Administrative Council in this capacity at Council sessions shall be borne by the Union.

#### B. Duties

93 12. (1) The Administrative Council shall be responsible for taking all steps to facilitate the implementation by the Members and Associate Members of the provisions of the Convention, of the Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union.

94 (2) It shall ensure the efficient coordination of the work of the Union.

95 13. In particular the Administrative Council shall:

96 a) perform any duties assigned to it by the Plenipotentiary Conference;

97 b) in the interval between Plenipotentiary Conferences, be responsible for effecting the coordination with all international organizations referred to in Articles 28 and 29 of this Convention; and, to this end,

1. conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 29

of the Convention, and with the United Nations in application of the Agreement contained in Annex 6 to the Convention; these provisional agreements shall be submitted to the next Plenipotentiary Conference in accordance with 42;

- 98        2. appoint, on behalf of the Union, one or more representatives to participate in the conferences of such organizations, and, when necessary, in coordinating committees established in conjunction with those organizations;
- 99        c) decide on the numbers and grading of the staff of the General Secretariat and of the specialized secretariats of the permanent organs of the Union, taking into account the general directives given by the Plenipotentiary Conference;
- 100      d) draw up such regulations as it may consider necessary for the administrative and financial activities of the Union; the administrative regulations to take account of current practice of the United Nations and of the specialized agencies applying the Common System of pay, allowances and pensions;
- 101      e) supervise the administrative functions of the Union;
- 102      f) review and approve the annual budget of the Union, ensuring the strictest possible economy;
- 103      g) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them for submission to the next Plenipotentiary Conference;
- 104      h) adjust as necessary:
1. the basic salary scales for staff in the professional and director 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;
- 105      2. the basic salary scales for staff in the general service categories to accord with changes in the rates applied by the United Nations organization and the specialized agencies at the seat of the Union;
- 106      3. the post adjustment for professional categories and above, including posts filled by election, in accordance with decisions

- of the United Nations, for application at the seat of the Union;
- 107        4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;
- 108        5. the contributions payable by the Union and the staff to the United Nations Joint Staff Pension Fund, in accordance with the decisions of the United Nations Joint Staff Pension Board;
- 109        i) arrange for the convening of Plenipotentiary and administrative conferences of the Union in accordance with Articles 6 and 7 of this Convention;
- 110        j) offer to the Plenipotentiary Conference of the Union any recommendations deemed useful;
- 111        k) coordinate the activities of the permanent organs of the Union, take such action as it deems appropriate on requests or recommendations made to it by such organs, and review their annual reports;
- 112        l) provide, if it considers it desirable, for the filling ad interim of a vacancy for Deputy Secretary-General;
- 113        m) provide for the filling ad interim of vacancies for Directors of the International Consultative Committees;
- 114        n) perform the other functions prescribed for it in this Convention and, within the framework of the Convention and the Regulations, any functions deemed necessary for the proper administration of the Union;
- 115        o) take the necessary steps, with the agreement of the majority of Members of the Union, provisionally to resolve questions which are not covered by the Convention and its Annexes and cannot await the next competent conference for settlement;
- 116        p) submit a report on its activities and those of the Union for consideration by the Plenipotentiary Conference;
- 117        q) promote international co-operation for the provision of technical assistance to the new or developing countries by every means at its disposal, especially through the participation of the Union in the appropriate programmes of the United Nations; and, in accordance with the purposes of the Union, to promote by all possible means, the development of telecommunication.

## ARTICLE 10

## General Secretariat

**118** 1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.

**119** (2) The Secretary-General and the Deputy Secretary-General shall take up their duties on the dates determined at the time of their election. They shall normally remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for re-election.

**120** (3) The Secretary-General shall be responsible to the Plenipotentiary Conference and, between meetings of the Plenipotentiary Conference, to the Administrative Council, for all duties entrusted to the General Secretariat and for all the administrative and financial services of the Union. The Deputy Secretary-General shall be responsible to the Secretary-General.

**121** (4) If the post of Secretary-General falls vacant, the Deputy Secretary-General shall discharge the duties ad interim.

**122** 2. The Secretary-General shall:

*a)* coordinate the activities of the permanent organs of the Union through a Coordination Committee presided over by him and composed of the Deputy Secretary-General and the Heads of the permanent organs; this coordination shall apply to administrative matters, technical assistance, external relations, public information and any other important matters laid down specifically by the Administrative Council;

**123** *b)* organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the directives of the Plenipotentiary Conference and the rules established by the Administrative Council;

**124** *c)* undertake administrative arrangements for the specialized secretariats of the permanent organs of the Union and appoint the staff of those secretariats in agreement with the Head of each permanent organ; the appointments shall be made on the basis of the latter's choice, but the final decision for appointment or dismissal shall rest with the Secretary-General;

- 125      d) report to the Administrative Council any decisions taken by the United Nations and the specialized agencies which affect Common System conditions of service, allowances and pensions;
- 126      e) ensure that in the specialized secretariats all the financial and administrative regulations approved by the Administrative Council are applied;
- 127      f) supervise, for administrative purposes only, the staff of those specialized secretariats who shall work directly under the orders of the Heads of the permanent organs of the Union;
- 128      g) undertake secretarial work preparatory to, and following, conferences of the Union;
- 129      h) provide, where appropriate in co-operation with the inviting government, the secretariat of every conference of the Union, and, when so requested or provided in the Regulations annexed to the Convention, the secretariat of meetings of the permanent organs of the Union or meetings placed under its auspices; he may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
- 130      i) keep up-to-date the official lists, compiled from data supplied for this purpose by the permanent organs of the Union or by Administrations, with the exception of the master registers and such other essential records as may be related to the duties of the International Frequency Registration Board;
- 131      j) publish the recommendations and principal reports of the permanent organs of the Union;
- 132      k) publish international and regional telecommunication agreements communicated to him by the parties thereto, and keep up-to-date records of these agreements;
- 133      l) publish the technical standards of the International Frequency Registration Board, as well as such other data concerning the assignment and utilization of frequencies as are prepared by the Board in the discharge of its duties;
- 134      m) prepare, publish and keep up-to-date with the assistance, where appropriate, of the other permanent organs of the Union:

- 135        1. a record of the composition and structure of the Union;
- 136        2. the general statistics and the official service documents of the Union as prescribed by the Regulations annexed to the Convention;
- 137        3. such other documents as conferences or the Administrative Council may direct;
- 138        n) distribute the published documents;
- 139        o) collect and publish, in suitable form, data, both national and international, regarding telecommunication throughout the world;
- 140        p) assemble and publish, in co-operation with the permanent organs of the Union, both technical and administrative information that might be specially useful to new or 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;
- 141        q) collect and publish such information as would be of assistance to Members and Associate Members regarding the development of technical methods with a view to achieving the most efficient operation of telecommunication services and especially the best possible use of radio frequencies so as to diminish interference;
- 142        r) 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;
- 143        s) prepare and submit to the Administrative Council annual budget estimates which, after approval by the Council, shall be transmitted for information to all Members and Associate Members;
- 144        t) prepare a financial operating report and accounts to be submitted annually to the Administrative Council and recapitulative accounts immediately preceding each Plenipotentiary Conference; these accounts, after audit and approval by the Administrative Council, shall be circulated to the Members and Associate Members and be submitted to the next Plenipotentiary Conference for examination and final approval;

**145** u) prepare an annual report on the activities of the Union which, after approval by the Administrative Council, shall be transmitted to all Members and Associate Members;

**146** v) perform all other secretarial functions of the Union.

**147** 3. The Deputy Secretary-General shall assist the Secretary-General in the performance of his duties and undertake such specific tasks as may be entrusted to him by the Secretary-General. He shall perform the duties of the Secretary-General in the absence of the latter.

**148** 4. The Secretary-General or the Deputy Secretary-General may participate in a consultative capacity, in Plenary Assemblies of International Consultative Committees and in all conferences of the Union; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union.

## ARTICLE 11

### The Officials and Staff of the Union

**149** 1. The Secretary-General, the Deputy Secretary-General and the Directors of the International Consultative Committees, shall all be nationals of different countries, Members of the Union.

**150** 2. (1) In the performance of their duties, the Secretary-General, the Deputy Secretary-General, the members of the International Frequency Registration Board and the Directors of the International Consultative Committees, as well as the staff of the Union, shall neither seek nor accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.

**151** (2) Each Member and Associate Member shall respect the exclusively international character of the duties of the officials mentioned in **150** and of the staff of the Union, and refrain from trying to influence them in the performance of their work.

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

## ARTICLE 12

## International Frequency Registration Board

153 1. The essential duties of the International Frequency Registration Board shall be:

a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations and in accordance with any decisions which may be taken by competent conferences of the Union, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;

154 b) to furnish advice to Members and Associate Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur;

155 c) to perform any additional duties, concerned with the assignment and utilization of frequencies, prescribed by a competent conference of the Union, or by the Administrative Council with the consent of the majority of the Members of the Union in preparation for or in pursuance of the decisions of such a conference;

156 d) to maintain such essential records as may be related to the performance of its duties.

157 2. (1) The International Frequency Registration Board shall consist of eleven independent members designated in accordance with 160 to 169.

158 (2) The members of the Board shall be thoroughly qualified by technical training in the field of radio and shall possess practical experience in the assignment and utilization of frequencies.

159 (3) Moreover, for the more effective understanding of the problems coming before the Board under 154, each member shall be familiar with geographic, economic and demographic conditions within a particular area of the world.

160 3. (1) At each of its meetings, the Ordinary Administrative Radio Conference shall elect the eleven members of the Board. These members shall be chosen from the candidates sponsored by countries, Members of

the Union. Each Member of the Union may propose only one candidate who shall be a national of its country. Each candidate shall possess the qualifications described in 158 and 159.

161 (2) The election procedure shall be established by the Conference itself, in such a way as to ensure an equitable representation of the various parts of the world.

162 (3) At each election any serving member of the Board may be proposed again as a candidate by the country of which he is a national.

163 (4) The members of the Board shall take up their duties on the date determined by the Ordinary Administrative Radio Conference which elected them. They shall normally remain in office until the date determined by the following Conference for their successors to take up their duties.

164 (5) If in the interval between two Ordinary Administrative Radio Conferences, an elected member of the Board resigns or abandons his duties without good cause for a period exceeding three months, the country Member of the Union of which he is a national shall be asked by the Chairman of the Board to provide a replacement as soon as possible, who shall also be a national of that country.

165 (6) If the country Member of the Union, concerned does not provide a replacement within a period of three months from the date of this request, it shall lose its right to designate a person to serve on the Board for the unexpired period of its current term.

166 (7) If in the interval between two Ordinary Administrative Radio Conferences, the replacement also resigns or abandons his duties without good cause for a period exceeding three months, the country Member of the Union of which he is a national shall not be entitled to designate a further replacement.

167 (8) In the circumstances described in 165 and 166, the Chairman of the Board shall then request the country Member of the Union whose candidate had obtained, at the previous election, the largest number of votes among those not elected in the region concerned, to designate that person to serve on the Board for the unexpired period of its current term. If that person is not available, the country concerned shall be invited to designate a replacement who shall be a national of that country.

168 (9) If in the interval between two Ordinary Administrative Radio Conferences an elected member of the Board or his replacement dies, the

country Member of the Union of which he was a national shall retain the right to designate a successor who shall also be a national of that country.

169       (10) In order to safeguard the efficient operation of the Board, any country a national of which has been elected to the Board, shall refrain, as far as possible, from recalling that person between two Ordinary Administrative Radio Conferences.

170       4. (1) The working arrangements of the Board are defined in the Radio Regulations.

171       (2) The members of the Board shall elect from their own numbers a Chairman and a Vice-Chairman, for a period of one year. Thereafter, the Vice-Chairman shall succeed the Chairman each year and a new Vice-Chairman shall be elected.

172       (3) The Board shall be assisted by a specialized secretariat.

173       5. (1) The members of the Board shall serve, not as representatives of their respective countries, or of a region, but as custodians of an international public trust.

174       (2) No member of the Board shall request or receive instructions relating to the exercise of his duties from any government or a member thereof, or from any public or private organization or person. Furthermore, each Member and Associate Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

175       (3) No member of the Board or of its staff shall participate in any manner or have any financial interest whatsoever in any branch of telecommunication, apart from the work of the Board. 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.

## ARTICLE 13

### International Consultative Committees

176       1. (1) The duties of the International Radio Consultative Committee (C.C.I.R.) shall be to study technical and operating questions relating specifically to radiocommunication and to issue recommendations on them.

177 (2) The duties of the International Telegraph and Telephone Consultative Committee (C.C.I.T.T.) shall be to study technical, operating and tariff questions relating to telegraphy and telephony and to issue recommendations on them.

178 (3) In the performance of its duties, each Consultative Committee shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunication in new or developing countries in both the regional and international fields.

179 (4) At the request of the countries concerned, each Consultative Committee may also study and offer advice concerning their national telecommunication problems.

180 2. (1) The questions studied by each International Consultative Committee, on which it shall issue recommendations, shall be those submitted to it by the Plenipotentiary Conference, by an administrative conference, by the Administrative Council, by the other Consultative Committee, or by the International Frequency Registration Board, in addition to those decided upon by the Plenary Assembly of the Consultative Committee itself, or, in the interval between its Plenary Assemblies, when requested or approved by correspondence, by at least twelve Members and Associate Members of the Union.

181 (2) The Plenary Assemblies of the International Consultative Committees are authorized to submit to administrative conferences proposals arising directly from their recommendations or from findings on questions under their study.

182 3. The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

183 b) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, expresses a desire to participate in the work of these Committees.

184 4. Each Consultative Committee shall work through the medium of:

a) the Plenary Assembly, meeting normally every three years. When a corresponding ordinary administrative conference has

been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference;

185 b) study groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;

186 c) a Director elected by the Plenary Assembly. His status shall be that of a permanent official, but his conditions of service may be subject to separate regulation;

187 d) a specialized secretariat, which assists the Director;

188 e) laboratories or technical installations set up by the Union.

189 5. (1) Consultative Committees shall, as far as they apply, observe the Rules of Procedure of Conferences contained in the General Regulations annexed to this Convention.

190 (2) The Plenary Assembly of a Consultative Committee may adopt additional provisions to facilitate the work of the Committee if they do not conflict with the Rules of Procedure of Conferences.

191 6. The working arrangements of the Consultative Committees are defined in Part II of the General Regulations annexed to this Convention.

## ARTICLE 14

### Regulations

192 1. Subject to the provisions of Article 8, the General Regulations contained in Annex 5 to this Convention shall have the same force and duration as the Convention.

193 2. (1) The provisions of the Convention are completed by the following sets of Administrative Regulations which shall be binding on all Members and Associate Members:

Telegraph Regulations,<sup>[1]</sup>

Telephone Regulations,<sup>[2]</sup>

Radio Regulations,<sup>[3]</sup>

Additional Radio Regulations.<sup>[4]</sup>

194 (2) Members and Associate Members shall inform the Secretary-General of their approval of any revision of these Regulations by administrative conferences. The Secretary-General shall inform Members and

<sup>[1]</sup> TIAS 4390; 10 UST 2423.

<sup>[2]</sup> Not printed herein. For declaration by the United States of America, see *post*, p. 1882.

<sup>[3]</sup> TIAS 4893; *post*, p. 2377.

Associate Members promptly regarding receipt of such notifications of approval.

- 195      3. In case of inconsistency between a provision of the Convention and a provision of the Regulations, the Convention shall prevail.

## ARTICLE 15

### Finances of the Union

- 196      1. The expenses of the Union shall comprise the costs of:
- a) the Administrative Council, the General Secretariat, the International Frequency Registration Board, the secretariats of the International Consultative Committees, and the Union's laboratories and technical equipment;
  - b) conferences, which, with regard to the provisions of Articles 6 and 7 of the Convention, are convened by the decision or with the agreement of the majority of the Members of the Union;
  - c) all meetings of the International Consultative Committees.
- 199      2. Expenses incurred by special conferences referred to in 51 which are not covered in 197, and which are of a regional nature as determined by the Administrative Council after ascertaining the majority view of the Members and Associate Members of the region in question, shall be borne in accordance with their unit classification by all the Members and Associate Members of that region, and by any Members and Associate Members of other regions which may have participated in such conferences.
- 200      3. Expenses incurred by other special conferences not covered by 197 and 199 above, shall be borne in accordance with their unit classification by those Members and Associate Members which agree to participate, or have participated in such conferences.
- 201      4. The Administrative Council shall review and approve the annual budget of the Union, taking account of the limits for expenditure set by the Plenipotentiary Conference.
- 202      5. The expenses of the Union shall be met from the contributions of the Members and Associate Members, each Member and Associate Member

paying a sum proportional to the number of units in the class of contribution it has chosen from the following scale:

30 Unit class	8 Unit class
25 "	5 "
20 "	4 "
18 "	3 "
15 "	2 "
13 "	1 "
10 "	½ "

- 203** 6. Members and Associate Members shall be free to choose their class of contribution for defraying Union expenses.
- 204** 7. (1) At least six months before the Convention comes into force, each Member and Associate Member shall inform the Secretary-General of the class of contribution it has chosen.
- 205** (2) This decision shall be notified to Members and Associate Members by the Secretary-General.
- 206** (3) Members and Associate Members who have failed to make known their decision before the date specified by 204 will be required to contribute in accordance with their class of contribution under the provisions of the International Telecommunication Convention (Buenos Aires, 1952).<sup>[1]</sup>
- 207** (4) Members and Associate Members may at any time choose a class of contribution higher than the one already adopted by them.
- 208** (5) No reduction in a unit classification established in accordance with 204 and 206 can take effect during the life of the Convention.
- 209** 8. Members and Associate Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.
- 210** 9. The amounts due shall bear interest from the beginning of each financial year of the Union at 3% (three per cent.) per annum during the first six months, and at 6% (six per cent.) per annum from the beginning of the seventh month.
- 211** 10. (1) Recognized private operating agencies and scientific or industrial organizations shall share in defraying the expenses of the conferences or meetings in which they have agreed to participate, or have participated.

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<sup>[1]</sup> TIAS 3266; 6 UST 1213.

- 212 (2) International organizations shall also share in defraying the expenses of the conferences or meetings in which they have been allowed to participate, unless exempted by the Administrative Council on condition of reciprocity.
- 213 (3) The amounts of these contributions shall be fixed by the Administrative Council and shall be considered as income of the Union. They shall bear interest in accordance with rules established by the Administrative Council.
- 214 11. Expenses incurred by laboratories and technical installations of the Union, in measurements, testing, or special research for individual Members or Associate Members, groups of Members or Associate Members, or regional organizations or others, shall be borne by those Members or Associate Members, groups, organizations or others.
- 215 12. The sale price of documents sold to administrations, recognized private operating agencies, or individuals, shall be determined by the Secretary-General, in collaboration with the Administrative Council, bearing in mind that the cost of printing and distribution should in general be covered by the sale of the documents.

## ARTICLE 16

### Languages

- 216 1. (1) The official languages of the Union shall be Chinese, English, French, Russian and Spanish.
- 217 (2) The working languages of the Union shall be English, French and Spanish.
- 218 (3) In case of dispute, the French text shall be authentic.
- 219 2. (1) The final documents of the plenipotentiary and administrative conferences, their final acts, protocols, resolutions, recommendations and opinions, shall be drawn up in the official languages of the Union, in versions equivalent in form and content.
- 220 (2) All other documents of these conferences shall be issued in the working languages of the Union.
- 221 3. (1) The official service documents of the Union as prescribed by the Administrative Regulations shall be published in the five official languages.

- 222 (2) All other documents for general distribution prepared by the Secretary-General in the course of his duties shall be drawn up in the three working languages.
- 223 4. Any of the documents referred to in 219 to 222 may be published in languages other than those there specified, provided that the Members or Associate Members requesting such publication undertake to defray the whole of the cost of translation and publication involved.
- 224 5. (1) At conferences of the Union and whenever it is necessary at meetings of its permanent organs and of the Administrative Council, the debates shall be conducted with the aid of an efficient system of reciprocal interpretation between the three working languages and Russian.
- 225 (2) When all participants in a meeting agree, the debates may be conducted in fewer than the four languages mentioned above.
- 226 6. (1) At conferences of the Union and at meetings of its permanent organs and of the Administrative Council, languages other than those mentioned in 217 and 224 may be used:
- 227 a) if an application is made to the Secretary-General or to the Head of the permanent organ concerned to provide for the use of an additional language or languages, oral or written, provided that the additional cost so incurred shall be borne by those Members and Associate Members which have made or supported the application;
- 228 b) if any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in 224.
- 229 (2) In the case provided for in 227, the Secretary-General or the Head of the permanent organ concerned shall comply to the extent practicable with the application, having first obtained from the Members or Associate Members concerned an undertaking that the cost incurred will be duly repaid by them to the Union;
- 230 (3) In the case provided for in 228, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral interpretation into its own language from one of the languages referred to in 224.

## CHAPTER II

### Application of the Convention and Regulations

#### ARTICLE 17

##### Ratification of the Convention

- 231 1. This Convention shall be ratified by each of the signatory governments. The instruments of ratification shall be deposited, in as short a time as possible, with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall notify the Members and Associate Members of each deposit of ratification.
- 232 2. (1) During a period of two years from the date of entry into force of this Convention, a signatory government, even though it may not have deposited an instrument of ratification in accordance with the provisions of 231, shall enjoy the rights conferred on Members of the Union in 13 to 15.
- 233 (2) After the end of a period of two years from the date of entry into force of this Convention, a signatory government which has not deposited an instrument of ratification in accordance with the provisions of 231 shall not be entitled to vote at any conference of the Union, or at any session of the Administrative Council or at any meeting of any of the permanent organs of the Union until it has so deposited such an instrument.
- 234 3. After the entry into force of this Convention in accordance with Article 52, each instrument of ratification shall become effective on the date of its deposit with the General Secretariat.
- 235 4. If one or more of the signatory governments do not ratify the Convention, it shall not thereby be less valid for the governments which have ratified it.

#### ARTICLE 18

##### Accession to the Convention

- 236 1. The government of a country, not a signatory of this Convention, may accede thereto at any time subject to the provisions of Article 1.

- 237     2. The instrument of accession shall be deposited with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. Unless otherwise specified therein, it shall become effective upon the date of its deposit. The Secretary-General shall notify the Members and Associate Members of each accession when it is received and shall forward to each of them a certified copy of the act of accession.

## ARTICLE 19

### **Application of the Convention to Countries or Territories for whose Foreign Relations Members of the Union are responsible**

- 238     1. Members of the Union may declare at any time that their acceptance of this Convention applies to all or a group or a single one of the countries or territories for whose foreign relations they are responsible.
- 239     2. A declaration made in accordance with 238 shall be communicated to the Secretary-General of the Union. The Secretary-General shall notify the Members and Associate Members of each such declaration.
- 240     3. The provisions of 238 and 239 shall not be deemed to be obligatory in respect of any country, territory or group of territories listed in Annex 1 of this Convention.

## ARTICLE 20

### **Application of the Convention to Trust Territories of the United Nations**

- 241     The United Nations shall have the right to accede to this Convention on behalf of any territory or group of territories placed under its administration in accordance with a trusteeship agreement as provided for in Article 75 of the Charter of the United Nations. [<sup>1</sup>]

## ARTICLE 21

### **Execution of the Convention and Regulations**

- 242     1. The Members and Associate Members are bound to abide by the provisions of this Convention and the Regulations annexed thereto in all telecommunication offices and stations established or operated by them

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<sup>1</sup> TS 993; 59 Stat. 1048.

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 50 of this Convention.

- 243** 2. They are also bound, in addition, to take the necessary steps to impose the observance of the provisions of this Convention and of the Regulations annexed thereto upon private operating agencies authorized by them to establish and operate telecommunication and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

## ARTICLE 22

### **Denunciation of the Convention**

- 244** 1. Each Member and Associate Member which has ratified, or acceded to, this Convention shall have the right to denounce it by a notification addressed to the Secretary-General of the Union by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall advise the other Members and Associate Members thereof.

- 245** 2. This denunciation shall take effect at the expiration of a period of one year from the day of the receipt of notification of it by the Secretary-General.

## ARTICLE 23

### **Denunciation of the Convention on behalf of Countries or Territories for whose Foreign Relations Members of the Union are responsible**

- 246** 1. The application of this Convention to a country, territory or group of territories in accordance with Article 19 may be terminated at any time, and such country, territory or group of territories, if it is an Associate Member, ceases upon termination to be such.

- 247** 2. The declaration of denunciation contemplated in the above paragraph shall be notified in conformity with the conditions set out in 244; it shall take effect in accordance with the provisions of 245.

**ARTICLE 24****Abrogation of the earlier Convention**

- 248** This Convention shall abrogate and replace, in relations between the Contracting Governments, the International Telecommunication Convention of Buenos Aires, 1952.<sup>[1]</sup>

**ARTICLE 25****Validity of Administrative Regulations in force**

- 249** The Administrative Regulations referred to in 193, shall be regarded as annexed to this Convention and shall remain valid until the time of entry into force of new Regulations drawn up by the competent ordinary, and where the case arises, extraordinary administrative conferences.

**ARTICLE 26****Relations with Non-contracting States**

- 250** 1. Each Member and Associate Member reserves to itself and to the recognized private operating agencies the right to fix the conditions under which it admits telecommunications exchanged with a State which is not a party to this Convention.
- 251** 2. If a telecommunication originating in the territory of such a non-contracting State is accepted by a Member or Associate Member, it must be transmitted and, in so far as it follows the telecommunication channels of a Member or Associate Member, the obligatory provisions of the Convention and Regulations and the usual charges shall apply to it.

**ARTICLE 27****Settlement of Differences**

- 252** 1. Members and Associate Members may settle their differences on questions relating to the application of this Convention or of the Regulations contemplated in Article 14, through diplomatic channels, or according to

<sup>[1]</sup> TIAS 3266; 6 UST 1213.

procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

- 253     2. If none of these methods of settlement is adopted, any Member or Associate Member party to a dispute may submit the dispute to arbitration in accordance with the procedure defined in Annex 4.

## CHAPTER III

### **Relations with the United Nations and with International Organizations**

#### **ARTICLE 28**

##### **Relations with the United Nations**

- 254     1. The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement, the text of which appears in Annex 6 of this Convention.
- 255     2. In accordance with the provision of Article XVI of the above-mentioned Agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Administrative Regulations annexed thereto.<sup>[1]</sup> Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity.

#### **ARTICLE 29**

##### **Relations with International Organizations**

- 256     In furtherance of complete international coordination on matters affecting telecommunication, the Union will co-operate with international organizations having related interests and activities.

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<sup>1</sup> See footnotes, *ante*, p. 1788.

## CHAPTER IV

### General Provisions relating to Telecommunications

#### ARTICLE 30

##### The Right of the Public to use the International Telecommunication Service

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

#### ARTICLE 31

##### Stoppage of Telecommunications

- 258 1. Members and Associate Members reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the State or contrary to their laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.
- 259 2. Members and Associate Members also reserve the right to cut off any private telephone or telegraph communication which may appear dangerous to the security of the State or contrary to their laws, to public order or to decency.

#### ARTICLE 32

##### Suspension of Services

- 260 Each Member and Associate Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspond-

ence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members and Associate Members through the medium of the General Secretariat.

## ARTICLE 33

### **Responsibility**

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

## ARTICLE 34

### **Secrecy of Telecommunications**

**262** 1. Members and Associate Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

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

## ARTICLE 35

### **Establishment, Operation, and Protection of Telecommunication Installations and Channels**

**264** 1. Members and Associate Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.

**265** 2. So far as possible, these channels and installations must be operated by the best methods and procedures developed as a result of practical operating experience, maintained in proper operating condition and kept abreast of scientific and technical progress.

- 266**     3. Members and Associate Members shall safeguard these channels and installations within their jurisdiction.
- 267**     4. Unless other conditions are laid down by special arrangements, each Member and Associate Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

## ARTICLE 36

### **Notification of Infringements**

- 268**     In order to facilitate the application of the provisions of Article **21** of this Convention, Members and Associate Members undertake to inform one another of infringements of the provisions of this Convention and of the Regulations annexed thereto.

## ARTICLE 37

### **Charges and Free Services**

- 269**     The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Regulations annexed to this Convention.

## ARTICLE 38

### **Priority of Telecommunications concerning Safety of Life**

- 270**     The international telecommunication services must accord absolute priority to telecommunications concerning safety of life at sea, on land, or in the air, and to epidemiological telecommunications of exceptional urgency of the World Health Organization.

## ARTICLE 39

### **Priority of Government Telegrams and Telephone Calls**

- 271**     Subject to the provisions of Articles **38** and **48** of this Convention, government telegrams shall enjoy priority over other telegrams when priority is requested for them by the sender. Government telephone calls may also be accorded priority, upon specific request and to the extent practicable, over other telephone calls.

## ARTICLE 40

### **Secret Language**

- 272      1. Government telegrams and service telegrams may be expressed in secret language in all relations.
- 273      2. Private telegrams in secret language may be admitted between all countries with the exception of those which have previously notified, through the medium of the General Secretariat, that they do not admit this language for those categories of correspondence.
- 274      3. Members and Associate Members which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 32 of this Convention.

## ARTICLE 41

### **Rendering and Settlement of Accounts**

- 275      1. Administrations of Members and Associate Members and recognized private operating agencies which operate international telecommunication services, shall come to an agreement with regard to the amount of their credits and debits.
- 276      2. The statements of accounts in respect to debits and credits referred to in 275 shall be drawn up in accordance with the provisions of the Regulations annexed to this Convention, unless special arrangements have been concluded between the parties concerned.
- 277      3. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 43 of this Convention, these settlements shall be effected in accordance with the Regulations.

## ARTICLE 42

### **Monetary Unit**

- 278      The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts shall be the gold franc of 100 centimes, of a weight of 10/31 of a gramme and of a fineness of 0.900.

**ARTICLE 43****Special Agreements**

- 279** Members and Associate Members reserve for themselves, for the private operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special agreements on telecommunication matters which do not concern Members and Associate Members in general. Such agreements, however, shall not be in conflict with the terms of this Convention or of the Regulations annexed thereto, so far as concerns the harmful interference which their operation might be likely to cause to the radio services of other countries.

**ARTICLE 44****Regional Conferences, Agreements and Organizations**

- 280** Members and Associate Members reserve the right to convene regional conferences, to conclude regional agreements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. However, such agreements must not be in conflict with this Convention.

**CHAPTER V****Special Provisions for Radio****ARTICLE 45****Rational use of Frequencies and Spectrum Space**

- 281** Members and Associate Members recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services.

## ARTICLE 46

### **Intercommunication**

- 282     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.
- 283     2. Nevertheless, in order not to impede scientific progress, the provisions of 282 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.
- 284     3. Notwithstanding the provisions of 282, 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 47

### **Harmful Interference**

- 285     1. All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio services or communications of other Members or Associate Members or of recognized private operating agencies, or of other duly authorized operating agencies which carry on radio service, and which operate in accordance with the provisions of the Radio Regulations.
- 286     2. Each Member or Associate Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of 285.
- 287     3. Further, the Members and Associate Members recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in 285.

**TIAS 4892**

**ARTICLE 48****Distress Calls and Messages**

- 288** 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 49****False or Deceptive Distress, Safety or Identification Signals**

- 289** Members and Associate Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, safety or identification signals, and to collaborate in locating and identifying stations transmitting such signals from their own country.

**ARTICLE 50****Installations for National Defence Services**

- 290** 1. Members and Associate Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.
- 291** 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 Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.
- 292** 3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Regulations annexed to this Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

## CHAPTER VI

### Definitions

#### ARTICLE 51

### Definitions

- 293 In this Convention, unless the context otherwise requires,  
a) the terms which are defined in Annex 3 of this Convention shall have the meanings therein assigned to them;  
294 b) other terms which are defined in the Regulations referred to in Article 14 shall have the meanings therein assigned to them.

## CHAPTER VII

### Final Provisions

#### ARTICLE 52

### Effective Date of the Convention

- 295 The present Convention shall enter into force on January first nineteen hundred and sixty-one between countries, territories or groups of territories, in respect of which instruments of ratification [¹] or accession have been deposited before that date.

IN WITNESS WHEREOF the respective plenipotentiaries have signed [²] the Convention in each of the Chinese, English, French, Russian and Spanish languages, in a single copy, in which in case of dispute, the French text shall be authentic, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Geneva, 21 December, 1959.

<sup>1</sup> Reservations and declarations accompanying instruments of ratification at the time of deposit thereof are quoted or cited in footnotes to the designated countries on the signature pages herein.

<sup>2</sup> Reservations and declarations made by certain signatories are contained in the Final Protocol; *post*, pp. 1880–1889.

Pour l'Afghanistan:



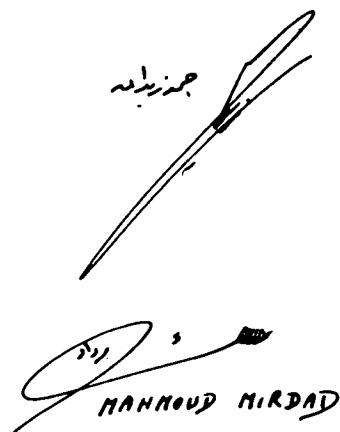
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Pour la République Populaire d'Albanie:



D. LAMANI

Pour le Royaume de l'Arabie Saoudite:



A. ZAIDAN  
M. MIRDAD

Pour la République Argentine:

L. M. Iriarte  
Oncioy  
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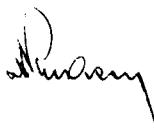
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Pour la Fédération de l'Australie:

J. L. Skerrett

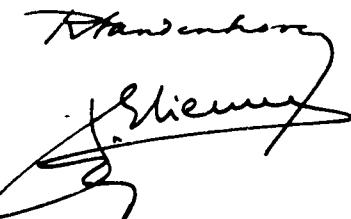
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Pour l'Autriche:



N. WENINGER  
M. KRASSER

Pour la Belgique:



R. VANDENHOVE  
J. ETIENNE

Pour la République Socialiste Soviétique  
de Biélorussie:



P.V. AFANASIEV

Pour l'Union de Birmanie:



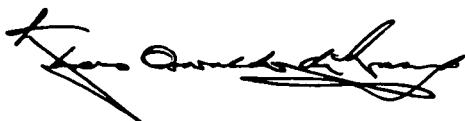
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M. LWIN

Pour la Bolivie:



J. CUADROS QUIROGA

Pour le Brésil:



L.O. DE MIRANDA

Pour la République Populaire de Bulgarie:



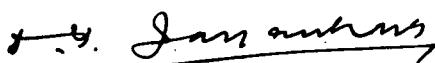
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I. PETROV

Pour le Canada:



M.H. WERSHOF

Pour Ceylan:



D.P. JAYASEKARA  
C.A.R. ANKETELL

Pour la Chine:

于立秀 Yu Li-sueh. chi  
柳光达 Liu Keh-shan  
陈锐 Chen Shui-jen  
毛遵孔 Miao Tsao-wong

T. YU  
K. LIU  
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Pour l'Etat de la Cité du Vatican:

Antonio Stefanizzi  
Johann de Riedmatten

A. STEFANIZZI  
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Pour la République de Colombie:

Santiago Quijano  
R. Arciniegas  
L. Ramirez Arana  
M.G. Vega  
S. Albornoz Plata  
Vito Jimenez Suarez

S. QUIJANO C.  
R. ARCIENIEGAS  
L. RAMIREZ ARANA  
M.G. VEGA  
S. ALBORNOZ PLATA  
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Pour le Congo Belge et Territoire  
du Ruanda Urundi:

J. Segall  
J. Etienne

S. SEGALL  
J. ETIENNE

Pour la République de Corée:

7/8/ Yoryosik Kim

8/15 Nam Soo Lim

8/20 Cho Dong Pak

Y.S. KIM  
N.S. LIM  
C.W. PAK

Pour Costa Rica:

A. Donnadiu

A.P. DONNADIEU

Pour Cuba:

Miguel Boíl Agüilar

Carlos Estrada Castro

Mauricio Longoria

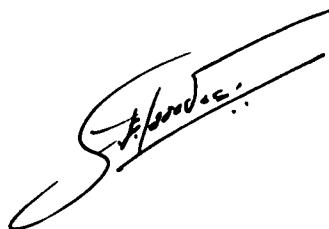
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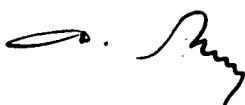
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B. NIELSEN  
C.B. NIELSEN

Pour la République Dominicaine:



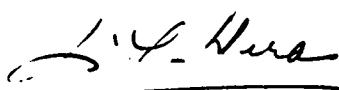
S.E. PARADAS

Pour la République de El Salvador:



A. AMY

Pour l'Espagne:

  
L.G. Llera  
José Garrido.

L.G. LLERA  
J. GARRIDO

Pour les Etats d'Outre-Mer de la Communauté  
et Territoires français d'Outre-Mer:

The image shows seven handwritten signatures arranged vertically. From top to bottom, they are: 'H. Farat', 'J. Meyer', 'E. Skinazi', 'M. Ntsiba', 'J. Agoah', 'C. Ramanitra', and 'M. Bouquin'. Each signature is written in cursive ink.

H. FARAT  
J. MEYER  
E. SKINAZI  
M. NTSIBA  
J. AGOH  
C. RAMANITRA  
M. BOUQUIN

Pour les Etats-Unis d'Amérique: [<sup>1</sup>]

The image shows two handwritten signatures. The top signature reads 'F. COLT DE WOLF' and the bottom signature reads 'R.H. HYDE'. Both are written in cursive ink.

F. COLT DE WOLF  
R.H. HYDE

<sup>1</sup> For texts of declarations contained in ratification, see *post*, p. 2375.

Pour l'Ethiopie:

TMC&6 TECN Gabriel Tedros

Ahmed Admassie

G. TEDROS  
B. ADMASSIE

Pour la Finlande:

S. J. Ahola  
U. A. Talvitie  
E. Heino

S.J. AHOLA  
U.A. TALVITIE  
E. HEINO

Pour la France:

A. Drevet

G. Terras

L.A. Lamoitier

J.-P. Gascuel

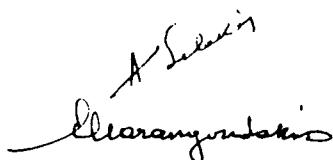
A. DREVET  
G. TERRAS  
L.A. LAMOITIER  
J.-P. GASQUEL

Pour Ghana:



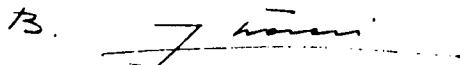
F.M. KORAM

Pour la Grèce:



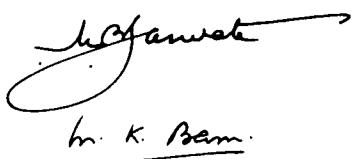
A. LELAKIS  
A. MARANGOUDAKIS

Pour la République Populaire Hongroise:



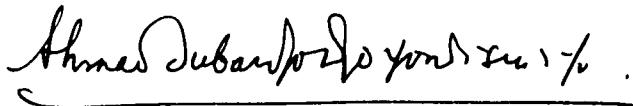
J. IVANYI

Pour la République de l'Inde:



M.B. SARWATE  
M.K. BASU

Pour la République d'Indonésie:



A. SUBARDJO DJOYOADISURYO

Pour l'Iran:

H. SAMIY

Pour la République d'Iraq:

M.A. BAGHDADI  
I. ELWALI

Pour l'Irlande:

J.A. SCANNELL  
G.E. ENRIGHT  
T.P. SEOIGHE

Pour l'Islande:

G. BRIEM  
S. THORKELSSON

Pour l'Etat d'Israël:

M.E. BERMAN  
D. HAREVEN  
M. KAHANY

Pour l'Italie:

A. BERIO  
F. NICOTERA

Pour le Japon:

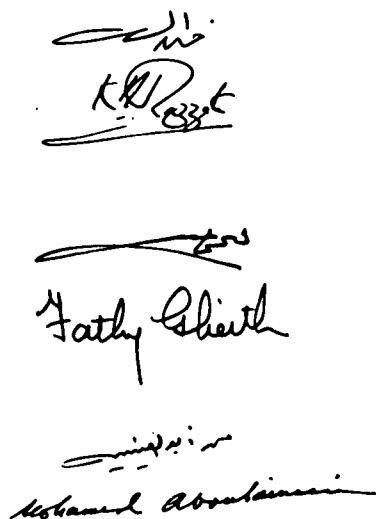
K. OKUMURA  
H. MATSUDA  
T. HACHIFUJI

Pour le Royaume Hachémite de Jordanie:



A.M. MORTADA

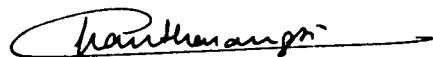
Pour Kuwait:



K.A. RAZZAQ  
F. GHEITH  
M.A. ABUALAINAIN

TIAS 4892

Pour le Royaume du Laos:



G.H.  
SENGIER

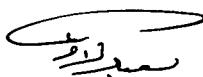
T. CHANTHARANGSI  
G.H. SENGIER

Pour le Liban:



H. OSSEIRAN

Pour le Royaume-Uni de Libye:



K. EL ATRASH

Pour le Luxembourg:



E. RAUS

Pour la Fédération de Malaisie:

Sardullo Jubir

W. Stubbs.

Lee Chye Watt

B.H. JUBIR, SARDON  
W. STUBBS  
C.W. LEE

Pour le Royaume du Maroc:

AOUAD Mohamed

Abdellatif

HADJ NASSAR MOHTAR

J. T. T. T. T.

BERRADA Abderrazak

Abderrazak

BENKIRANE Abdellah

Abdellah

M. AOUAD  
M.H. NASSER  
A. BERRADA  
A. BENKIRANE

Pour le Mexique:

Carlos Núñez A.

C. NUÑEZ A.

Pour Monaco:

C. SOLAMITO  
R. BICKERT

Pour le Népal:

J.N. SINGHA

Pour le Nicaragua:

A.A. MULLHAUPT

Pour la Norvège:

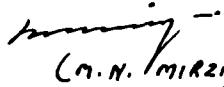
Sv. RYNNING-TØNNESEN  
L. LARSEN  
A. STRAND

Pour la Nouvelle-Zélande:<sup>[1]</sup>

J.B. DARNELL  
E.S. DOAK

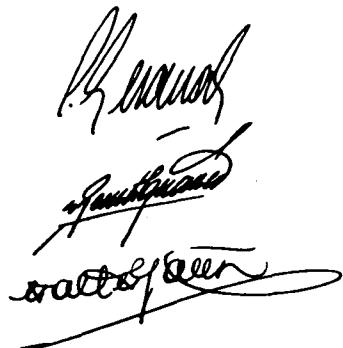
<sup>[1]</sup> Declaration, accompanying ratification deposited May 31, 1961, that ". . . acceptance of the Convention and the accompanying Protocols applies to the Cook Islands (including Niue) and the Tokelau Islands." (Source: ITU Notification No. 867, June 1, 1961.) Declaration communicated June 16, 1961, to the Secretary General of ITU that "the ratification of this Convention . . . by the Government of New Zealand applies also to the Trust Territory of Western Samoa." (Source: ITU Notification No. 874, Sept. 1, 1961.)

Pour le Pakistan:

  
(M.N. MIRZA)

M.N. MIRZA

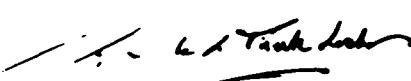
Pour le Paraguay:

  
S. GUANES  
B. GUANES  
W. GARCIA

Pour le Royaume des Pays-Bas:<sup>[1]</sup>

  
J.D.H. VAN DER TOORN  
A.J. EHNLÉ  
H.J. SCHIPPERS

Pour le Pérou:



M. DE LA FUENTE LOCKER

<sup>[1]</sup> Ratification deposited June 29, 1961, states: ". . . on behalf of the Kingdom in Europe, Surinam, the Netherlands Antilles, and Netherlands New Guinea." (Source: ITU Notification No. 869, July 1, 1961.)

Pour la République des Philippines:

The image shows four distinct handwritten signatures stacked vertically. The top signature is a stylized 'J.S. Alfonso'. Below it is 'G. Canon' with a small '6' next to it. The third signature is 'F. TRINIDAD' with a horizontal line through it. The bottom signature is 'A.P.B. Frago'.

J.S. ALFONSO  
G. CANON  
F. TRINIDAD  
A.P.B. FRAGO

Pour la République Populaire de Pologne:

The image shows two handwritten signatures. The top signature is 'H. Baczko' and the bottom signature is 'K. Kozlowski'.

H. BACZKO  
K. KOZLOWSKI

Pour le Portugal:

José M. Pereira  
M. A. Vieira  
F. Eloy  
A. de Sousa  
A. Oliveira Baptista  
L. Gois Figueira

H.M. PEREIRA  
M.A. VIEIRA  
F. ELOY  
A. DE SOUSA  
A. OLIVEIRA BAPTISTA  
L. GOIS FIGUEIRA

Pour les Provinces portugaises d'Outre Mer:

A.J. Magro  
J.A. Rogado Quintino  
A.A. dos Santos

A.J. MAGRO  
J.A. ROGADO QUINTINO  
A.A. DOS SANTOS

Pour la République Arabe Unie:

*est à l'assistance*  
*M. M. Riad*  
*G. M. Mehrez*  
*A. El Bardai*  
*C. S. Saif*  
*Abu Samia Saif*

M.M. RIAD  
G.M. MEHREZ  
A. EL BARDAI  
A.S. SAFWAT

Pour la Republique Fédérale d'Allemagne:

*Rainer Thierfelder*  
*Oskar Kirchner*

R. THIERFELDER  
O. KIRCHNER

Pour la République Fédérative Populaire  
de Yougoslavie:

Slobodan

V. SENK

Pour la République Socialiste Soviétique  
de l'Ukraine:

Svirca

I.P. LIKSO

Pour la République Populaire Roumaine:

Grigore

Bonita

P. Postelnicu

M. GRIGORE  
B. IONITA  
P. POSTELNICU

Pour le Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord, y compris [1]  
les îles Anglo-Normandes et l'île de Man:

T.C. Rapp  
W.A. Wolverson  
H.A. Daniels  
Elizabeth M. Perry

H.A. Daniels  
Elizabeth M. Perry

T.C. RAPP  
W.A. WOLVERSON  
H.A. DANIELS  
ELIZABETH M. PERRY

Pour la République du Soudan:

السودان  
السودان  
Suliman Hosseini  
H.I. Beshir

S. HOSSEIN  
H.I. BESHIR

<sup>1</sup> In translation reads: "For the United Kingdom of Great Britain and Northern Ireland, including the Channel Islands and Isle of Man".

Pour la Suède:

Håkan Sterky  
B. Olters  
Simeon Hultare

H. STERKY  
B. OLTERS  
S. HULTARE

Pour la Confédération Suisse:

Eduard Weber  
Albert Wettstein  
A. Langenberger  
F. Locher  
C. Chappuis

E. WEBER  
A. WETTSTEIN  
A. LANGENBERGER  
F. LOCHER  
C. CHAPPUIS

Pour la Tchécoslovaquie:

J. Manák  
G. Vodnansky

J. MANAK  
G. VODNANSKY

Pour les Territoires d'Outre-Mer dont les  
relations internationales sont assurées par le  
Gouvernement du Royaume-Uni  
de la Grande Bretagne et de l'Irlande du Nord:<sup>[1]</sup>

A.H. SHEFFIELD  
J. BOURN  
L.W. DUDLEY

Pour la Thaïlande:

M. CHULLAKESA  
M.L.O. SIRIVONGS

Pour la Tunisie:

M. MILI

<sup>1</sup> In translation reads: "For the Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland is responsible.".

Pour la Turquie:

G. YENAL  
I. BILGIC A. RIZA HIZAL.

Pour l'Union de l'Afrique du Sud [1]  
et Territoire de l'Afrique du Sud-Ouest:

J.E. MELLON

Pour l'Union des Républiques Socialistes Soviétiques:

I. KLOKOV

Pour la République Orientale de l'Uruguay:

V. POMES  
A. GALIMBERTI  
B. BARREIRO

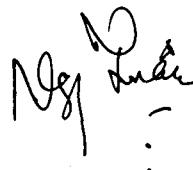
<sup>1</sup> See footnote, *post*, p. 1835.

Pour la République de Vénézuela:



J.A. LOPEZ

Pour la République du Viet-Nam:



Nguy  
Quang  
Tuan

NGUYEN-KHAC-THAM  
NGUYEN-QUANG-TUAN

Pour l'Afrique orientale britannique :

Pour le Gouvernement du Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord en ce qui concerne  
l'Afrique Orientale Britannique

The image shows two handwritten signatures. The top signature is "M.W. Manson" written in a cursive style. Below it is another signature, "R. Bolton", also in cursive. A horizontal line is drawn through both signatures.

M.W. MANSON  
R. BOLTON

**ANNEX 1**

(see number 4)

Afghanistan	Guatemala
Albania (People's Republic of)	Guinea (Republic of)
Saudi Arabia (Kingdom of)	Haiti (Republic of)
Argentine Republic	Honduras (Republic of)
Australia (Commonwealth of)	Hungarian People's Republic
Austria	India (Republic of)
Belgium	Indonesia (Republic of)
Bielorussian Soviet Socialist Republic	Iran
Burma (Union of)	Iraq (Republic of)
Bolivia	Ireland
Brazil	Iceland
Bulgaria (People's Republic of)	Israel (State of)
Cambodia (Kingdom of)	Italy
Canada	Japan
Ceylon	Jordan (Hashemite Kingdom of)
Chile	Kuwait
China	Laos (Kingdom of)
Vatican City State	Lebanon
Colombia (Republic of)	Liberia
Belgian Congo and Territory of Ruanda-Urundi	Libya (United Kingdom of)
Korea (Republic of)	Luxembourg
Costa Rica	Malaya (Federation of)
Cuba	Morocco (Kingdom of)
Denmark	Mexico
Dominican Republic	Monaco
El Salvador (Republic of)	Nepal
Ecuador	Nicaragua
Spain	Norway
Overseas States of the French Community and French Overseas Territories	New Zealand
United States of America	Pakistan
Ethiopia	Panama
Finland	Paraguay
France	Netherlands (Kingdom of the)
Ghana	Peru
Greece	Philippines (Republic of the)
	Poland (People's Republic of)
	Portugal
	Spanish Provinces in Africa
	Portuguese Oversea Provinces

United Arab Republic	Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible
Federal Republic of Germany	
Federal People's Republic of Yugoslavia	
Ukrainian Soviet Socialist Republic	
Rhodesia and Nyasaland (Federation of)	Thailand
Roumanian People's Republic	Tunisia
United Kingdom of Great Britain and Northern Ireland	Turkey
Sudan (Republic of the)	Union of South Africa and Territory of South-West Africa <sup>1</sup>
Sweden	Union of Soviet Socialist Republics
Switzerland (Confederation)	Uruguay (Oriental Republic of)
Czechoslovakia	Venezuela (Republic of)
Territories of the United States of America	Viet-Nam (Republic of)
	Yemen

## ANNEX 2

(see number 7)

British West Africa	Singapore-British Borneo Group
British East Africa	Trust Territory of Somaliland under Italian Administration
Bermuda-British Caribbean Group	

<sup>1</sup> Effective May 31, 1961, this name was changed to "Republic of South Africa and Territory of South-West Africa". (Source: ITU Notification No. 867, June 1, 1961.)

## ANNEX 3

(see Article 51)

### **Definition of Terms used in the International Telecommunication Convention and its Annexes**

- 300**     *Administration:* Any governmental department or service responsible for implementing the obligations undertaken in the International Telecommunication Convention and the Regulations annexed thereto.
- 301**     *Private operating agency:* Any individual or company or corporation, other than a governmental establishment or agency, which operates a telecommunication installation intended for an international telecommunication service or which is capable of causing harmful interference with such a service.
- 302**     *Recognized private operating agency:* Any private operating agency, as defined above, which operates a service of public correspondence or of broadcasting and upon which the obligations provided for in Article 21 are imposed by the Member or Associate Member in whose territory the head office of the agency is situated, or by the Member or Associate Member which has authorized this operating agency to establish and operate a telecommunication service on its territory.
- 303**     *Delegate:* A person sent by the government of a Member or Associate Member of the Union to a Plenipotentiary Conference, or a person representing a government or an administration of a Member or Associate Member of the Union at an administrative conference, or at a meeting of an International Consultative Committee.
- 304**     *Representative:* A person sent by a recognized private operating agency to an administrative conference, or to a meeting of an International Consultative Committee.
- 305**     *Expert:* A person sent by a national scientific or industrial organization which is authorized by the government or the administration of its country

to attend meetings of study groups of an International Consultative Committee.

**306**      *Observer:* A person sent by:

- the United Nations in accordance with Article 28 of the Convention;
- one of the international organizations invited or admitted in accordance with the provisions of the General Regulations to participate in the work of a conference;
- the government of a Member or Associate Member of the Union participating in a non-voting capacity in a special conference of a regional character held under the terms of Article 7 of the Convention.

**307**      *Delegation:* The totality of the delegates and, should the case arise, any representatives, attachés or interpreters sent by the same country.

Each Member and Associate Member shall be free to make up its delegation as it wishes. In particular it may include in its delegation in the capacity of delegates or advisers, persons belonging to private operating agencies which it recognizes or persons belonging to other private enterprises interested in the field of telecommunication.

**308**      *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.

**309**      *Telegraphy:* A system of telecommunication which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such a form. For the purposes of the Radio Regulations, however, unless otherwise specified therein, telegraphy shall mean "A system of telecommunication for the transmission of written matter by the use of a signal code".

**310**      *Telephony:* A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.

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

- 312**    *Radio:* A general term applied to the use of radio waves.
- 313**    *Harmful Interference:* Any emission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services<sup>1</sup>, or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations.
- 314**    *International Service:* A telecommunication service between telecommunication offices or stations of any nature which are in different countries or are subject to different countries.
- 315**    *Mobile Service:* A service of radiocommunication between mobile and land stations, or between mobile stations.
- 316**    *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 transmissions.
- 317**    *Public Correspondence:* Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.
- 318**    *Telegram:* Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified.
- 319**    *Government Telegrams and Government Telephone Calls:* Telegrams or telephone calls originating with any of the authorities specified below:

- the Head of a State;
- the Head of a government and members of a government;
- the Head of a territory, or the Head of a territory forming part of a group, Member or Associate Member;

---

<sup>1)</sup> Any radiocommunication service used permanently or temporarily for the safeguarding of human life and property.  
[Footnote in the certified text.]

- the Head of a territory under the trusteeship or mandate of the United Nations or of a Member or Associate Member;
- 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 at The Hague.

**320** Replies to government telegrams as defined herein shall also be regarded as government telegrams.

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

**322** *Service Telegrams:* Telegrams exchanged between:

- a) administrations;
- b) recognized private operating agencies;
- c) administrations and recognized private operating agencies;
- d) administrations and recognized private operating agencies, on the one hand, and the Secretary-General, on the other,

and relating to public international telecommunication.

## ANNEX 4

(see Article 27)

### **Arbitration**

- 400**      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.
- 401**      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.
- 402**      3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.
- 403**      4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Members or Associate Members which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.
- 404**      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.
- 405**      6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in **403** and **404**, by each of the two groups of parties having a common position in the dispute.
- 406**      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 **402**, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General of the Union shall then draw lots in order to select the third arbitrator.

- 407** 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 of the Union to draw lots to decide which of the persons so nominated is to act as the single arbitrator.
- 408** 9. The arbitrator or arbitrators shall be free to decide upon the procedure to be followed.
- 409** 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.
- 410** 11. Each party shall bear the expense it shall have incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.
- 411** 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

**ANNEX 5****General Regulations annexed to the  
International Telecommunication Convention****PART I****General Provisions Regarding Conferences****CHAPTER 1****Invitation and Admission to Plenipotentiary Conferences,  
when there is an Inviting Government**

- 500**      1. The inviting government, in agreement with the Administrative Council, shall fix the definitive date and the exact place of the conference.
- 501**      2. (1) One year before this date, the inviting government shall send an invitation to the government of each country Member of the Union and to each Associate Member of the Union.
- 502**      (2) These invitations may be sent directly or through the Secretary-General or through another government.
- 503**      3. The Secretary-General shall send an invitation to the United Nations in accordance with Article 28 of the Convention.
- 504**      4. The inviting government, in agreement with or on a proposal by the Administrative Council, may invite such specialized agencies in relationship with the United Nations as grant to the Union reciprocal representation at their conferences to send observers to take part in the conferences in an advisory capacity.
- 505**      5. The replies of the Members and Associate Members must reach the inviting government not later than one month before the date of opening

of the conference, and should include whenever possible full information on the composition of the delegation.

**506** 6. Any permanent organ of the Union shall be entitled to be represented at the conference in an advisory capacity when the conference is discussing matters coming within its competence. In case of need, the conference may invite an organ which has not considered it necessary to be represented.

**507** 7. The following shall be admitted to Plenipotentiary Conferences:

*a)* delegations as defined in **307** of Annex 3 to the Convention;

**508** *b)* observers of the United Nations;

**509** *c)* observers of the specialized agencies in conformity with **504**.

## CHAPTER 2

### **Invitation and Admission to Administrative Conferences, when there is an Inviting Government**

**510** 1. (1) The provisions of **500** to **505** above shall be applicable to administrative conferences.

**511** (2) However, as regards extraordinary administrative conferences and special conferences, the time-limit for the despatch of invitations may be reduced to six months.

**512** (3) Members and Associate Members of the Union may inform the private operating agencies recognized by them of the invitation they have received.

**513** 2. (1) The inviting government, in agreement with or on a proposal by the Administrative Council, may notify the international organizations which are interested in sending observers to participate in the work of the conference in an advisory capacity.

**514** (2) The interested international organizations shall make applications for admission to the inviting government within a period of two months from the date of the notification.

**515** (3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted or not.

**516** 3. (1) The following shall be admitted to administrative conferences:

*a)* delegations as defined in **307** of Annex 3 to the Convention;

- 517            b) observers of the United Nations;
- 518            c) observers of the specialized agencies in conformity with 504;
- 519            d) observers from international organizations admitted in accordance with 513 to 515;
- 520            e) representatives of recognized private operating agencies, duly authorized by the Member country to which they belong;
- 521            f) permanent organs of the Union, subject to the conditions set forth in 506.
- 522            (2) Moreover, observers from Members and Associate Members which do not belong to the region concerned shall be admitted to special conferences of a regional character.

## CHAPTER 3

### **Special Provisions for Conferences meeting when there is no Inviting Government**

- 523        When a conference is to be held without an inviting government the provisions of Chapters 1 and 2 are applicable. The Secretary-General shall take the necessary steps to convene and organize it at the seat of the Union, after agreement with the Government of the Swiss Confederation.

## CHAPTER 4

### **Time-limits for presentation of proposals to Conferences and conditions of submission**

- 524        1. Immediately after the invitations have been despatched, the Secretary-General shall ask Members and Associate Members to send him, within four months, their proposals for the work of the conference.

525 2. All proposals submitted, the adoption of which will involve revision of the text of the Convention or Regulations, must carry references identifying by chapter, article or paragraph number those parts of the text which will require such revision. The reasons for the proposal must be given, as briefly as possible, in each case.

526 3. The Secretary-General shall assemble and coordinate the proposals received from administrations and from the International Consultative Committees and shall communicate them, at least three months before the opening of the conference, to all Members and Associate Members.

## CHAPTER 5

### Credentials for Conferences

527 1. (1) Delegations sent by Members of the Union to take part in a conference must be duly accredited to exercise their right to vote and must be furnished with the necessary powers for the signing of the Final Acts.

528 (2) Delegations sent by Associate Members of the Union to take part in the conference must be duly accredited to participate therein in accordance with 16.

529 2. For Plenipotentiary Conferences:

(1) a) delegations shall be accredited by instruments signed by the Head of State or by the Head of the government or by the Minister for Foreign Affairs;

530 b) however, they may be provisionally accredited by the Head of the diplomatic mission accredited to the government of the country in which the conference is held;

531 c) any delegation representing a trust territory, for which the United Nations has acceded to the Convention in accordance with Article 20, shall be accredited by the Secretary-General of the United Nations.

532 (2) In order to sign the Final Acts of the conference, delegations must be furnished with full powers signed by the authorities mentioned in 529. Powers sent by telegram are not acceptable.

- 533     3. For administrative conferences:
- (1) the provisions of 529 to 532 are applicable.
- 534     (2) Independently of the authorities mentioned in 529 above, the Minister responsible for questions dealt with during the conference may accredit a delegation and empower it to take part in the work and to sign the Final Acts.
- 535     4. A special committee shall be entrusted with the verification of the credentials of each delegation; this committee shall reach its conclusions within the period specified by the Plenary Assembly.
- 536     5. (1) The delegation of a Member of the Union shall exercise its right to vote from the moment when it begins to take part in the work of the conference.
- 537     (2) However, a delegation shall no longer have the right to vote from the time that the Plenary Assembly decides that its credentials are not in order until this state of affairs has been rectified.
- 538     6. As a general rule, Member countries should endeavour to send their own delegations to the conferences of the Union. Nevertheless, if, for exceptional reasons, a Member is unable to send its own delegation it may accredit the delegation of another Member of the Union and give this delegation powers to act and sign on its behalf.
- 539     7. A duly accredited delegation may give a mandate to another duly accredited delegation to exercise its vote at one or more sessions at which it is unable to be present. In this case it must notify the Chairman of the conference.
- 540     8. A delegation may not exercise more than one proxy vote in any of the cases referred to in 538 and 539.

## CHAPTER 6

### **Procedure for calling Extraordinary Administrative Conferences at the request of Members of the Union or on a proposal of the Administrative Council**

- 541** 1. Any Member of the Union wishing to have an extraordinary administrative conference convened shall so inform the Secretary-General, indicating the proposed agenda, place and date of the conference.
- 542** 2. On receipt of twenty similar requests, the Secretary-General shall inform all Members and Associate Members thereof by telegram, asking the Members to indicate, within six weeks, whether or not they agree to the proposal.
- 543** 3. If a majority of the Members agree to the proposal as a whole, that is to say, if they accept the agenda, date and place of the proposed meeting, the Secretary-General shall so inform the Members and Associate Members of the Union by circular telegram.
- 544** 4. (1) If the proposal accepted is for a conference elsewhere than at the seat of the Union, the Secretary-General shall ask the government of the country concerned whether it agrees to act as inviting government.
- 545** (2) If the answer is in the affirmative, the Secretary-General, with the assent of the government concerned, shall take the necessary steps to convene the conference.
- 546** (3) If the answer is in the negative, the Secretary-General shall request the Members desiring the conference to make alternative suggestions for the place of the conference.
- 547** 5. Where the proposal accepted is for a conference at the seat of the Union, the provisions of Chapter 3 shall apply.
- 548** 6. (1) If the proposal as a whole (agenda, time, and place) is not accepted by a majority of the Members, the Secretary-General shall inform the Members and Associate Members of the Union of the replies received, requesting the Members to give a final reply on the point or points under dispute.

**549** (2) Such points shall be regarded as adopted when they have been approved by a majority of the Members.

**550** 7. The procedure indicated above shall also be applicable when the proposal to convene an extraordinary administrative conference is initiated by the Administrative Council.

## CHAPTER 7

### **Procedure for convening Special Administrative Conferences at the request of Members of the Union or on a proposal by the Administrative Council**

**551** 1. The provisions of Chapter 6 shall be applicable in their entirety to special conferences of a world-wide character.

**552** 2. In the case of a special conference of a regional character, the procedure described in Chapter 6 shall be applicable only to the Members of the region concerned. If the conference is to be convened on the initiative of the Members of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Members in that region.

## CHAPTER 8

### **Provisions common to all Conferences Change in the Time or Place of a Conference**

**553** 1. The provisions of Chapters 6 and 7 above shall apply, by analogy, when a change in the time or place of a conference is requested by Members of the Union or is proposed by the Administrative Council. However, such changes shall only be made if a majority of the Members concerned have pronounced in favour.

**554** 2. It shall be the responsibility of any Member or Associate Member proposing a change in the time or place of a conference to obtain for its proposal the support of the requisite number of other Members and Associate Members.

**555** . 3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in **542** the probable financial consequences of a change in the time or place, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

## CHAPTER 9

### Rules of Procedure of Conferences

#### RULE 1

##### Order of Seating

**556** At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the countries represented.

#### RULE 2

##### Inauguration of the Conference

**557** 1. (1) The inaugural meeting of the conference shall be preceded by a meeting of the Heads of Delegations to prepare the agenda for the first Plenary Assembly.

**558** (2) The Chairman of the meeting of Heads of Delegations shall be appointed in accordance with the provisions of **559** and **560**.

**559** 2. (1) The conference shall be opened by a person appointed by the inviting government.

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

**561** 3. (1) At the first meeting of the Plenary Assembly, the Chairman of the conference shall be elected; generally, he will be someone appointed by the inviting government.

**562** (2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the Heads of Delegations at the meeting described in **557**.

**563** 4. The first Plenary Assembly shall also:

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

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

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

### RULE 3

#### **Powers of the Chairman of the Conference**

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

### RULE 4

#### **Appointment of Committees**

- 570** 1. The Plenary Assembly may appoint committees to consider matters referred to the conference. These committees may in turn appoint sub-committees. Committees and sub-committees may form working groups.

- 571 2. However, committees and sub-committees may appoint sub-committees and working groups only when it is absolutely necessary.

## RULE 5

### Budget Control Committee

- 572 1. At the opening of each conference or meeting, the Plenary Assembly shall appoint a budget control committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference or meeting. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General and where there is an inviting government, a representative of that country.

- 573 2. Before the budget approved by the Administrative Council for the conference or meeting is exhausted, the budget control committee, in collaboration with the secretariat of the conference or meeting, shall present an interim statement of the expenditure already incurred to the Plenary Assembly. The Plenary Assembly shall take this statement into account in considering the question whether the progress made is sufficient to justify a prolongation of the conference or meeting after the date when the approved budget will be exhausted.

- 574 3. At the end of each conference or meeting, the budget control committee shall present a report to the Plenary Assembly showing, as accurately as possible, the estimated total expenditure at the close of the conference or meeting.

- 575 4. After consideration and approval by the Plenary Assembly, this report, together with the observations of the Plenary Assembly, shall be transmitted to the Secretary-General for submission to the Administrative Council at its next annual session.

## RULE 6

### Composition of Committees

- 576 1. *Plenipotentiary Conferences:*

Committees shall be composed of the delegates of Members and Associate Members and the observers referred to in 508 and 509, who have so requested or who have been designated by the Plenary Assembly.

**577 2. Administrative Conferences:**

Committees shall be composed of the delegates of Members and Associate Members, and the observers and representatives referred to in 517 to 520, who have so requested or who have been designated by the Plenary Assembly.

**RULE 7****Reporters, Chairmen and Vice-Chairmen of Sub-Committees**

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

**RULE 8****Summons to Meetings**

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

**RULE 9****Proposals presented before the Opening of the Conference**

- 580** Proposals presented before the opening of the conference shall be allocated by the Plenary Assembly to the appropriate committees appointed in accordance with Rule 4 of these Rules of Procedure. Nevertheless, the Plenary Assembly itself shall be entitled to deal directly with any proposal.

**RULE 10****Proposals or Amendments presented during the Conference**

- 581** 1. Proposals or amendments presented after the opening of the conference must be delivered to the Chairman of the conference, or to the

Chairman of the appropriate committee, as the case may be. They may also be handed to the Secretariat of the conference for publication and distribution as conference documents.

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

**583** 3. The Chairman of a conference or of a committee may at any time submit proposals likely to accelerate the debates.

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

**585** 5. (1) The Chairman of the conference or the Chairman of the appropriate committee shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with **581**.

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

**587** (3) In addition, the Chairman of the conference on receiving proposals or amendments referred to in **581**, shall refer them to the appropriate committee or to the Plenary Assembly as the case may be.

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

## RULE 11

### **Conditions required for Discussion of, and Vote on, any Proposal or Amendment**

**589** 1. No proposal or amendment submitted prior to the opening of the conference or by a delegation during the conference may be discussed unless it is supported by at least one other delegation when it comes to be considered.

**590** 2. Each proposal or amendment duly supported shall be submitted to a vote after discussion.

**RULE 12****Proposals or Amendments passed over or postponed**

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

**RULE 13****Rules for Debates of the Plenary Assembly**

- 592** 1. *Quorum*

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

- 593** 2. *Order of debates*

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

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

- 595** 3. *Motions of order and points of order*

(1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall however stand unless a majority of the delegations present and voting are against it.

- 596** (2) A delegation submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

- 597** 4. *Priority of motions of order and points of order*

The motions and points of order mentioned in **595** and **596** shall be dealt with in the following order:

- a) any point of order regarding the application of these Rules of Procedure;

- 598        b) suspension of a meeting;  
599        c) adjournment of a meeting;  
600        d) postponement of debate on the matter under discussion;  
601        e) closure of debate on the matter under discussion;  
602        f) any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

603        5. *Motion for suspension or adjournment of a meeting*

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

604        6. *Motion for postponement of debate*

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

605        7. *Motion for closure of debate*

A delegation may at any time propose that discussion on the point at issue be closed. In such cases, before a vote is taken on the proposal, the floor may be given to not more than two speakers opposing the motion.

606        8. *Limitation of speeches*

(1) The Plenary Assembly may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.

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

608        (3) When a speaker has exceeded the time allowed, the Chairman shall notify the Assembly and request the speaker to conclude his remarks briefly.

**609 9. Closing the list of speakers**

(1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. He shall add the names of other delegations who indicate that they wish to speak and he may then, with the assent of the Assembly, rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may rule, if he thinks fit, that a reply may be made to any previous statement, even after the list of speakers has been closed.

**610 (2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.****611 10. Question of competence**

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

**612 11. Withdrawal and re-submission of a motion**

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

**RULE 14****Right to Vote****613 1. At all meetings of the conference, the delegation of a Member of the Union duly accredited by that Member to take part in the work of the conference shall be entitled to one vote in accordance with Article 2 of the Convention.****614 2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Chapter 5 of the General Regulations.****RULE 15****Voting****615 1. Definition of a majority**

(1) A majority shall consist of more than half the delegations present and voting.

**616** (2) In computing a majority, delegations abstaining shall not be taken into account.

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

**618** (4) For the purpose of these Rules of Procedure, a "delegation present and voting" shall be a delegation voting for or against a proposal.

**619** 2. *Non-participation in voting*

Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall be considered neither as absent, for the purpose of determining a quorum as defined in 592, nor as abstaining for the purpose of 621.

**620** 3. *Special majority*

In cases where Members of the Union are to be admitted, the majority described in Article 1 of the Convention shall apply.

**621** 4. *Abstentions of more than fifty per cent.*

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

**622** 5. *Voting procedures*

(1) The following voting procedures shall be adopted except in the case provided for in 625:

a) by a show of hands, as a general rule;

**623** b) by roll call, if the above-mentioned procedure shows no clear majority or if so requested by at least two delegations.

**624** (2) Votes by roll call shall be taken in the alphabetical order of the French names of the Members represented.

**625** 6. *Secret ballot*

Voting shall be by secret ballot when at least five of the delegations present and entitled to vote so request. In such cases, the Secretariat shall at once take steps to ensure the secrecy of the vote

**626 7. Prohibition of interruptions during votes**

No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken.

**627 8. Reasons for votes**

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

**628 9. Voting on parts of a proposal**

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

**629 (2) If all the sections of a proposal are rejected the proposal shall be regarded as rejected as a whole.****630 10. Order of voting on concurrent proposals**

(1) When there are two or more proposals on any one matter, they shall be put to the vote in the order in which they were presented, unless the Assembly decides to the contrary.

**631 (2) After each vote, the Assembly shall decide whether or not the following proposal shall be voted on.****632 11. Amendments**

(1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in a part of the original proposal shall be considered an amendment.

**633 (2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.****634 (3) No proposal for modification shall be regarded as an amendment if the Assembly considers it to be incompatible with the original proposal.****635 12. Voting on amendments**

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

**636 (2) When two or more amendments are submitted to a proposal, the amendment furthest from the original text shall be put to the vote first;**

of the remainder, that furthest from the proposal shall then be put to the vote and the same procedure shall be followed until all the amendments submitted have been considered.

637 (3) If one or more amendments are adopted, the proposal thus amended shall then be put to the vote.

638 (4) If no amendment is adopted, the original proposal shall be put to the vote.

#### RULE 16

##### **Committees and Sub-committees Rules for Debates and Voting Procedures**

639 1. The Chairmen of all committees and sub-committees shall have powers similar to those conferred by Rule 3 on the Chairman of the conference.

640 2. The provisions set forth in Rule 13 for the conduct of debates in the Plenary Assembly shall also apply to the discussions of committees and sub-committees, except in the matter of the quorum.

641 3. The provisions set forth in Rule 15 shall also apply to votes taken in committees and sub-committees, except as regards 620.

#### RULE 17

##### **Reservations**

642 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.

643 2. However, if any decision appears to a delegation to be of such a nature as to prevent its government from ratifying the Convention or from approving the revision of the Regulations, the delegation may make reservations, final or provisional, regarding this decision.

#### RULE 18

##### **Minutes of Plenary Assemblies**

644 1. The minutes of Plenary Assemblies shall be drawn up by the Secre-

tariat of the conference, which shall endeavour to ensure their distribution to delegations as early as possible before the date on which they are to be considered.

- 645**      2. After the minutes have been distributed, delegations may submit in writing to the Secretariat of the conference the corrections they consider to be justified; this shall be done in the shortest possible time. This shall not prevent them from presenting amendments orally during the meeting at which the minutes are approved.
- 646**      3. (1) As a general rule, the minutes shall contain proposals and conclusions, together with the principal arguments for them, presented in terms as concise as possible.
- 647**      (2) However, any delegation shall have the right to require the insertion in the minutes, either summarized or in full, of any statement it has made during the debates. In this case, the delegation should, as a general rule, announce this at the beginning of its statement in order to facilitate the work of the reporters and must itself hand in the text to the Secretariat of the conference within two hours after the end of the meeting.
- 648**      4. The right accorded in **647** regarding the insertion of statements in the minutes shall in all cases be used with discretion.

## RULE 19

### **Summary Records and Reports of Committees and Sub-committees**

- 649**      1. (1) The debates of committees and sub-committees shall be summarized, meeting by meeting, in summary records, in which shall be brought out the essential points of the discussion, and the various opinions of which note ought to be taken, together with any proposals or conclusions resulting from the debate as a whole.
- 650**      (2) Nevertheless, any delegation shall be entitled to invoke **647**.
- 651**      (3) The right referred to above shall in all circumstances be used with discretion.
- 652**      2. Committees and sub-committees may prepare any interim reports they deem necessary and, if circumstances warrant, they may submit, at the end of their work, a final report recapitulating in concise terms the proposals and conclusions resulting from the studies entrusted to them.

## RULE 20

### **Approval of Minutes, Summary Records and Reports**

- 653** 1. (1) As a general rule, at the beginning of each meeting of the Plenary Assembly, committee, or sub-committee, the Chairman shall inquire whether there are any comments on the minutes of the previous meeting, or, in the case of committees or sub-committees, on the summary record of the previous meeting. These documents shall be considered approved if no amendments have been handed in to the Secretariat and no objection is made orally. Otherwise, the appropriate amendments shall be made in the minutes or summary record as the case may be.
- 654** (2) Any interim or final report must be approved by the committee or sub-committee concerned.
- 655** 2. (1) The minutes of the last Plenary Assembly shall be examined and approved by the Chairman of the Assembly.
- 656** (2) The summary record of the last meeting of each committee or sub-committee shall be examined and approved by the Chairman of the committee or sub-committee.

## RULE 21

### **Editorial Committee**

- 657** 1. The texts of the Convention, the Regulations and other Final Acts of the conference, which shall be worded as far as practicable in their definitive form by the various committees, taking account of the views expressed, shall be submitted to an editorial committee charged with perfecting their form without altering the sense and with combining them with those parts of former texts which have not been altered.
- 658** 2. The texts shall be submitted by the editorial committee to the Plenary Assembly of the conference, which shall approve them, or refer them back to the appropriate committee for further examination.

## RULE 22

### **Numbering**

- 659** 1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in Plenary

Assembly. The passages added shall bear provisionally the number of the last paragraph in the original text, with the addition of "a", "b", etc....

- 660 2. The definitive numbering of the chapters, articles and paragraphs shall be entrusted to the editorial committee after their adoption at the first reading.

#### RULE 23

##### **Final Approval**

- 661 The texts of the Convention, the Regulations and other Final Acts shall be considered final when they have been approved at the second reading in Plenary Assembly.

#### RULE 24

##### **Signature**

- 662 The final texts approved by the conference shall be submitted for signature, in the alphabetical order of the French names of their countries, to the delegates provided with the full powers defined in Chapter 5 of the General Regulations.

#### RULE 25

##### **Press Notices**

- 663 Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman or a Vice-Chairman of the conference.

#### RULE 26

##### **Franking Privileges**

- 664 During the conference, members of delegations, members of the Administrative Council, senior officials of the permanent organs of the Union, and the staff of the Secretariat of the Union seconded to the conference shall be entitled to postal, telegraph and telephone franking privileges to the extent arranged by the government of the country in which the conference is held in agreement with the other governments and recognized private operating agencies concerned.

*PART II*

**International Consultative Committees**

**CHAPTER 10**

**General Provisions**

- 665      1. The provisions of Part II of the General Regulations supplement Article 13 of the Convention defining the duties and structure of the International Consultative Committees.
- 666      2. (1) The Consultative Committees shall also observe the applicable Rules of Procedure of Conferences contained in Part I of the General Regulations.
- 667      (2) In order to facilitate the work of the Consultative Committee the Plenary Assembly may adopt additional provisions if they do not conflict with the Rules of Procedure of Conferences. These additional provisions shall be published in the form of a Resolution in the documents of the Plenary Assembly concerned.

**CHAPTER 11**

**Conditions for Participation**

- 668      1. (1) The International Consultative Committees shall have as members:
- a) of right, the administrations of all Members and Associate Members of the Union;
- 669      b) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, subject to the procedure prescribed below, expresses a desire to participate in the work of the Committees.
- 670      (2) The first request from a recognized private operating agency to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform all the Members and Associate

Members and the Director of the Consultative Committee concerned. A request from a recognized private operating agency must be approved by the Member or Associate Member recognizing it.

**671** 2. (1) International organizations which coordinate their work with the International Telecommunication Union and which have related activities may be admitted to participate in the work of the Consultative Committees in an advisory capacity.

**672** (2) The first request from an international organization to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform by telegram all the Members and Associate Members and invite Members to say whether the request should be granted; the request shall be granted if the majority of the replies of the Members received within a period of one month are favourable. The Secretary-General shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned of the result of the consultation.

**673** 3. (1) Scientific or industrial organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services, may be admitted to participate in an advisory capacity in meetings of the study groups of the Consultative Committees, provided that their participation has received the approval of the administrations of the countries concerned.

**674** (2) The first request from a scientific or industrial organization for admission to meetings of study groups of a Consultative Committee shall be addressed to the Director of the Consultative Committee; such a request must be approved by the administration of the country concerned.

## CHAPTER 12

### Duties of the Plenary Assembly

**675** The Plenary Assembly shall:

*a)* consider the reports of study groups and approve, modify or reject

the draft recommendations contained in these reports;

- 676      b) decide new questions to be studied in conformity with the provisions of 180; and, if need be, establish a study programme;
- 677      c) so far as necessary, maintain existing study groups and set up new study groups;
- 678      d) allocate to study groups the questions to be studied;
- 679      e) consider and approve the report of the Director on the activities of the Committee since the last meeting of the Plenary Assembly;
- 680      f) approve a report on the financial needs of the Committee until the next Plenary Assembly, for submission to the Administrative Council;
- 681      g) consider any other matters deemed necessary within the provisions of Article 13 of the Convention and Part II of the General Regulations.

## CHAPTER 13

### Meetings of the Plenary Assembly

- 682      1. The Plenary Assembly shall normally meet every three years at a time and place fixed by the preceding Plenary Assembly.
- 683      2. The date of the meeting of the Plenary Assembly may be changed with the approval of the majority of the Members of the Union which participated in the previous meeting of the Plenary Assembly, or which, not having so participated, have informed the Secretary-General of their wish to take an active part in the work of the Consultative Committee concerned.
- 684      3. At each of these meetings, the Plenary Assembly shall be presided over by the Head of the delegation of the country in which the meeting

is held or, in the case of a meeting held at the seat of the Union by a person elected by the Plenary Assembly itself; the Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.

- 685** 4. The Secretariat of the Plenary Assembly of a Consultative Committee shall be composed of the specialized secretariat of that Committee, with the help, if necessary, of the personnel of the administration of the inviting government and of the General Secretariat.

## CHAPTER 14

### Languages and Method of Voting in Plenary Assemblies

- 686** 1. (1) The languages used in the Plenary Assemblies shall be as provided in Article 16 of the Convention.
- 687** (2) The preparatory documents of study groups, the documents and minutes of Plenary Assemblies and the documents published after these Assemblies by the International Consultative Committees shall be issued in the three working languages of the Union.
- 688** 2. The Members which are authorized to vote at sessions of Plenary Assemblies of the Consultative Committees are those to which reference is made in 14 and 232. However, when a country, Member of the Union, is not represented by an administration, the representatives of the recognized private operating agencies of that country shall, as a whole, and regardless of their number, be entitled to a single vote.

## CHAPTER 15

### Composition of Study Groups

- 689** 1. The Plenary Assembly shall set up the necessary study groups to deal with questions to be studied. The administrations, recognized private operating agencies and international organizations admitted in accordance with 671 and 672 which wish to take part in the work of the study groups shall give in their names either at the meeting of the Plenary Assembly or, at a later date, to the Director of the Consultative Committee concerned.

**690** 2. In addition, and subject to the provisions of 673 and 674, experts of scientific or industrial organizations may be admitted to take part in an advisory capacity in any meeting of any study group.

**691** 3. The Plenary Assembly shall appoint the Chairman and Vice-Chairman of each study group. If in the interval between two meetings of the Plenary Assembly, a Group Chairman is unable to carry out his duties, the Vice-Chairman shall take his place, and the study group concerned shall elect, at its next meeting, from among its members, a new Vice-Chairman. It shall likewise elect a new Vice-Chairman should the Vice-Chairman find himself no longer able, during this period, to carry out his duties.

## CHAPTER 16

### **Treatment of Business of Study Groups**

**692** 1. Study groups shall normally conduct their work by correspondence.

**693** 2. (1) However, the Plenary Assembly may give directives concerning the convening of any meetings of the study groups that may appear necessary to deal with large groups of questions.

**694** (2) Moreover, if after a Plenary Assembly, a Group Chairman considers it necessary for his study group to hold one or more meetings not provided for by the Plenary Assembly to discuss orally questions which could not be solved by correspondence, he may, with the approval of his administration and after consultation with the Director concerned and the members of his study group, suggest a meeting at a convenient place bearing in mind the need to keep expenses to a minimum.

**695** 3. However, in order to avoid unnecessary journeys and prolonged absences, the Director of a Consultative Committee, in agreement with the Group Chairmen of the various study groups concerned, shall draw up the general plan of meetings of groups of study groups which are to meet in the same place during the same period.

**696** 4. The Director shall send the final reports of the study groups to the participating administrations, to the recognized private operating agencies

of the Consultative Committee and, as occasion may demand, to such international organizations as have participated. These shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next meeting of the Plenary Assembly. This provision may only be waived when study group meetings are held immediately prior to the meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear on the agenda for the meeting of the Plenary Assembly.

## CHAPTER 17

### Duties of the Director. Specialized Secretariat

- 697        1. (1) The Director of a Consultative Committee shall coordinate the work of the Plenary Assembly and study groups, and shall be responsible for the organization of the work of the Consultative Committee.
- 698        (2) He shall be responsible for the documents of the Committee.
- 699        (3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.
- 700        (4) The staffs of the specialized secretariats, laboratories and technical installations of a Consultative Committee shall be under the administrative control of the Secretary-General.
- 701        2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.
- 702        3. The Director shall participate as of right, but in an advisory capacity, in meetings of the Plenary Assembly and of the study groups. He shall make all necessary preparations for meetings of the Plenary Assembly and of the study groups.

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

## CHAPTER 18

### **Proposals for Administrative Conferences**

- 708        1. In accordance with 181, the Consultative Committees may make proposals for modification of the Regulations mentioned in 193.
- 709        2. Such proposals shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in 526.

## CHAPTER 19

### **Relations of Consultative Committees between themselves and with other International Organizations**

- 710**      1. (1) Plenary Assemblies of Consultative Committees may set up joint study groups to study and make recommendations on questions of common interest.
- 711**      (2) The Directors of Consultative Committees may, in collaboration with the Group Chairmen, organize joint meetings of study groups of both Consultative Committees, to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the next meeting of the Plenary Assembly of each Consultative Committee.
- 712**      2. The Plenary Assembly or the Director of a Consultative Committee may invite a representative of this Committee to attend, in an advisory capacity, meetings of the other Consultative Committee or of other international organizations to which that Consultative Committee has been invited.
- 713**      3. The Secretary-General, the Deputy Secretary-General, the Chairman of the International Frequency Registration Board, and the Director of the other Consultative Committee, or their representatives, may attend meetings of a Consultative Committee in an advisory capacity. In case of need, a Consultative Committee may invite to attend its meetings, in an advisory capacity, representatives of any permanent organ of the Union which has not considered it necessary to be represented.

## ANNEX 6

(see Article 28)

### Agreement between the United Nations and the International Telecommunication Union

#### Preamble

In consideration of the provisions of Article 57 of the Charter of the United Nations [¹] and of Article 26 of the Convention of the International Telecommunication Union of Atlantic City 1947,[²] the United Nations and the International Telecommunication Union agree as follows:

#### ARTICLE I

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

#### ARTICLE II

##### Reciprocal Representation

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the Plenipotentiary and Administrative Conferences of the Union. It shall also, after appropriate consultation, be invited to send representatives to attend international consultative committees or any other meetings convened by the Union with the right to participate without vote in the discussion of items of interest to the United Nations.
2. The Union shall be invited to send representatives to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

<sup>¹</sup> TS 993; 59 Stat. 1046.

<sup>²</sup> TIAS 1901; 63 Stat. (pt. 2) 1441.

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

4. The Union shall be invited to send representatives to attend meetings of the main committees of the General Assembly when matters within the competence of the Union are under discussion and to participate, without vote, in such discussions.

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

### ARTICLE III

#### **Proposal of Agenda Items**

After such preliminary consultation as may be necessary, the Union shall include on the agenda of Plenipotentiary or Administrative Conferences or meetings of other organs of the Union, items proposed to it by the United Nations. Similarly, the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the Conferences or other organs of the Union.

### ARTICLE IV

#### **Recommendations of the United Nations**

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter; to make recommendations for the co-ordination of the policies and activities of such

specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may seem proper of all formal recommendations which the United Nations may make to it.

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

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

## ARTICLE V

### **Exchange of Information and Documents**

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

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

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

to providing to the Union such information as may be of special interest to it.

## ARTICLE VI

### **Assistance to the United Nations**

The Union agrees to co-operate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunication Convention, taking fully into account the particular position of the individual members of the Union who are not members of the United Nations.

## ARTICLE VII

### **Relations with the International Court of Justice**

1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court. [<sup>1</sup>]

2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Plenipotentiary Conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference.

4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.

## ARTICLE VIII

### **Personnel Arrangements**

1. The United Nations and the Union agree to develop as far as practicable common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employ-

<sup>1</sup> TS 993; 59 Stat. 1059.

ment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Union agree to co-operate to the fullest extent possible in achieving these ends.

## ARTICLE IX

### Statistical Services

1. The United Nations and the Union agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world. All decisions as to the form in which its service documents are compiled rest with the Union.

4. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations upon request.

5. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as

practicable and appropriate be made available to the Union upon request.

## ARTICLE X

### **Administrative and Technical Services**

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

## ARTICLE XI

### **Budgetary and Financial Arrangements**

1. The budget or the proposed budget of the Union shall be transmitted to the United Nations at the same time as such budget is transmitted to the Members of the Union and the General Assembly may make recommendations thereon to the Union.
2. The Union shall be entitled to send representatives to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union is under consideration.

## ARTICLE XII

### **Financing of Special Services**

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

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

## ARTICLE XIII

### **United Nations Laissez-Passer**

Officials of the Union shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Union.

## ARTICLE XIV

### **Inter-Agency Agreements**

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

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated by any other specialized agencies on matters which might be of concern to the Union and further will inform the Union of the details of any such agreement, when concluded.

## ARTICLE XV

### **Liaison**

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

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

## ARTICLE XVI

### **United Nations Telecommunication Services**

1. The Union recognizes that it is important that the United Nations shall benefit by the same rights as the Members of the Union for operating telecommunication services.
2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunication Convention and the regulations annexed thereto.
3. The precise arrangements for implementing this article shall be dealt with separately.

## ARTICLE XVII

### **Implementation of Agreement**

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

## ARTICLE XVIII

### **Revision**

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

## ARTICLE XIX

### **Entry into Force**

1. This agreement will come into force provisionally after approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunication Conference at Atlantic City in 1947.

2. Subject to the aforementioned approvals, the agreement will formally enter into force at the same time as the International Telecommunication Convention concluded at Atlantic City in 1947 or at some earlier date as may be arranged for by a decision of the Union. [<sup>1</sup>]

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<sup>1</sup> Jan. 16, 1951.

**FINAL PROTOCOL  
to the  
International Telecommunication Convention  
Geneva, 1959**

At the time of signing the International Telecommunication Convention (Geneva, 1959), the undersigned plenipotentiaries take note of the following statements forming part of the Final Acts of the Plenipotentiary Conference, Geneva, 1959:

I

*For the Argentine Republic:*

The Argentine Delegation declares:

The International Telecommunication Convention (Geneva, 1959), provides in 4 that any country or group of territories listed in Annex 1 thereto is a Member of the Union. Annex 1 lists for this purpose the "Overseas Territories for the International Relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible".

Since the Government concerned habitually includes the territories which it calls the "Falkland Islands and Dependencies" in this entity, a practice reflected in the official documents published by the International Telecommunication Union, the Argentine Delegation formally declares that this practice in no wise detracts from Argentine sovereignty over these islands, occupied by the United Kingdom as a result of an act of force never accepted by the Argentine Government, which hereby reaffirms the inalienable rights of the Republic and declares that the Malvinas Islands, the South Sandwich Islands, the South Georgia Islands, and the Argentine Sector of the Antarctic are the colony or possession of no other nation, that they form part of Argentine national soil and are subject to Argentine dominion and sovereignty.

This declaration also holds good for any other mention of the same kind which may be included in the Convention or its Annexes.

## II

*For Canada:*

The signature of Canada to the International Telecommunication Convention (Geneva, 1959), is subject to the reservation that Canada does not accept 193 of this Convention. Canada agrees to be bound by the Radio Regulations, the Telegraph Regulations and, subject to one reservation, by the Additional Radio Regulations, all as annexed to this Convention but does not agree to be bound by the Telephone Regulations.

## III

*For China:*

The Delegation of the Republic of China to the Plenipotentiary Conference of the International Telecommunication Union at Geneva, 1959, as at Atlantic City and Buenos Aires, is the only legitimate representation of China therein, and is recognized as such by the Conference. Any Declarations or Reservations made in connection with or attached to the present Convention by any Members of the Union, incompatible with the position of the Republic of China as set forth above, are illegal and therefore null and void. To those Members of the Union, the Republic of China does not, by signature of this Convention, accept any obligation arising out of the International Telecommunication Convention (Geneva, 1959) or any of the Protocols annexed thereto.

## IV

*For the Belgian Congo and Territory of Ruanda-Urundi:*

In signing the International Telecommunication Convention (Geneva, 1959), the Belgian Congo and Territory of Ruanda-Urundi officially declare that they reserve the right not to abide by Article 3 of the Radio Regulations (Geneva, 1959), except in so far as the application of this article permits to meet the indispensable requirements of their domestic broadcasting.

## V

*For Costa Rica:*

The Delegation of the Republic of Costa Rica reserves its Government's right to accept or not to accept the consequences of any reservations made by other governments represented at this Conference, should such reservations entail any increase in Costa Rica's financial contribution to the Union.

## VI

*For Cuba:*

The Delegation of Cuba, in signing this Convention on behalf of the Government of the Republic of Cuba, formally reserves its position with regard to acceptance of the Telegraph Regulations, Telephone Regulations, and Additional Radio Regulations, mentioned in Article 14 of the International Telecommunication Convention (Geneva, 1959).

## VII

*For the Republic of El Salvador:*

## A

The Government of the Republic of El Salvador reserves the right to take such action as may be required to protect its interests, should any Member or Associate Member of the Union not share in defraying the expenses of the Union or make reservations such that El Salvador's share in defraying the expenses of the Union is thereby increased.

## B

In signing this Convention on behalf of the Republic of El Salvador, I hereby reserve the right of the Government of El Salvador to accept or not to accept the obligations entailed by the Telephone Regulations and the Additional Radio Regulations mentioned in Article 14 of the International Telecommunication Convention (Geneva, 1959).

## VIII

*For the United States of America:*

Signature of this Convention for and in the name of the United States of America constitutes, in accordance with its constitutional processes, signature also on behalf of all territories of the United States of America.

The United States of America formally declares that the United States of America does not, by signature of this Convention on its behalf, accept any obligation in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).

IX

*For Greece:*

On behalf of its Government, the Hellenic Delegation hereby declares that it accepts no consequence of any reservation which might lead to an increase of its share in defraying the expenses of the Union.

X

*For the Republic of India :*

1. Upon signing the Final Acts of the International Telecommunication Conference, Geneva, 1959, the Republic of India does not accept any financial implications resulting from any reservation that might be made on the budgetary matters of the Union by any delegation participating in the present Conference.

2. The Delegation of the Republic of India states that the signature by the Delegation to this Convention is also subject to the reservation that the Republic of India may or may not be in a position to accept certain provisions of the Telegraph and the Telephone Regulations (Geneva, 1958), referred to in Article 14 of this Convention.

3. The Delegation of the Republic of India further reserves the right of its Government to take appropriate steps if necessary to ensure proper functioning of the Union and its permanent organs and implementation of the Regulations, listed in Article 14 of the Convention, should any country reserve and/or not accept the provisions of the Convention and of the Regulations mentioned above.

XI

*For the Republic of Indonesia:*

Due to the fact that Irian Barat (Western New Guinea) constitutionally is an integrated part of the Republic of Indonesia, the Indonesian Delegation to the Plenipotentiary Conference and the Administrative Radio Conference, Geneva, 1959, formally declares that its signature to this Convention and to the Radio Regulations in no way implies the acceptance of the mentioning of Irian Barat (New Guinea) preceded by the word "Netherlands" in documents of the Union and the Radio Regulations (annexes and/or appendices).

## XII

*For the State of Israel:*

The Delegation of the State of Israel cannot accept the reservations made by the Delegations of the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, Kuwait, Lebanon, the United Kingdom of Libya, the Kingdom of Morocco, the United Arab Republic, the Republic of the Sudan and Tunisia, concerning Israel, and reserves the right of its Government to take any appropriate measure it may deem necessary to safeguard the interests of the State of Israel in the application of this Convention and the Regulations annexed thereto, as far as the above Member countries are concerned.

## XIII

*For Japan:*

Japan reserves the right to take such action as it may consider necessary to safeguard its interests should reservations by other countries lead to an increase in the share it takes in defraying the expenses of the Union.

## XIV

*For the Kingdom of the Netherlands:*

The Delegation of the Kingdom of the Netherlands declares that it does not accept the statement of the Delegation of the Republic of Indonesia contained in its formal declaration in so far as this statement disputes the sovereignty of the Government of the Netherlands over the non-self-governing territory of Netherlands New Guinea.

As for the denomination "Netherlands New Guinea" it declares that this denomination is the constitutionally correct one and is formally recognized as such and applied by the Secretariat of the United Nations.

## XV

*For the Republic of the Philippines:*

The Republic of the Philippines formally declares upon signing the present Convention that it cannot currently accept any obligations with reference to the Telegraph and Telephone Regulations mentioned in 193 of the Convention.

## XVI

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

The Delegation of the United Kingdom of Great Britain and Northern Ireland declares:

that it does not accept the statement of the Argentine Delegation contained in its declaration in so far as this statement disputes the sovereignty of Her Majesty's Government in the United Kingdom over the Falkland Islands and the Falkland Islands Dependencies and it wishes formally to reserve the rights of Her Majesty's Government on this question. The Falkland Islands and the Falkland Islands Dependencies are and remain an integral part of the territories together making up the Member hitherto known as: Colonies, Protectorates, Overseas Territories and Territories under Mandate or Trusteeship of the United Kingdom of Great Britain and Northern Ireland on behalf of which the United Kingdom of Great Britain and Northern Ireland acceded to the International Telecommunication Convention (Buenos Aires, 1952) on 16 November, 1953, and which is described in the International Telecommunication Convention (Geneva, 1959) as: Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.

## XVII

*For the Czechoslovak Republic:*

The Czechoslovak Delegation declares on behalf of the Government of the Czechoslovak Republic that it will not be bound by any consequences that may arise from reservations designed to raise its contributory share towards defraying the expenses of the Union.

## XVIII

*For Turkey:*

The Delegation of Turkey declares that the Government of the Republic of Turkey cannot accept any financial consequences that might arise as a result of reservations made by other Governments taking part in the Plenipotentiary Conference, Geneva, 1959.

## XIX

*For the Union of South Africa and Territory of South-West Africa:<sup>[1]</sup>*

The Delegation of the Union of South Africa and Territory of South-West Africa declares that the signature of the Union of South Africa

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<sup>[1]</sup> Effective May 31, 1961, changed to "Republic of South Africa and Territory of South-West Africa".

and Territory of South-West Africa to this Convention is subject to the reservation that the Union of South Africa and Territory of South-West Africa does not agree to be bound by the Telephone Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).

## XX

*For the Republic of Venezuela:*

In signing this Convention, the Delegation of the Republic of Venezuela, on behalf of its Government, maintains the reservations indicated in the Telegraph Regulations and the Telephone Regulations (Geneva, 1958), and also with regard to the Radio Regulations (Geneva, 1959).

## XXI

*For Afghanistan, the Argentine Republic, Belgium, the Republic of Colombia, the Belgian Congo and Territory of Ruanda-Urundi, Denmark, Spain. Overseas States of the French Community and French Overseas Territories, France, Mexico, Monaco, Norway, Paraguay, Peru, Portugal, Portuguese Overseas Provinces, the Federal Republic of Germany, Federal People's Republic of Yugoslavia, Sweden and Switzerland:*

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 take in defraying the expenses of the Union.

## XXII

*For the People's Republic of Albania, the Bielorussian Soviet Socialist Republic, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Ukrainian Soviet Socialist Republic, the Roumanian People's Republic, the Czechoslovak Republic and the Union of Soviet Socialist Republics:*

These Delegations hereby declare on behalf of their Governments that the decision taken by the Plenipotentiary Conference, Geneva, 1959, of the International Telecommunication Union, to recognize the credentials of Chiang Kai-Shek's representatives to take part in the Conference and to sign the Final Acts on behalf of China, is illegitimate, in so far as the legal

representatives of China can only be the representatives appointed by the Central People's Government of the People's Republic of China.

### XXIII

*For the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Roumanian People's Republic and the Czechoslovak Republic:*

On signing the International Telecommunication Convention (Geneva, 1959), the Delegations of the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Roumanian People's Republic, and the Czechoslovak Republic reserve for their Governments the right to accept or not to accept the Radio Regulations, in whole or in part.

### XXIV

*For the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, Kuwait, Lebanon, the United Kingdom of Libya, the Kingdom of Morocco, the United Arab Republic, the Republic of the Sudan and Tunisia:*

The above mentioned Delegations declare that the signature, and possible subsequent ratification by their respective Governments to the International Telecommunication Convention (Geneva, 1959), are not valid with respect to the Member appearing in Annex 1 to this Convention under the name of Israel, and in no way imply its recognition.

### XXV

*For Austria and Italy:*

Austria and Italy reserve the right to take such action as they may consider necessary to safeguard their interests, should Members or Associate Members not share in defraying the expenses of the Union in the manner specified in the International Telecommunication Convention (Geneva, 1959), or should reservations by other countries jeopardize their telecommunication services.

## XXVI

*For the Bielorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics:*

The Delegations of the Bielorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, hereby formally declare that in signing this Convention they maintain the reservations relating to the Radio Regulations that were made by their Governments in ratifying the International Telecommunication Convention (Buenos Aires, 1952).

## XXVII

*For Ghana, the Republic of Guinea and Iran:*

The Delegations of the above-mentioned countries declare that they reserve the right of their Governments to take any action they deem necessary to safeguard their interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Geneva, 1959) or should reservations by other countries jeopardize their telecommunication services.

## XXVIII

*For the Hashemite Kingdom of Jordan and the United Arab Republic:*

The Delegations of the Hashemite Kingdom of Jordan and the United Arab Republic declare on behalf of their Governments, their disagreement with 42 and with 97, which authorize the Administrative Council to conclude agreements with international organizations on behalf of the Union. Any such agreements which they will consider against their interest shall not be binding on them.

## XXIX

*For the Commonwealth of Australia, New Zealand, Pakistan, the Republic of the Philippines, the United Kingdom of Great Britain and Northern Ireland and the Union of South Africa and Territory of South-West Africa:*

The Delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests, should certain Members or Associate Members

not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Geneva, 1959) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

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IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Final Protocol in each of the Chinese, English, French, Russian and Spanish languages, in a single copy, which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Geneva, 21 December 1959.

*The signatures following the Final Protocol are the same as those which follow the Convention. [<sup>1</sup>]*

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<sup>1</sup> *Ante*, pp. 1806–1833 in this print.

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## **CONVENTION INTERNATIONALE DES TÉLÉCOMMUNICATIONS**

### **PRÉAMBULE**

- 1** En reconnaissant pleinement à chaque pays le droit souverain de réglementer ses télécommunications, les plénipotentiaires des gouvernements contractants, ayant en vue de faciliter les relations et la coopération entre les peuples par le bon fonctionnement des télécommunications, ont, d'un commun accord, arrêté la présente Convention.
- 2** Les pays et groupes de territoires qui deviennent parties à la présente Convention constituent l'Union internationale des télécommunications.

### **CHAPITRE I**

#### **Composition, objet et structure de l'Union**

##### **ARTICLE 1**

###### **Composition de l'Union**

- 3** 1. L'Union internationale des télécommunications comprend des Membres et des Membres associés.
- 4** 2. Est Membre de l'Union:
  - a)** tout pays ou groupe de territoires énuméré dans l'Annexe 1, après signature et ratification de la Convention, ou adhésion à cet Acte par le pays ou groupe de territoires, ou pour son compte;
  - b)** tout pays, non énuméré dans l'Annexe 1, qui devient Membre des Nations Unies et adhère à la présente Convention, conformément aux dispositions de l'article 18;
  - c)** tout pays souverain, non énuméré dans l'Annexe 1 et non Membre des Nations Unies, qui adhère à la Convention conformément

aux dispositions de l'article 18, après que sa demande d'admission en qualité de Membre de l'Union a été agréée par les deux tiers des Membres de l'Union.

7 3. Est Membre associé de l'Union:

a) tout pays, territoire ou groupe de territoires énuméré dans l'Annexe 2, après signature et ratification de la Convention ou adhésion à cet Acte par ce pays, territoire ou groupe de territoires ou pour son compte;

8 b) tout pays, non Membre de l'Union aux termes des numéros 4 à 6, dont la demande d'admission à l'Union en qualité de Membre associé est acceptée par la majorité des Membres de l'Union et qui adhère à la Convention conformément aux dispositions de l'article 18;

9 c) tout territoire ou groupe de territoires, n'ayant pas l'entièvre responsabilité de ses relations internationales, pour le compte duquel un Membre de l'Union a signé et ratifié la présente Convention ou y a adhéré conformément aux dispositions des articles 18 ou 19, lorsque sa demande d'admission en qualité de Membre associé, présentée par le Membre de l'Union responsable, a été approuvée par la majorité des Membres de l'Union;

10 d) tout territoire sous tutelle dont la demande d'admission en qualité de Membre associé a été présentée par les Nations Unies et au nom duquel les Nations Unies ont adhéré à la Convention conformément aux dispositions de l'article 20.

11 4. Si un territoire, ou groupe de territoires, faisant partie d'un groupe de territoires constituant un Membre de l'Union devient, ou est devenu, Membre associé de l'Union selon les dispositions des numéros 7 et 9, ses droits et obligations prévus par la présente Convention ne sont plus que ceux d'un Membre associé.

12 5. En application des dispositions des numéros 6, 8 et 9, si une demande d'adhésion en qualité de Membre et de Membre associé est présentée dans l'intervalle de deux Conférences de plénipotentiaires, par la voie diplomatique et par l'entremise du pays où est fixé le siège de l'Union, le secrétaire général consulte les Membres de l'Union; un Membre sera considéré comme s'étant abstenu s'il n'a pas répondu dans le délai de quatre mois à compter du jour où il a été consulté.

**ARTICLE 2****Droits et obligations des Membres et des Membres associés**

- 13**      1. (1) Tous les Membres ont le droit de participer aux conférences de l'Union et sont éligibles à tous ses organismes.
- 14**      (2) Chaque Membre a droit à une voix à toutes les conférences de l'Union, à toutes les réunions des Comités consultatifs internationaux auxquelles il participe et, s'il fait partie du Conseil d'administration, à toutes les sessions de ce Conseil.
- 15**      (3) Chaque Membre a également droit à une voix dans toute consultation effectuée par correspondance.
- 16**      2. Les Membres associés ont les mêmes droits et obligations que les Membres de l'Union. Toutefois, ils n'ont pas le droit de vote dans les conférences ou autres organismes de l'Union ni celui de présenter des candidats au Comité international d'enregistrement des fréquences. Ils ne sont pas éligibles au Conseil d'administration.

**ARTICLE 3****Siège de l'Union**

- 17**      Le siège de l'Union est fixé à Genève.

**ARTICLE 4****Objet de l'Union**

- 18**      1. L'Union a pour objet:
- a) de maintenir et d'étendre la coopération internationale pour l'amélioration et l'emploi rationnel des télécommunications de toutes sortes;
- 19**      b) de favoriser le développement de moyens techniques et leur exploitation la plus efficace, en vue d'augmenter le rendement des services de télécommunications, d'accroître leur emploi et de généraliser, le plus possible, leur utilisation par le public;
- 20**      c) d'harmoniser les efforts des nations vers ces fins communes.

- 21      2. A cet effet et plus particulièrement, l'Union:
- a) effectue l'attribution des fréquences du spectre et l'enregistrement des assignations de fréquence, de façon à éviter les brouillages nuisibles entre les stations de radiocommunications des différents pays;
  - b) coordonne les efforts en vue d'éliminer les brouillages nuisibles entre les stations de radiocommunications des différents pays et d'améliorer l'utilisation du spectre;
  - c) favorise la collaboration entre ses Membres et Membres associés en vue de l'établissement de tarifs à des niveaux aussi bas que possible, compatibles avec un service de bonne qualité et une gestion financière saine et indépendante des télécommunications;
  - d) encourage la création, le développement et le perfectionnement des installations et des réseaux de télécommunications dans les pays nouveaux ou en voie de développement par tous les moyens à sa disposition, en particulier par sa participation aux programmes appropriés des Nations Unies;
  - e) provoque l'adoption de mesures permettant d'assurer la sécurité de la vie humaine par la coopération des services de télécommunications;
  - f) procède à des études, élabore des recommandations et des vœux, recueille et publie des informations concernant les télécommunications, au bénéfice de tous les Membres et Membres associés.

## ARTICLE 5

### Structure de l'Union

- 27      L'organisation de l'Union repose sur:
1. la Conférence de plénipotentiaires, organe suprême de l'Union;
  2. les Conférences administratives;
  - 29      3. le Conseil d'administration;
  - 30      4. les organismes permanents désignés ci-après:
    - a) le Secrétariat général;
    - 31      b) le Comité international d'enregistrement des fréquences (I.F.R.B.);

- 32       c) le Comité consultatif international des radiocommunications (C.C.I.R.);  
33       d) le Comité consultatif international télégraphique et téléphonique (C.C.I.T.T.).

## ARTICLE 6

### Conférence de plénipotentiaires

34       1. La Conférence de plénipotentiaires:

- a) détermine les principes généraux que doit suivre l'Union pour atteindre les objectifs énoncés à l'article 4 de la présente Convention;
- b) examine le rapport du Conseil d'administration relatant son activité et celle de l'Union depuis la dernière Conférence de plénipotentiaires;
- c) établit les bases du budget de l'Union ainsi que le plafond de ses dépenses pour la période allant jusqu'à la prochaine Conférence de plénipotentiaires;
- d) fixe les traitements de base, les échelles de base des traitements, et le régime des indemnités et pensions de tous les fonctionnaires de l'Union;
- e) approuve définitivement les comptes de l'Union;
- f) élit les Membres de l'Union appelés à composer le Conseil d'administration;
- g) élit le secrétaire général et le vice-secrétaire général et fixe la date à laquelle ils prennent leurs fonctions;
- h) révise la Convention si elle le juge nécessaire;
- i) conclut ou révise, le cas échéant, les accords entre l'Union et les autres organisations internationales, examine tout accord provisoire conclu par le Conseil d'administration, au nom de l'Union, avec ces mêmes organisations et lui donne la suite qu'elle juge convenable;
- j) traite toutes les questions de télécommunications jugées nécessaires.

44       2. La Conférence de plénipotentiaires se réunit normalement au lieu et à la date fixés par la Conférence de plénipotentiaires précédente.

45       3. (1) La date et le lieu de la prochaine Conférence de plénipotentiaires, ou l'un des deux seulement, peuvent être changés:

- 46        a) à la demande d'au moins vingt Membres et Membres associés  
            de l'Union adressée individuellement au secrétaire général, ou  
47        b) sur proposition du Conseil d'administration.

48        (2) Dans les deux cas, une nouvelle date et un nouveau lieu, ou  
            l'un des deux seulement, sont fixés avec l'accord de la majorité des Membres  
            de l'Union.

## ARTICLE 7

### Conférences administratives

- 49        1. Les conférences administratives de l'Union comprennent:  
            a) les conférences administratives ordinaires;  
50        b) les conférences administratives extraordinaires;  
51        c) les conférences spéciales, qui comprennent:  
            — les conférences spéciales régionales;  
            — les conférences spéciales de service mondiale ou régionales.
- 52        2. (1) Les conférences administratives ordinaires:  
            a) revisent, chacune dans son domaine, les Règlements visés au  
                numéro 193;  
53        b) traitent, dans les limites de la Convention et du Règlement  
                général et des directives données par la Conférence de plénipotentiaries, toutes les autres questions jugées nécessaires.
- 54        (2) En outre, la conférence administrative ordinaire des radio-  
                communications:  
            a) élit les membres du Comité international d'enregistrement des  
                fréquences;  
55        b) donne à ce Comité des instructions touchant ses activités et  
                examine celles-ci.
- 56        3. (1) La date et le lieu d'une conférence administrative ordinaire  
                sont déterminés:  
            a) par la conférence administrative précédente, si celle-ci le juge bon,  
                ou  
57        b) à la demande d'au moins vingt Membres et Membres associés  
                de l'Union, adressée individuellement au secrétaire général, ou  
58        c) sur proposition du Conseil d'administration.

59       (2) Dans les cas visés aux numéros 57 ou 58, la date et le lieu sont fixés avec l'accord de la majorité des Membres de l'Union.

60       4. (1) Les conférences administratives extraordinaires sont convoquées pour traiter certaines questions de télécommunications particulières. Seules les questions inscrites à leur ordre du jour peuvent y être débattues.

61       (2) Elles peuvent, chacune dans son domaine respectif, réviser certaines dispositions d'un Règlement administratif, à condition que la révision de ces dispositions soit prévue dans leur ordre du jour approuvé par la majorité des Membres de l'Union, conformément aux dispositions du numéro 65.

62       5. (1) Une conférence administrative extraordinaire peut être convoquée:

- a) sur décision de la Conférence de plénipotentiaires, qui fixe son ordre du jour ainsi que la date et le lieu de sa réunion, ou
- b) lorsque vingt Membres et Membres associés de l'Union au moins ont fait connaître individuellement au secrétaire général leur désir de voir réunir une telle conférence pour examiner un ordre du jour proposé par eux, ou
- c) sur proposition du Conseil d'administration.

63       (2) Dans les cas indiqués aux numéros 63 et 64, la date et le lieu de la conférence ainsi que son ordre du jour sont fixés avec l'accord de la majorité des Membres de l'Union.

64       6. Les conférences spéciales sont convoquées pour traiter les questions portées à leur ordre du jour. Leurs décisions doivent être, dans tous les cas, conformes aux dispositions de la Convention et des Règlements administratifs.

65       7. (1) Une conférence spéciale peut être convoquée:

- a) sur décision de la Conférence de plénipotentiaires ou d'une conférence administrative ordinaire ou extraordinaire qui doit fixer son ordre du jour ainsi que la date et le lieu où elle doit se réunir, ou
- b) lorsqu'au moins vingt Membres et Membres associés de l'Union, dans le cas d'une conférence spéciale de service mondiale, ou un quart des Membres et Membres associés de la région intéressée, dans le cas d'une conférence spéciale régionale, ou d'une conférence spéciale de service régionale ont fait connaître individuellement au secrétaire général leur désir de voir une telle

conférence se réunir pour examiner un ordre du jour proposé par eux, ou

69 c) sur proposition du Conseil d'administration.

70 (2) Dans les cas spécifiés aux numéros 68 et 69, la date et le lieu de réunion de la conférence ainsi que son ordre du jour sont fixés avec l'accord de la majorité des Membres de l'Union pour les conférences spéciales de service mondiales, ou de la majorité des Membres de la région intéressée pour les conférences spéciales régionales ou pour les conférences spéciales de service régionales.

71 8. (1) La date et le lieu, ou l'un des deux seulement, d'une conférence administrative ordinaire, d'une conférence administrative extraordinaire ou d'une conférence spéciale de service mondiale, peuvent être changés:

a) à la demande d'au moins vingt Membres et Membres associés de l'Union, adressée individuellement au secrétaire général, ou

72 b) sur proposition du Conseil d'administration.

73 (2) Dans les deux cas, une nouvelle date et un nouveau lieu, ou l'un des deux seulement, sont fixés avec l'accord de la majorité des Membres de l'Union.

74 9. (1) La date et le lieu, ou l'un des deux seulement, des conférences spéciales régionales ou des conférences spéciales de service régionales peuvent être changés:

a) à la demande du quart au moins des Membres et Membres associés de la région intéressée, ou

75 b) sur proposition du Conseil d'administration.

76 (2) Dans les deux cas, une nouvelle date et un nouveau lieu, ou l'un des deux seulement, sont fixés avec l'accord de la majorité des Membres de l'Union de la région intéressée.

## ARTICLE 8

### Règlement intérieur des conférences

77 Pour l'organisation de leurs travaux et la conduite de leurs débats, les conférences appliquent le règlement intérieur compris dans le Règlement général annexé à la Convention. Toutefois, chaque conférence peut adopter des dispositions supplémentaires reconnues indispensables.

**ARTICLE 9****Conseil d'administration****A. Organisation et fonctionnement**

- 78 1. (1) Le Conseil d'administration est composé de vingt-cinq Membres de l'Union élus par la Conférence de plénipotentiaires, en tenant compte de la nécessité d'une représentation équitable de toutes les parties du monde. Les Membres de l'Union élus au Conseil remplissent leur mandat jusqu'à la date à laquelle la Conférence de plénipotentiaires procède à l'élection d'un nouveau Conseil. Ils sont rééligibles.
- 79 (2) Si entre deux Conférences de plénipotentiaires, une vacance se produit au sein du Conseil d'administration, le siège revient de droit au Membre de l'Union ayant obtenu, lors du dernier scrutin, le plus grand nombre de suffrages parmi les Membres appartenant à la même région et dont la candidature n'a pas été retenue.
- 80 2. Chacun des Membres du Conseil d'administration désigne pour siéger au Conseil une personne qualifiée en raison de son expérience des services de télécommunications et s'efforcera, dans la mesure du possible, d'éviter de la remplacer pendant la durée du mandat du Conseil.
- 81 3. Chaque Membre du Conseil dispose d'une voix.
- 82 4. Le Conseil d'administration établit son propre règlement intérieur.
- 83 5. Le Conseil d'administration élit ses propres président et vice-président au début de chaque session annuelle. Ceux-ci restent en fonctions jusqu'à l'ouverture de la session annuelle suivante et sont rééligibles. Le vice-président remplace le président en l'absence de ce dernier.
- 84 6. (1) Le Conseil se réunit, en session annuelle, au siège de l'Union.
- 85 (2) Au cours de cette session, il peut décider de tenir exceptionnellement une session supplémentaire.
- 86 (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 Membres.
- 87 7. Le secrétaire général et le vice-secrétaire général, le président et le vice-président du Comité international d'enregistrement des fréquences et les directeurs des Comités consultatifs internationaux participent de

plein droit aux délibérations du Conseil d'administration, mais sans prendre part aux votes. Toutefois, le Conseil peut tenir des séances réservées à ses seuls membres.

88 8. Le secrétaire général de l'Union assume les fonctions de secrétaire du Conseil d'administration.

89 9. (1) Dans l'intervalle des Conférences de plénipotentiaires, le Conseil d'administration agit en tant que mandataire de la Conférence de plénipotentiaires dans les limites des pouvoirs délégués par celle-ci.

90 (2) Le Conseil agit seulement lorsqu'il est en session officielle.

91 10. Le représentant de chacun des Membres du Conseil d'administration a le droit d'assister en qualité d'observateur à toutes les réunions des organismes permanents de l'Union désignés aux numéros 31, 32 et 33.

92 11. Seuls les frais de déplacement et de séjour engagés par le représentant de chacun des Membres du Conseil d'administration pour exercer ses fonctions aux sessions du Conseil sont à la charge de l'Union.

#### B. *Attributions*

93 12. (1) Le Conseil d'administration est chargé de prendre toutes mesures pour faciliter la mise à exécution, par les Membres et les Membres associés, des dispositions de la Convention, des Règlements, des décisions de la Conférence de plénipotentiaires et, le cas échéant, des décisions des autres conférences et réunions de l'Union.

94 (2) Il assure une coordination efficace des activités de l'Union.

95 13. En particulier, le Conseil d'administration:

a) accomplit toutes les tâches qui lui sont assignées par la Conférence de plénipotentiaires;

96 b) est chargé, dans l'intervalle qui sépare les Conférences de plénipotentiaires, d'assurer la coordination avec toutes les organisations internationales visées aux articles 28 et 29 de la présente Convention;  
à cet effet:

97 1. il conclut au nom de l'Union des accords provisoires avec les organisations internationales visées à l'article 29 de la Conven-

tion et avec les Nations Unies en application de l'Accord contenu dans l'Annexe 6 à la Convention; ces accords provisoires doivent être soumis à la prochaine Conférence de plénipotentiaires conformément aux dispositions du numéro 42;

- 98        2. il désigne, au nom de l'Union, un ou plusieurs représentants pour participer aux conférences de ces organisations et, lorsque cela est nécessaire, aux conférences de coordination réunies en accord avec ces organisations;
- 99        c) arrête l'effectif et la hiérarchie du personnel du Secrétariat général et des secrétariats spécialisés des organismes permanents de l'Union, en tenant compte des directives générales données par la Conférence de plénipotentiaires;
- 100      d) établit tous les règlements qu'il juge nécessaires aux activités administratives et financières de l'Union ainsi que les règlements administratifs destinés à tenir compte de la pratique courante de l'Organisation des Nations Unies et des institutions spécialisées qui appliquent le régime commun des traitements, indemnités et pensions;
- 101      e) contrôle le fonctionnement administratif de l'Union;
- 102      f) examine et arrête le budget annuel de l'Union en réalisant toutes les économies possibles;
- 103      g) prend tous arrangements nécessaires en vue de la vérification annuelle des comptes de l'Union établis par le secrétaire général et arrête ces comptes pour les soumettre à la Conférence de plénipotentiaires suivante;
- 104      h) ajuste, s'il est nécessaire,
1. les échelles de base des traitements du personnel des catégories des administrateurs et des directeurs, à l'exclusion des traitements des postes auxquels il est pourvu par voie d'élection, afin de les adapter aux échelles de base des traitements fixées par les Nations Unies pour les catégories correspondantes du régime commun;
  2. les échelles de base des traitements du personnel de la catégorie des services généraux, afin de les adapter aux salaires appliqués par l'Organisation des Nations Unies et les institutions spécialisées au siège de l'Union;
  3. les indemnités de poste de la catégorie des administrateurs et des catégories supérieures, y compris celles des postes auxquels

il est pourvu par voie d'élection, conformément aux décisions des Nations Unies valables pour le siège de l'Union;

- 107        4. les indemnités dont bénéficie tout le personnel de l'Union, en harmonie avec toutes les modifications adoptées dans le régime commun des Nations Unies;
- 108        5. les contributions de l'Union et du personnel à la Caisse commune des pensions du personnel des Nations Unies, conformément aux décisions du Comité mixte de cette Caisse;
- 109        i) prend les dispositions nécessaires pour la convocation des Conférences de plénipotentiaires et des conférences administratives de l'Union conformément aux articles 6 et 7;
- 110        j) soumet à la Conférence de plénipotentiaires de l'Union les avis qu'il juge utiles;
- 111        k) coordonne les activités des organismes permanents de l'Union, prend les dispositions opportunes pour donner suite aux demandes ou recommandations soumises par ces organismes et examine leurs rapports annuels;
- 112        l) procède, s'il le juge utile, à la désignation d'un intérimaire à l'emploi devenu vacant de vice-secrétaire général;
- 113        m) procède à la désignation d'intérimaires aux emplois devenus vacants de directeurs des Comités consultatifs internationaux;
- 114        n) remplit les autres fonctions prévues dans la présente Convention, et, dans le cadre de celle-ci et des Règlements, toutes les fonctions jugées nécessaires à la bonne administration de l'Union;
- 115        o) prend les dispositions nécessaires, après accord de la majorité des Membres de l'Union, pour résoudre, à titre provisoire, les cas non prévus par la Convention et ses annexes, pour la solution desquels il n'est pas possible d'attendre la prochaine conférence compétente;
- 116        p) soumet à l'examen de la Conférence de plénipotentiaires un rapport relatant ses activités et celles de l'Union;
- 117        q) favorise la coopération internationale en vue d'octroyer par tous les moyens à sa disposition et, notamment par la participation de l'Union aux programmes appropriés des Nations Unies, une assistance technique aux pays nouveaux ou en voie de développement, conformément à l'objet de l'Union, qui est de favoriser par tous les moyens possibles le développement des télécommunications.

## ARTICLE 10

## Secrétariat général

**118** 1. (1) Le Secrétariat général est dirigé par un secrétaire général assisté d'un vice-secrétaire général.

**119** (2) Le secrétaire général et le vice-secrétaire général prennent leur service à la date fixée au moment de leur élection. Ils restent normalement en fonctions jusqu'à la date fixée par la Conférence de plénipotentiaires au cours de sa réunion suivante et sont rééligibles.

**120** (3) Le secrétaire général est responsable devant la Conférence de plénipotentiaires et, dans les intervalles entre les réunions de la Conférence de plénipotentiaires, devant le Conseil d'administration pour l'ensemble des attributions dévolues au Secrétariat général et pour la totalité des services administratifs et financiers de l'Union. Le vice-secrétaire général est responsable devant le secrétaire général.

**121** (4) Si l'emploi de secrétaire général devient vacant, le vice-secrétaire général est chargé de l'intérim.

**122** 2. Le secrétaire général:

a) assure l'unité d'action des organismes permanents de l'Union au moyen d'un comité de coordination présidé par lui et composé du vice-secrétaire général et des chefs des organismes permanents; cette coordination porte sur les questions administratives, l'Assistance technique, les relations extérieures, l'information publique et sur toute autre question importante expressément formulée par le Conseil d'administration;

**123** b) organise le travail du Secrétariat général et nomme le personnel de ce secrétariat en se conformant aux directives données par la Conférence de plénipotentiaires et aux règlements établis par le Conseil d'administration;

**124** c) prend les mesures administratives relatives à la constitution des secrétariats spécialisés des organismes permanents et nomme le personnel de ces secrétariats en accord avec le chef de chaque organisme permanent et en se basant sur le choix de ce dernier, la décision définitive de nomination ou de licenciement appartenant au secrétaire général;

- 125 d) porte à la connaissance du Conseil d'administration toute décision prise par les Nations Unies et les institutions spécialisées qui affecte les conditions de service, d'indemnités et de pensions du régime commun;
- 126 e) veille à l'application dans les secrétariats spécialisés, des règlements administratifs et financiers approuvés par le Conseil d'administration;
- 127 f) exerce une surveillance exclusivement administrative sur le personnel des secrétariats spécialisés qui travaille directement sous les ordres des chefs des organismes permanents de l'Union;
- 128 g) assure le travail de secrétariat qui précède et qui suit les conférences de l'Union;
- 129 h) assure, s'il y a lieu en coopération avec le gouvernement invitant, le secrétariat de toutes les conférences de l'Union et, sur demande, ou lorsque les Règlements annexés à la Convention le prévoient, le secrétariat des réunions des organismes permanents de l'Union ou des réunions placées sous son égide; il peut également, sur demande et sur la base d'un contrat, assurer le secrétariat de toutes autres réunions relatives aux télécommunications;
- 130 i) tient à jour les nomenclatures officielles, établies d'après les renseignements fournis à cet effet par les organismes permanents de l'Union ou par les administrations, à l'exception des fichiers de référence et de tous autres dossiers indispensables qui peuvent avoir trait aux fonctions du Comité international d'enregistrement des fréquences;
- 131 j) publie les avis et les principaux rapports des organismes permanents de l'Union;
- 132 k) publie les accords internationaux et régionaux concernant les télécommunications, qui lui sont communiqués par les parties et tient à jour les documents qui s'y rapportent;
- 133 l) publie les normes techniques du Comité international d'enregistrement des fréquences, ainsi que toute autre documentation concernant l'assignation et l'utilisation des fréquences telle qu'elle a été élaborée par le Comité international d'enregistrement des fréquences en exécution de ses fonctions;
- 134 m) établit, publie et tient à jour en recourant, le cas échéant, aux autres organismes permanents de l'Union:

- 135        1. une documentation indiquant la composition et la structure de l'Union;
- 136        2. les statistiques générales et les documents officiels de service de l'Union prévus dans les Règlements annexés à la Convention;
- 137        3. tous autres documents dont l'établissement est prescrit par les conférences et le Conseil d'administration;
- 138        n) distribue les documents publiés;
- 139        o) rassemble et publie, sous forme appropriée, les renseignements nationaux et internationaux concernant les télécommunications dans le monde entier;
- 140        p) recueille et publie, en collaboration avec les autres organismes permanents de l'Union, les informations de caractère technique ou administratif qui pourraient être particulièrement utiles pour les pays nouveaux ou en voie de développement afin de les aider à améliorer leurs réseaux de télécommunications. L'attention de ces pays est également appelée sur les possibilités offertes par les programmes internationaux placés sous l'égide des Nations Unies;
- 141        q) rassemble et publie tous les renseignements susceptibles d'être utiles aux Membres et Membres associés concernant la mise en œuvre de moyens techniques afin d'obtenir le meilleur rendement des services de télécommunications et, notamment, le meilleur emploi possible des fréquences radioélectriques en vue de diminuer les brouillages;
- 142        r) publie périodiquement, à l'aide des renseignements réunis ou mis à sa disposition, y compris ceux qu'il pourrait recueillir auprès d'autres organisations internationales, un journal d'information et de documentation générales sur les télécommunications;
- 143        s) prépare et soumet au Conseil d'administration un projet de budget annuel, lequel, après approbation par ce Conseil, est transmis, à titre d'information, à tous les Membres et Membres associés;
- 144        t) établit un rapport de gestion financière soumis chaque année au Conseil d'administration et un compte récapitulatif à la veille de chaque Conférence de plénipotentiaires; ces rapports, après vérification et approbation par le Conseil d'administration, sont communiqués aux Membres et Membres associés et soumis à la Conférence de plénipotentiaires suivante pour examen et approbation définitive;

- 145        u) établit, sur l'activité de l'Union, un rapport annuel transmis, après approbation du Conseil d'administration, à tous les Membres et Membres associés;
- 146        v) assure toutes les autres fonctions de secrétariat de l'Union.
- 147        3. Le vice-secrétaire général assiste le secrétaire général dans l'exercice de ses fonctions et assume les tâches particulières que lui confie le secrétaire général. Il exerce les fonctions imparties au secrétaire général en l'absence de ce dernier.
- 148        4. Le secrétaire général ou le vice-secrétaire général peut assister à titre consultatif aux assemblées plénières des Comités consultatifs internationaux et à toutes les conférences de l'Union; le secrétaire général ou son représentant peut participer, à titre consultatif, à toutes les autres réunions de l'Union.

## ARTICLE 11

### **Les fonctionnaires et le personnel de l'Union**

- 149        1. Le secrétaire général, le vice-secrétaire général et les directeurs des Comités consultatifs internationaux doivent tous être ressortissants de pays différents, Membres de l'Union.
- 150        2. (1) Dans l'accomplissement de leurs fonctions, le secrétaire général, le vice-secrétaire général, les membres du Comité international d'enregistrement des fréquences et les directeurs des Comités consultatifs internationaux, ainsi que le personnel de l'Union ne doivent solliciter ni accepter d'instructions d'aucun gouvernement, ni d'aucune autorité extérieure à l'Union. Ils doivent s'abstenir de tout acte incompatible avec leur situation de fonctionnaires internationaux.
- 151        (2) Chaque Membre et Membre associé doit respecter le caractère exclusivement international des fonctions des fonctionnaires énumérés au numéro 150 et du personnel de l'Union, et ne pas chercher à les influencer dans l'exécution de leur tâche.
- 152        3. La considération dominante dans le recrutement et la fixation des conditions d'emploi du personnel doit être la nécessité d'assurer à l'Union les services de personnes possédant les plus hautes qualités d'efficience, de compétence et d'intégrité. L'importance d'un recrutement effectué sur une base géographique aussi large que possible doit être dûment prise en considération.

**ARTICLE 12****Comité international d'enregistrement des fréquences**

**153** 1. Les tâches essentielles du Comité international d'enregistrement des fréquences consistent:

*a)* à effectuer une inscription méthodique des assignations de fréquence faites par les différents pays, de manière à fixer, conformément à la procédure prévue dans le Règlement des radiocommunications et, le cas échéant, par les décisions des conférences compétentes de l'Union, la date, le but et les caractéristiques techniques de chacune de ces assignations afin d'en assurer la reconnaissance internationale officielle;

**154** *b)* à fournir des avis aux Membres et Membres associés, en vue de l'exploitation d'un nombre aussi grand que possible de voies radioélectriques dans les régions du spectre des fréquences où des brouillages nuisibles peuvent se produire;

**155** *c)* à exécuter toutes les tâches additionnelles relatives à l'assignation et à l'utilisation des fréquences prescrites par une conférence compétente de l'Union, ou par le Conseil d'administration avec le consentement de la majorité des Membres de l'Union en vue de la préparation d'une telle conférence ou en exécution de ses décisions;

**156** *d)* à tenir à jour les dossiers indispensables ayant trait à l'exercice de ses fonctions.

**157** 2. (1) Le Comité international d'enregistrement des fréquences est un organisme composé de onze membres indépendants, désignés conformément aux dispositions des numéros 160 à 169.

**158** (2) Les membres du Comité doivent être pleinement qualifiés par leur compétence technique dans le domaine des radiocommunications et posséder une expérience pratique en matière d'assignation et d'utilisation des fréquences.

**159** (3) En outre, pour permettre une meilleure compréhension des problèmes qui viennent devant le Comité en vertu du numéro 154, chaque membre doit être au courant des conditions géographiques, économiques et démographiques d'une région particulière du globe.

**160** 3. (1) A chacune de ses réunions, la Conférence administrative ordinaire des radiocommunications élit les onze membres du Comité. Ces membres sont choisis parmi les candidats proposés par les pays, Membres de l'Union.

Chaque Membre de l'Union ne peut proposer qu'un seul candidat, ressortissant de son pays. Chaque candidat doit posséder les qualifications indiquées aux numéros 158 et 159.

161 (2) La procédure pour cette élection est établie par la Conférence elle-même, de manière à assurer une représentation équitable des différentes régions du monde.

162 (3) A chaque élection, tout membre du Comité en fonctions peut être proposé à nouveau comme candidat par le pays dont il est ressortissant.

163 (4) Les membres du Comité prennent leur service à la date fixée par la Conférence administrative ordinaire des radiocommunications qui les a élus. Ils restent normalement en fonctions jusqu'à la date fixée par la Conférence suivante, pour la prise de service de leurs successeurs.

164 (5) Si, dans l'intervalle entre deux conférences administratives ordinaires des radiocommunications, un membre élu du Comité démissionne ou abandonne ses fonctions sans motif valable pendant une période dépassant trois mois, le pays Membre de l'Union dont il est ressortissant est invité par le président du Comité à désigner aussitôt que possible un remplaçant, ressortissant de ce pays.

165 (6) Si le pays Membre de l'Union en question ne désigne pas un remplaçant dans un délai de trois mois à partir de cette invitation, il perd son droit de désigner une personne pour siéger au Comité pendant le reste de la durée du mandat du Comité.

166 (7) Si, dans l'intervalle entre deux conférences administratives ordinaires des radiocommunications, un remplaçant à son tour démissionne ou abandonne ses fonctions sans motif valable pendant une période dépassant trois mois, le pays Membre de l'Union dont il est ressortissant n'a pas le droit de désigner un second remplaçant.

167 (8) Dans les cas prévus aux numéros 165 et 166, le président du Comité demande alors au pays Membre de l'Union, dont le candidat avait obtenu à la précédente élection le nombre de voix le plus élevé parmi ceux de la région considérée qui n'avaient pas été élus, de désigner ce candidat pour siéger au Comité pendant le reste du mandat du Comité. Si cette personne est indisponible, le pays en question est invité à désigner un remplaçant, ressortissant de ce pays.

168 (9) Si, dans l'intervalle entre deux conférences administratives ordinaires des radiocommunications, un membre élu du Comité, ou son

remplaçant, décède, le pays Membre de l'Union dont il était ressortissant conserve le droit de désigner un successeur, ressortissant de ce pays.

169 (10) Pour garantir un fonctionnement efficace du Comité, tout pays dont un ressortissant a été élu membre du Comité doit, dans toute la mesure du possible, s'abstenir de le rappeler dans l'intervalle entre deux conférences administratives ordinaires des radiocommunications.

170 4. (1) Les méthodes de travail du Comité sont définies dans le Règlement des radiocommunications.

171 (2) Les membres du Comité élisent parmi eux un président et un vice-président, qui remplissent leurs fonctions pendant une durée d'une année. Par la suite, le vice-président succède chaque année au président, et un nouveau vice-président est élu.

172 (3) Le Comité dispose d'un secrétariat spécialisé.

173 5. (1) Les membres du Comité s'acquittent de leur tâche, non comme des représentants de leurs pays respectifs, ou d'une région, mais comme des agents impartiaux investis d'un mandat international.

174 (2) Aucun membre du Comité ne doit, relativement à l'exercice de ses fonctions, demander ni recevoir d'instructions d'aucun gouvernement, ni d'aucun membre d'un gouvernement quelconque, ni d'aucune organisation ou personne publique ou privée. De plus, chaque Membre ou Membre associé doit respecter le caractère international du Comité et des fonctions de ses membres et il ne doit, en aucun cas, essayer d'influencer l'un quelconque d'entre eux dans l'exercice de ses fonctions.

175 (3) En dehors de ses fonctions, aucun membre du Comité et de son personnel ne doit avoir de participation active ou d'intérêts financiers, de quelque nature que ce soit, dans une entreprise quelconque s'occupant de télécommunications. Toutefois, l'expression « intérêts financiers » ne doit pas être interprétée comme s'opposant à la continuation de versements pour la retraite en raison d'un emploi ou de services antérieurs.

## ARTICLE 13

### **Comités consultatifs internationaux**

176 1. (1) Le Comité consultatif international des radiocommunications (C.C.I.R.) est chargé d'effectuer des études et d'émettre des avis sur les questions techniques et d'exploitation spécifiquement relatives aux radiocommunications.

177 (2) Le Comité consultatif international télégraphique et téléphonique (C.C.I.T.T.) est chargé d'effectuer des études et d'émettre des avis sur des questions techniques, d'exploitation et de tarification concernant la télégraphie et la téléphonie.

178 (3) Dans l'accomplissement de ses tâches, chaque Comité consultatif doit porter dûment attention à l'étude des questions et à l'élaboration des avis directement liés à la création, au développement et au perfectionnement des télécommunications dans les pays nouveaux ou en voie de développement, dans le cadre régional et dans le domaine international.

179 (4) Sur demande des pays intéressés, chaque Comité consultatif peut également faire des études et donner des conseils sur les problèmes relatifs aux télécommunications nationales de ces pays.

180 2. (1) Les questions étudiées par chaque Comité consultatif international, et sur lesquelles il est chargé d'émettre des avis, lui sont soumises par la Conférence de plénipotentiaires, par une Conférence administrative, par le Conseil d'administration, par l'autre Comité consultatif ou par le Comité international d'enregistrement des fréquences. Ces questions viennent s'ajouter à celles que l'assemblée plénière du Comité consultatif intéressé lui-même a décidé de retenir, ou, dans l'intervalle des assemblées plénières, à celles dont l'inscription a été demandée ou approuvée par correspondance par douze Membres et Membres associés de l'Union au moins.

181 (2) Les assemblées plénières des Comités consultatifs internationaux sont autorisées à soumettre aux conférences administratives des propositions découlant directement de leurs avis ou des conclusions de leurs études en cours.

182 3. Les Comités consultatifs internationaux ont pour membres:

a) de droit, les administrations de tous les Membres et Membres associés de l'Union;

183 b) toute exploitation privée reconnue qui, avec l'approbation du Membre ou Membre associé qui l'a reconnue, demande à participer aux travaux de ces comités.

184 4. Le fonctionnement de chaque Comité consultatif international est assuré par:

a) l'assemblée plénière, réunie normalement tous les trois ans. Lorsqu'une conférence administrative ordinaire correspondante

a été convoquée, la réunion de l'assemblée plénière se tient, si possible, au moins huit mois avant cette conférence;

185 b) les commissions d'études constituées par l'assemblée plénière pour traiter les questions à examiner;

186 c) un directeur élu par l'assemblée plénière. Son statut est celui d'un fonctionnaire permanent, mais ses conditions de service peuvent faire l'objet de dispositions réglementaires spéciales;

187 d) un secrétariat spécialisé, qui assiste le directeur;

188 e) des laboratoires ou installations techniques créés par l'Union.

189 5. (1) Les Comités consultatifs observent, dans la mesure où il leur est applicable, le règlement intérieur des conférences compris dans le Règlement général annexé à la présente Convention.

190 (2) En vue de faciliter les travaux des Comités consultatifs, les assemblées plénieress respectives peuvent adopter des dispositions supplémentaires si elles ne sont pas incompatibles avec celles du règlement intérieur des conférences.

191 6. Les méthodes de travail des Comités consultatifs sont définies dans la deuxième partie du Règlement général annexé à la présente Convention.

## ARTICLE 14

### Règlements

192 1. Sous réserve des dispositions de l'article 8, le Règlement général faisant l'objet de l'Annexe 5 à la présente Convention a la même portée et la même durée que celle-ci.

193 2. (1) Les dispositions de la Convention sont complétées par les Règlements administratifs suivants, qui lient tous les Membres et Membres associés:

le Règlement télégraphique,  
le Règlement téléphonique,  
le Règlement des radiocommunications,  
le Règlement additionnel des radiocommunications.

194 (2) Les Membres et Membres associés doivent informer le secrétaire général de leur approbation de toute révision de ces Règlements par des

conférences administratives. Le secrétaire général notifie ces approbations aux Membres et Membres associés au fur et à mesure de leur réception.

- 195 3. En cas de divergence entre une disposition de la Convention et une disposition d'un Règlement, la Convention prévaut.

## ARTICLE 15

### Finances de l'Union

- 196 1. Les dépenses de l'Union comprennent les frais afférents:

a) au Conseil d'administration, au Secrétariat général, au Comité international d'enregistrement des fréquences, aux secrétariats des Comités consultatifs internationaux, aux laboratoires et installations techniques créés par l'Union;

- 197 b) aux conférences qui, tenues selon les dispositions des articles 6 et 7 de la Convention, sont convoquées sur décision ou avec l'accord de la majorité des Membres de l'Union;

- 198 c) à toutes les réunions des Comités consultatifs internationaux.

- 199 2. Les dépenses des conférences spéciales visées au numéro 51 qui n'entrent pas dans le cadre du numéro 197, et dont le caractère régional a été déterminé par le Conseil d'administration, après s'être assuré au préalable de l'opinion de la majorité des Membres et Membres associés de la région en cause, sont supportées par tous les Membres et Membres associés de cette région, selon la classe de contribution de ces derniers et éventuellement sur la même base par les Membres et Membres associés d'autres régions ayant participé à de telles conférences.

- 200 3. Les dépenses des conférences spéciales non visées aux numéros 197 et 199 sont supportées selon leur classe de contribution, par les Membres et Membres associés qui ont accepté de participer ou ont participé à de telles conférences.

- 201 4. Le Conseil d'administration examine et arrête le budget annuel de l'Union, compte tenu des limites fixées pour les dépenses par la Conférence de plénipotentiaires.

- 202 5. Les dépenses de l'Union sont couvertes par les contributions de ses Membres et Membres associés déterminées en fonction du nombre

d'unités correspondant à la classe de contribution choisie par chaque Membre et Membre associé selon le tableau suivant:

Classe de 30 unités	Classe de 8 unités
»     » 25   »	»     » 5   »
»     » 20   »	»     » 4   »
»     » 18   »	»     » 3   »
»     » 15   »	»     » 2   »
»     » 13   »	»     » 1 unité
»     » 10   »	»     » $\frac{1}{2}$ »

- 203**      6. Les Membres et Membres associés choisissent librement la classe de contribution selon laquelle ils entendent participer aux dépenses de l'Union.
- 204**      7. (1) Chaque Membre ou Membre associé fait connaître au secrétaire général, six mois au moins avant l'entrée en vigueur de la Convention, la classe de contribution qu'il a choisie.
- 205**      (2) Cette décision est notifiée aux Membres et Membres associés par le secrétaire général.
- 206**      (3) Les Membres et Membres associés qui n'auront pas fait connaître leur décision avant la date prévue au numéro **204** seront tenus de contribuer aux dépenses, d'après la classe de contribution choisie par eux sous le régime de la Convention internationale des télécommunications (Buenos Aires, 1952).
- 207**      (4) Les Membres et Membres associés peuvent à tout moment choisir une classe de contribution supérieure à celle qu'ils avaient adoptée auparavant.
- 208**      (5) Aucune réduction du nombre d'unités de contribution établi conformément aux numéros **204** à **206**, ne peut intervenir pendant la durée de validité de la Convention.
- 209**      8. Les Membres et Membres associés payent à l'avance leur part contributive annuelle calculée d'après le budget arrêté par le Conseil d'administration.
- 210**      9. Les sommes dues sont productives d'intérêt à partir du début de chaque année financière de l'Union. Cet intérêt est fixé au taux de 3% (trois pour cent) par an pendant les six premiers mois et au taux de 6% (six pour cent) par an à partir du septième mois.
- 211**      10. (1) Les exploitations privées reconnues et les organismes scientifiques ou industriels contribuent aux dépenses des conférences ou réunions auxquelles ils ont accepté de participer ou ont participé.

- 212 (2) Les organisations internationales contribuent également aux dépenses des conférences ou réunions auxquelles elles ont été admises à participer à moins que, sous réserve de réciprocité, elles n'aient été exonérées par le Conseil d'administration.
- 213 (3) Le montant des contributions est fixé par le Conseil d'administration et sera considéré comme une recette de l'Union. Il porte intérêt conformément aux dispositions fixées par le Conseil d'administration.
- 214 11. Les dépenses occasionnées aux laboratoires et installations techniques de l'Union par des mesures, des essais ou des recherches spéciales pour le compte de certains Membres ou Membres associés, groupes de Membres ou Membres associés, organisations régionales ou autres, sont supportées par ces Membres ou Membres associés, groupes, organisations ou autres.
- 215 12. Le prix de vente des documents aux administrations, aux exploitations privées reconnues ou à des particuliers est déterminé par le secrétaire général, en collaboration avec le Conseil d'administration, en s'inspirant du souci de couvrir, en règle générale, les dépenses d'impression et de distribution par la vente des documents.

## ARTICLE 16

### Langues

- 216 1. (1) L'Union a pour langues officielles: l'anglais, le chinois, l'espagnol, le français et le russe.
- 217 (2) L'Union a pour langues de travail: l'anglais, l'espagnol et le français.
- 218 (3) En cas de contestation, le texte français fait foi.
- 219 2. (1) Les documents définitifs des Conférences de plénipotentiaires et des conférences administratives, leurs Actes finals, protocoles, résolutions, recommandations et vœux sont établis dans les langues officielles de l'Union, d'après des rédactions équivalentes aussi bien dans la forme que dans le fond.
- 220 (2) Tous les autres documents de ces conférences sont rédigés dans les langues de travail de l'Union.
- 221 3. (1) Les documents officiels de service de l'Union prévus dans les Règlements administratifs sont publiés dans les cinq langues officielles.

- 222** (2) Tous les autres documents dont le secrétaire général doit, conformément à ses attributions, assurer la distribution générale, sont établis dans les trois langues de travail.
- 223** 4. Tous les documents dont il est question aux numéros 219 à 222 peuvent être publiés dans une autre langue que celles qui y sont prévues à condition que les Membres ou Membres associés qui demandent cette publication s'engagent à prendre à leur charge la totalité des frais de traduction et de publication encourus.
- 224** 5. (1) Dans les débats des conférences de l'Union, et, chaque fois que cela est nécessaire, dans les réunions de son Conseil d'administration et de ses organismes permanents, un système efficace d'interprétation réciproque dans les trois langues de travail et dans la langue russe doit être utilisé.
- 225** (2) Lorsque tous les participants à une séance se déclarent d'accord avec cette procédure, les débats peuvent avoir lieu dans un nombre de langues inférieur aux quatre langues ci-dessus.
- 226** 6. (1) Lors des conférences de l'Union et des réunions de son Conseil d'administration et de ses organismes permanents, des langues autres que celles indiquées aux numéros 217 et 224 peuvent être employées:
- 227** a) s'il est demandé au secrétaire général ou au chef de l'organisme permanent intéressé d'assurer l'utilisation d'une ou de plusieurs langues supplémentaires, orales ou écrites, et à condition que les dépenses supplémentaires encourues de ce fait soient supportées par les Membres ou Membres associés qui ont fait cette demande ou qui l'ont appuyée;
- 228** b) si une délégation prend elle-même toutes dispositions pour assurer à ses propres frais la traduction orale de sa propre langue dans l'une des langues indiquées au numéro 224.
- 229** (2) Dans le cas prévu au numéro 227, le secrétaire général ou le chef de l'organisme permanent intéressé se conforme à cette demande dans la mesure du possible, après avoir obtenu des Membres ou Membres associés intéressés l'engagement que les dépenses encourues seront dûment remboursées par eux à l'Union.
- 230** (3) Dans le cas prévu au numéro 228, la délégation intéressée peut en outre, si elle le désire, assurer à ses propres frais la traduction orale dans sa propre langue à partir d'une des langues indiquées au numéro 224.

## CHAPITRE II

### Application de la Convention et des Règlements

#### ARTICLE 17

##### Ratification de la Convention

- 231** 1. La présente Convention sera ratifiée par chacun des gouvernements signataires. Les instruments de ratification seront adressés, dans le plus bref délai possible, par la voie diplomatique et par l'entremise du gouvernement du pays où se trouve le siège de l'Union, au secrétaire général qui procédera à leur notification aux Membres et Membres associés.
- 232** 2. (1) Pendant une période de deux ans à compter de la date d'entrée en vigueur de la présente Convention, tout gouvernement signataire jouit des droits conférés aux Membres de l'Union aux numéros 13 à 15, même s'il n'a pas déposé d'instrument de ratification dans les conditions prévues au numéro **231**.
- (2) A l'expiration d'une période de deux ans à compter de la date d'entrée en vigueur de la présente Convention, un gouvernement signataire qui n'a pas déposé d'instrument de ratification dans les conditions prévues au numéro **231** n'a plus qualité pour voter à aucune conférence de l'Union, à aucune session du Conseil d'administration, ni à aucune réunion des organismes permanents de l'Union, et ceci tant que l'instrument de ratification n'a pas été déposé.
- 233** 3. Après l'entrée en vigueur de cette Convention, conformément à l'article **52**, chaque instrument de ratification prendra effet à la date de dépôt au Secrétariat général.
- 235** 4. Dans le cas où l'un ou plusieurs des gouvernements signataires ne ratifieraient pas la Convention, celle-ci n'en serait pas moins valable pour les gouvernements qui l'auront ratifiée.

#### ARTICLE 18

##### Adhésion à la Convention

- 236** 1. Le gouvernement d'un pays qui n'a pas signé la présente Convention peut y adhérer en tout temps en se conformant aux dispositions de l'article **1**.

- 237** 2. L'instrument d'adhésion est adressé par la voie diplomatique et par l'entremise du gouvernement du pays où se trouve le siège de l'Union au secrétaire général, qui notifie l'adhésion aux Membres et Membres associés et transmet à chacun d'eux une copie authentifiée de l'Acte. L'adhésion prend effet du jour de son dépôt, à moins qu'il n'en soit stipulé autrement.

## ARTICLE 19

### **Application de la Convention aux pays ou territoires dont les relations extérieures sont assurées par des Membres de l'Union**

- 238** 1. Les Membres de l'Union peuvent en tout temps déclarer que la présente Convention est applicable à l'ensemble, à un groupe, ou à un seul des pays ou territoires dont ils assurent les relations extérieures.
- 239** 2. Toute déclaration faite conformément aux dispositions du numéro 238 est adressée au secrétaire général de l'Union qui la notifie aux Membres et aux Membres associés.
- 240** 3. Les dispositions des numéros 238 et 239 ne sont pas obligatoires pour les pays, territoires ou groupes de territoires énumérés dans l'**Annexe 1** à la présente Convention.

## ARTICLE 20

### **Application de la Convention aux territoires sous tutelle des Nations Unies**

- 241** Les Nations Unies peuvent adhérer à la présente Convention au nom d'un territoire ou groupe de territoires confiés à leur administration et faisant l'objet d'un accord de tutelle conformément à l'article 75 de la Charte des Nations Unies.

## ARTICLE 21

### **Exécution de la Convention et des Règlements**

- 242** 1. Les Membres et Membres associés sont tenus de se conformer aux dispositions de la présente Convention et des Règlements y annexés dans tous les bureaux et dans toutes les stations de télécommunications établis

ou exploités par eux et qui assurent des services internationaux ou qui peuvent provoquer des brouillages nuisibles aux services de radiocommunications d'autres pays, sauf en ce qui concerne les services qui échappent à ces obligations en vertu des dispositions de l'article 50 de la présente Convention.

- 243** 2. Ils doivent, en outre, prendre les mesures nécessaires pour imposer l'observation des dispositions de la présente Convention et des Règlements y annexés aux exploitations autorisées par eux à établir et à exploiter des télécommunications, qui assurent des services internationaux ou qui exploitent des stations pouvant provoquer des brouillages nuisibles aux services de radiocommunications d'autres pays.

## ARTICLE 22

### Dénonciation de la Convention

- 244** 1. Tout Membre ou Membre associé ayant ratifié la présente Convention, ou y ayant adhéré, a le droit de la dénoncer par une notification adressée au secrétaire général de l'Union par la voie diplomatique et par l'entremise du gouvernement du pays où se trouve le siège de l'Union. Le secrétaire général en avise les autres Membres et Membres associés.
- 245** 2. Cette dénonciation produit son effet à l'expiration d'une période d'une année à partir du jour de réception de la notification par le secrétaire général.

## ARTICLE 23

### Dénonciation de la Convention par des pays ou territoires dont les relations extérieures sont assurées par des Membres de l'Union

- 246** 1. Lorsque la présente Convention a été rendue applicable à un pays, à un territoire ou à un groupe de territoires conformément aux dispositions de l'article 19, il peut être mis fin, à tout moment, à cette situation. Si ce pays, territoire, ou groupe de territoires, est Membre associé, il perd cette qualité au même moment.
- 247** 2. Les dénonciations prévues au paragraphe précédent sont notifiées dans les conditions fixées au numéro 244; elles prennent effet dans les conditions prévues au numéro 245.

**ARTICLE 24****Abrogation de la Convention antérieure**

- 248** La présente Convention abroge et remplace la Convention internationale des télécommunications de Buenos Aires, 1952, dans les relations entre les gouvernements contractants.

**ARTICLE 25****Validité des Règlements administratifs en vigueur**

- 249** Les Règlements administratifs visés au numéro 193 sont considérés comme annexés à la présente Convention et demeurent valables jusqu'au moment de l'entrée en vigueur des nouveaux Règlements élaborés par les conférences administratives compétentes ordinaires et éventuellement extraordinaires.

**ARTICLE 26****Relations avec des Etats non contractants**

- 250** 1. Tous les Membres et Membres associés se réservent pour eux-mêmes et pour les exploitations privées reconnues, la faculté de fixer les conditions dans lesquelles ils admettent les télécommunications échangées avec un Etat qui n'est pas partie à la présente Convention.
- 251** 2. Si une télécommunication originaire d'un Etat non contractant est acceptée par un Membre ou Membre associé, elle doit être transmise et, pour autant qu'elle emprunte les voies d'un Membre ou Membre associé, les dispositions obligatoires de la Convention et des Règlements ainsi que les taxes normales lui sont appliquées.

**ARTICLE 27****Règlement des différends**

- 252** 1. Les Membres et les Membres associés peuvent régler leurs différends sur les questions relatives à l'application de la présente Convention ou des Règlements prévus à l'article 14, 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.

- 253** 2. Au cas où aucun de ces moyens de règlement ne serait adopté, tout Membre ou Membre associé, partie dans un différend, peut avoir recours à l'arbitrage, conformément à la procédure définie à l'Annexe 4.

## CHAPITRE III

### **Relations avec les Nations Unies et les organisations internationales**

#### **ARTICLE 28**

##### **Relations avec les Nations Unies**

- 254** 1. Les relations entre les Nations Unies et l'Union internationale des télécommunications sont définies dans l'Accord dont le texte figure dans l'Annexe 6 à la présente Convention.

- 255** 2. Conformément aux dispositions de l'article XVI de l'Accord ci-dessus mentionné, les services d'exploitation des télécommunications des Nations Unies jouissent des droits et sont soumis aux obligations prévus par cette Convention et les Règlements administratifs y annexés. Ils ont, en conséquence, le droit d'assister, à titre consultatif, à toutes les conférences de l'Union, y compris les réunions des Comités consultatifs internationaux.

#### **ARTICLE 29**

##### **Relations avec des organisations internationales**

- 256** Afin d'aider à la réalisation d'une entière coordination internationale dans le domaine des télécommunications, l'Union collabore avec les organisations internationales ayant des intérêts et des activités connexes.

## CHAPITRE IV

### **Dispositions générales relatives aux télécommunications**

#### ARTICLE 30

##### **Droit du public à utiliser le service international des télécommunications**

- 257** Les Membres et les Membres associés reconnaissent au public le droit de correspondre au moyen du service international de la 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 31

##### **Arrêt des télécommunications**

- 258** 1. Les Membres et les Membres associés se réservent le droit d'arrêter 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 paraîtrait dangereuse pour la sûreté de l'Etat.
- 259** 2. Les Membres et les Membres associés se réservent aussi le droit de couper toute communication télégraphique ou téléphonique 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 32

##### **Suspension du service**

- 260** Chaque Membre et Membre associé se réserve le droit de suspendre le service des télécommunications internationales pour un temps indéterminé, soit d'une manière générale, soit seulement pour certaines relations

et/ou pour certaines natures de correspondances de départ, d'arrivée ou de transit, à charge pour lui d'en aviser immédiatement chacun des autres Membres et Membres associés, par l'intermédiaire du Secrétariat général.

## ARTICLE 33

### **Responsabilité**

- 261** Les Membres et les Membres associés n'acceptent aucune responsabilité à l'égard des usagers des services internationaux de télécommunications, notamment en ce qui concerne les réclamations visant à obtenir des dommages et intérêts.

## ARTICLE 34

### **Secret des télécommunications**

- 262** 1. Les Membres et les Membres associés s'engagent à prendre toutes les mesures possibles, compatibles avec le système de télécommunications employé, en vue d'assurer le secret des correspondances internationales.
- 263** 2. Toutefois, ils se réservent le droit de communiquer ces correspondances aux autorités compétentes afin d'assurer l'application de leur législation intérieure ou l'exécution des conventions internationales auxquelles ils sont parties.

## ARTICLE 35

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

- 264** 1. Les Membres et les Membres associés 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.
- 265** 2. Autant que possible, ces voies et installations doivent être exploitées selon les méthodes et procédés les meilleurs adoptés à la suite d'expériences acquises par la pratique, entretenues en bon état d'utilisation et maintenues au niveau des progrès scientifiques et techniques.

**266** 3. Les Membres et les Membres associés assurent la sauvegarde de ces voies et installations dans les limites de leur juridiction.

**267** 4. A moins d'arrangements particuliers fixant d'autres conditions, tous les Membres et Membres associés prennent les mesures utiles pour assurer la maintenance des sections de circuits des télécommunications internationales comprises dans les limites de leur contrôle.

## ARTICLE 36

### Notification des contraventions

**268** Afin de faciliter l'application de l'article 21 de la présente Convention, les Membres et les Membres associés s'engagent à se renseigner mutuellement au sujet des contraventions aux dispositions de la présente Convention et des Règlements y annexés.

## ARTICLE 37

### Taxes et franchise

**269** Les dispositions relatives aux taxes des télécommunications et les divers cas dans lesquels la franchise est accordée sont fixés dans les Règlements annexés à la présente Convention.

## ARTICLE 38

### Priorité des télécommunications relatives à la sécurité de la vie humaine

**270** Les services internationaux de télécommunications doivent accorder la priorité absolue aux télécommunications relatives à la sécurité de la vie humaine en mer, sur terre ou dans les airs, et aux télécommunications épidémiologiques d'urgence exceptionnelle de l'Organisation mondiale de la santé.

## ARTICLE 39

### Priorité des télegrammes d'Etat, des appels et des conversations téléphoniques d'Etat

**271** Sous réserve des dispositions des articles 38 et 48 de la présente Convention, les télegrammes d'Etat jouissent d'un droit de priorité sur les autres télegrammes, lorsque l'expéditeur en fait la demande. Les appels et les conversations téléphoniques d'Etat peuvent également, sur demande expresse et dans la mesure du possible, bénéficier d'un droit de priorité sur les autres appels et conversations téléphoniques.

## ARTICLE 40

### Langage secret

- 272 1. Les télégrammes d'Etat, ainsi que les télégrammes de service, peuvent être rédigés en langage secret dans toutes les relations.
- 273 2. Les télégrammes privés en langage secret peuvent être admis entre tous les pays à l'exception de ceux ayant préalablement notifié, par l'intermédiaire du Secrétariat général, qu'ils n'admettent pas ce langage pour ces catégories de correspondance.
- 274 3. Les Membres et les Membres associés 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 32 de la présente Convention.

## ARTICLE 41

### Etablissement et reddition des comptes

- 275 1. Les administrations des Membres et Membres associés et les exploitations privées reconnues, qui exploitent des services internationaux de télécommunications, doivent se mettre d'accord sur le montant de leurs créances et de leurs dettes.
- 276 2. Les comptes afférents aux débits et crédits visés au numéro 275 sont établis conformément aux dispositions des Règlements annexés à la présente Convention, à moins d'arrangements particuliers entre les parties intéressées.
- 277 3. Les règlements de comptes internationaux sont considérés comme transactions courantes et effectués en accord avec les obligations internationales courantes des pays intéressés, lorsque les 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 43 de la présente Convention, ces règlements de comptes sont effectués conformément aux Règlements.

## ARTICLE 42

### Unité monétaire

- 278 L'unité monétaire employée à la composition des tarifs des télécommunications internationales et à l'établissement des comptes internationaux est le franc-or à 100 centimes, d'un poids de  $10/31$  de gramme et d'un titre de 0,900.

**ARTICLE 43****Accords particuliers**

**279** Les Membres et les Membres associés se réservent, pour eux-mêmes, pour les exploitations privées reconnues par eux et pour d'autres exploitations dûment autorisées à cet effet, la faculté de conclure des accords particuliers sur des questions de télécommunications qui n'intéressent pas la généralité des Membres et Membres associés. Toutefois, ces accords ne doivent pas aller à l'encontre des dispositions de la présente Convention ou des Règlements y annexés, en ce qui concerne les brouillages nuisibles que leur mise à exécution serait susceptible de causer aux services de radiocommunications des autres pays.

**ARTICLE 44****Conférences régionales, accords régionaux, organisations régionales**

**280** Les Membres et Membres associés se réservent le droit de tenir des conférences régionales, de conclure des accords régionaux et de créer des organisations régionales, en vue de régler des questions de télécommunications susceptibles d'être traitées sur un plan régional. Toutefois, les accords régionaux ne doivent pas être en contradiction avec la présente Convention.

**CHAPITRE V****Dispositions spéciales aux radiocommunications****ARTICLE 45****Utilisation rationnelle des fréquences et de l'espace du spectre**

**281** Les Membres et les Membres associés reconnaissent souhaitable que le nombre de fréquences et l'espace du spectre utilisés soient limités au minimum indispensable pour assurer de manière satisfaisante le fonctionnement des services nécessaires.

## ARTICLE 46

### Intercommunication

**282** 1. Les stations assurant les radiocommunications dans le service mobile sont tenues, dans les limites de leur affectation normale, d'échanger réciproquement les radiocommunications sans distinction du système radioélectrique adopté par elles.

**283** 2. Toutefois, afin de ne pas entraver les progrès scientifiques, les dispositions du numéro 282 n'empêchent pas l'emploi d'un système radioélectrique incapable de communiquer avec d'autres systèmes, pourvu que cette incapacité soit due à la nature spécifique de ce système et qu'elle ne soit pas l'effet de dispositifs adoptés uniquement en vue d'empêcher l'intercommunication.

**284** 3. Nonobstant les dispositions du numéro 282, une station peut être affectée à un service international restreint de télécommunications, déterminé par le but de ce service ou par d'autres circonstances indépendantes du système employé.

## ARTICLE 47

### Brouillages nuisibles

**285** 1. Toutes les stations, quel que soit leur objet, doivent être établies et exploitées de manière à ne pas causer de brouillages nuisibles aux communications ou services radioélectriques des autres Membres ou Membres associés, des exploitations privées reconnues et des autres exploitations dûment autorisées à assurer un service de radiocommunications et qui fonctionnent en se conformant aux dispositions du Règlement des radiocommunications.

**286** 2. Chaque Membre ou Membre associé s'engage à exiger des exploitations privées reconnues par lui et des autres exploitations dûment autorisées à cet effet l'observation des prescriptions du numéro 285.

**287** 3. De plus, les Membres et les Membres associés reconnaissent désirable de prendre les mesures pratiquement possibles pour empêcher que le fonctionnement des appareils et installations électriques de toutes sortes ne cause des brouillages nuisibles aux communications ou services radioélectriques visés au numéro 285.

**ARTICLE 48****Appels et messages de détresse**

- 288** Les stations de radiocommunications sont obligées d'accepter par priorité absolue les appels et messages de détresse quelle qu'en soit la provenance, de répondre de même à ces messages et d'y donner immédiatement la suite qu'ils comportent.

**ARTICLE 49****Signaux de détresse, de sécurité ou d'identification faux ou trompeurs**

- 289** Les Membres et Membres associés s'engagent à prendre les mesures utiles pour réprimer la transmission ou la mise en circulation de signaux de détresse, de sécurité ou d'identification faux ou trompeurs, et à collaborer en vue de localiser et identifier, à partir de leur propre pays, les stations qui émettent ces signaux.

**ARTICLE 50****Installations des services de défense nationale**

- 290** 1. Les Membres et les Membres associés conservent leur entière liberté relativement aux installations radioélectriques militaires de leurs armées, de leurs forces navales et aériennes.
- 291** 2. Toutefois, ces installations doivent, autant que possible, observer les dispositions réglementaires relatives aux secours à prêter en cas de détresse, aux mesures à prendre pour empêcher les brouillages nuisibles, et les prescriptions des Règlements concernant les types d'émission et les fréquences à utiliser, selon la nature du service qu'elles assurent.
- 292** 3. En outre, lorsque ces installations participent au service de la correspondance publique ou aux autres services régis par les Règlements annexés à la présente Convention, elles doivent se conformer, en général, aux prescriptions réglementaires pour l'exécution de ces services.

## CHAPITRE VI

### Définitions

#### ARTICLE 51

### Définitions

- 293 Dans la présente Convention, à moins de contradiction avec le contexte:
- a) les termes qui sont définis dans l'Annexe 3 ont le sens qui leur est assigné;
  - b) les autres termes définis dans les Règlements visés à l'article 14 ont le sens qui leur est assigné dans ces Règlements.

## CHAPITRE VII

### Disposition finale

#### ARTICLE 52

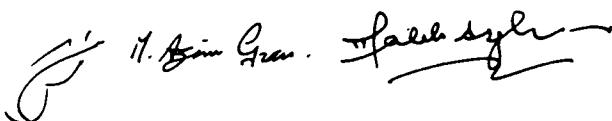
### Mise en vigueur de la Convention

- 295 La présente Convention entrera en vigueur le premier janvier mil neuf cent soixante et un entre les pays, territoires ou groupes de territoires pour lesquels les ratifications ou les adhésions auront été déposées avant cette date.
- 

EN FOI DE QUOI, les plénipotentiaires respectifs ont signé la Convention en un exemplaire dans chacune des langues anglaise, chinoise, espagnole, française et russe, le texte français faisant foi en cas de contestation; cet exemplaire restera déposé aux archives de l'Union internationale des télécommunications, laquelle en remettra une copie à chacun des pays signataires.

Fait à Genève, le 21 décembre 1959.

Pour l'Afghanistan:

A handwritten signature consisting of two parts. The first part, "M.A. Gran", is written in a cursive style with a large, stylized initial "G". The second part, "M.M. Asghar", is written in a more fluid, cursive script.

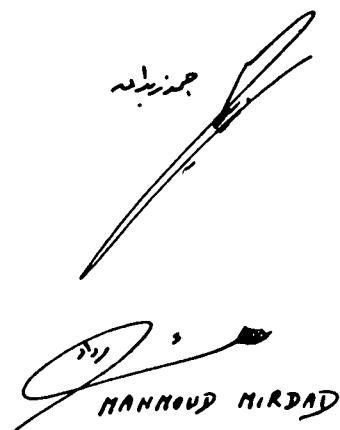
M.A. GRAN    M.M. ASGHAR

Pour la République Populaire d'Albanie:

A handwritten signature in a cursive script, appearing to begin with a large "D".

D. LAMANI

Pour le Royaume de l'Arabie Saoudite:

Two handwritten signatures. The top one is a long, sweeping cursive line. The bottom one is a more stylized, multi-layered cursive signature.

A. ZAIDAN  
M. MIRDAD

Pour la République Argentine:

L. Autelli  
O. Carli  
P. Comino  
J. Pico  
A. Senestrari  
M. Iturrioz

M.R. PICO  
O.N. CARLI  
J.A. AULELLI  
P.E. COMINO  
A.J. SENESTRARI  
M.E. ITURRIOZ

Pour la Fédération de l'Australie:

J. L. Skerrett

J.L. SKERRETT

Pour l'Autriche:

N. WENINGER  
M. KRASSER

Pour la Belgique:

R. VANDENHOVE  
J. ETIENNE

Pour la République Socialiste Soviétique  
de Biélorussie:

P.V. AFANASIEV

Pour l'Union de Birmanie:

K. WIN  
M. LWIN

Pour la Bolivie:

J. CUADROS QUIROGA

Pour le Brésil:

L.O. DE MIRANDA

Pour la République Populaire de Bulgarie:

I.M. TRIFONOV  
I. PETROV

Pour le Canada:

M.H. WERSHOF

Pour Ceylan:

D.P. JAYASEKARA  
C.A.R. ANKETELL

Pour la Chine:

于 美 壮 Yu-Meng-chang  
 林 克 达 Lin Keh-shan  
 陈 斯 先 Chen Shih-sien  
 毛 泽 东 Mao Tso-tung

T. YÜ  
 K. LIU  
 S. CHEN  
 T. MIAO

Pour l'Etat de la Cité du Vatican:

A. Stefanizzi  
 J. De Riedmatten

A. STEFANIZZI  
 J. DE RIEDMATTEN

Pour la République de Colombie:

Santiago Quijano  
Roberto Arciniegas  
L. Ramirez Arana  
F.T.I. L.G. T. C. O. S.  
cop.  
J. Albornoz Plata  
Vito Jimenez Suarez

S. QUIJANO C.  
R. ARCINIEGAS  
L. RAMIREZ ARANA  
M.G. VEGA  
S. ALBORNOZ PLATA  
V. JIMENEZ SUAREZ

Pour le Congo Belge et Territoire  
du Ruanda Urundi:

1.507.57  
J. Etienne

S. SEGALL  
J. ETIENNE

Pour la République de Corée:

7월 8일 Yangyuk Kim

23 일 수 Nam Soo Lim

박조우 Cho Dowg Pak

Y.S. KIM  
N.S. LIM  
C.W. PAK

Pour Costa Rica:

Donnadiu

A.P. DONNADIEU

Pour Cuba:

Miguel Bofo Aguilar:

Paulo Estrada Castro

Mamerto Lopez

M.R. BOFILL AGUILAR  
C. ESTRADA CASTRO  
M. GONZALEZ LONGORIA

Pour le Danemark:

Gunnar Pedersen  
Borge Nielsen  
C. B. Nielsen

G. PEDERSEN  
B. NIELSEN  
C.B. NIELSEN

Pour la République Dominicaine:

S.E. PARADAS

Pour la République de El Salvador:

A. AMY

Pour l'Espagne:

L.G. Llera  
José Garrido.

L.G. LLERA  
J. GARRIDO

Pour les Etats d'Outre-Mer de la Communauté  
et Territoires français d'Outre-Mer:

*H. Farat*  
*J. Meyer*  
*E. Skinazi*  
*M. N'Tsiba*  
*J. Agoh*  
*C. Ramanitra*  
*M. Bouquin*

H. FARAT  
J. MEYER  
E. SKINAZI  
M. N'TSIBA  
J. AGOH  
C. RAMANITRA  
M. BOUQUIN

Pour les Etats-Unis d'Amérique:

*François Colt de Wolf*  
*Rael S. Hyde*

F. COLT DE WOLF  
R.H. HYDE

Pour l'Ethiopie:

Tedros Admassie

A. Tedros B. Admassie

G. TEDROS  
B. ADMASSIE

Pour la Finlande:

S. J. Ahola  
U. A. Talvitie  
E. Heino

S.J. AHOLA  
U.A. TALVITIE  
E. HEINO

Pour la France:

A. Drevet

G. Terras  
L. A. Lamoitier

J.-P. Gascuel

A. DREVET  
G. TERRAS  
L.A. LAMOITIER  
J.-P. GASCUEL

Pour Ghana:



E.M. KORAM

Pour la Grèce:



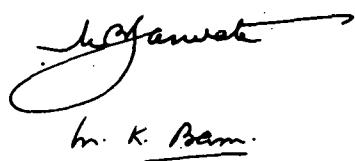
A. LELAKIS  
A. MARANGOUDAKIS

Pour la République Populaire Hongroise:



J. IVANYI

Pour la République de l'Inde:



M.B. SARWATE  
M.K. BASU

Pour la République d'Indonésie:



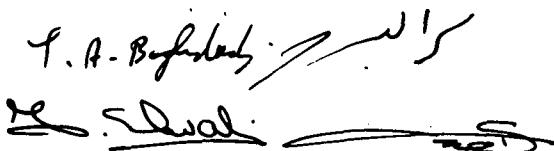
A. SUBARDJO DJOYOADISURYO

Pour l'Iran:



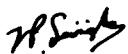
H. SAMIY

Pour la République d'Iraq:



M.A. BAGHDADI  
I. ELWALI

Pour l'Irlande:



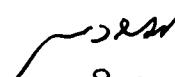
J.A. SCANNELL  
G.E. ENRIGHT  
T.P. SEOIGHE

Pour l'Islande:

G. Briem  
S. Thorkelsson

G. BRIEM  
S. THORKELSSON

Pour l'Etat d'Israël:

M. Berman   
D. Hareven   
M. Kahany  P.N.

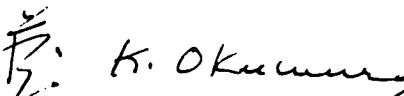
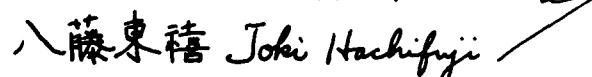
M.E. BERMAN  
D. HAREVEN  
M. KAHANY

Pour l'Italie:

A. Berio   
F. Nicotera 

A. BERIO  
F. NICOTERA

Pour le Japon:

奥 楠 喬 義   
松 田 英 一   
八 藤 東 福 

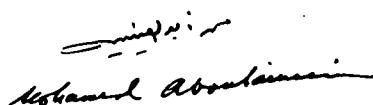
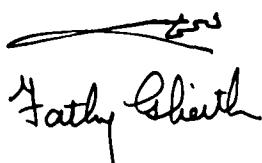
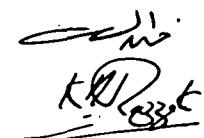
K. OKUMURA  
H. MATSUDA  
T. HACHIFUJI

Pour le Royaume Hachémite de Jordanie:



A.M. MORTADA

Pour Kuwait:



K.A. RAZZAQ  
F. GHEITH  
M.A. ABUALAINAIN

TIAS 4892

Pour le Royaume du Laos:

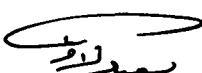
Chantharangsi  
  
T. CHANTHARANGSI  
G.H. SENGIER

Pour le Liban:

Hassan Osseiran 

H. OSSEIRAN

Pour le Royaume-Uni de Libye:

K. El Atrash   
K. EL ATRASH

Pour le Luxembourg:

  
E. RAUS

Pour la Fédération de Malaisie:

*Sardon Jubir*

*W. Stubbs.*

*Lee Chye Watt*

B.H. JUBIR SARDON  
W. STUBBS  
C.W. LEE

Pour le Royaume du Maroc:

*Aouad Mohamed*

*Hadj NASSAR MOHTAR*

*BERRADA Abderrazak*

*BENKIRANE Abdellah*

*el 88*  
*J. Nassar*  
*A. Berrada*  
*A. Benkirane*

M. AOUD  
M.H. NASSER  
A. BERRADA  
A. BENKIRANE

Pour le Mexique:

*Carlos Núñez A.*

C. NUÑEZ A.

Pour Monaco:



C. SOLAMITO  
R. BICKERT

Pour le Népal:



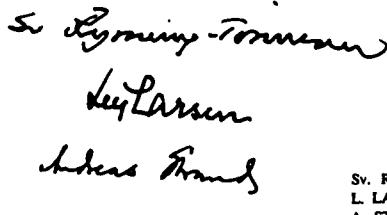
J.N. SINGHA

Pour le Nicaragua:



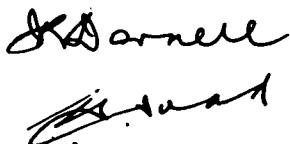
A.A. MULLHAUPT

Pour la Norvège:



Sv. RYNNING-TØNNESEN  
L. LARSEN  
A. STRAND

Pour la Nouvelle-Zélande:



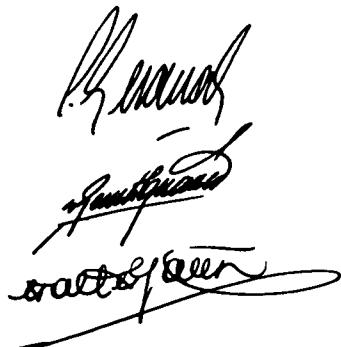
J.B. DARNELL  
E.S. DOAK

Pour le Pakistan:

  
(M.N. MIRZA)

M.N. MIRZA

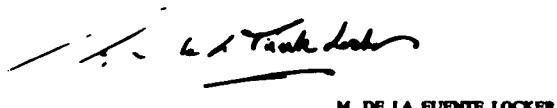
Pour le Paraguay:

  
S. GUANES  
B. GUANES  
W. GARCIA

Pour le Royaume des Pays Bas:

  
J.D.H. VAN DER TOORN  
A.J. EHNLÉ  
H.J. SCHIPPERS

Pour le Pérou:

  
M. DE LA FUENTE LOCKER

Pour la République des Philippines:

The image shows four handwritten signatures stacked vertically. The top signature is 'J.S. Alfonso'. Below it is 'G. Canon'. The third signature, 'F. Trinidad', is crossed out with a large, diagonal black line. The bottom signature is 'A.P.B. Frago'.

J.S. ALFONSO  
G. CANON  
F. TRINIDAD  
A.P.B. FRAGO

Pour la République Populaire de Pologne:

The image shows two handwritten signatures. The top signature is 'H. Baczko' and the bottom signature is 'K. Kozlowski'.

H. BACZKO  
K. KOZLOWSKI

Pour le Portugal:

Fernandes Pinho  
Maria da Cunha  
Tomaz Ferreira  
António de Loureiro  
Holmeira Baptista  
Luís Gois Figueira

H.M. PEREIRA  
M.A. VIEIRA  
F. ELOY  
A. DE SOUSA  
A. OLIVEIRA BAPTISTA  
L. GOIS FIGUEIRA

Pour les Provinces portugaises d'Outre-Mer:

A.J. Magro  
José Agostinho de Magro  
Eduardo C. dos Santos

A.J. MAGRO  
J.A. ROGADO QUINTINO  
A.A. DOS SANTOS

Pour la République Arabe Unie:

م. م. رياض  
م. م. مهrez  
أ. إل بارداي  
أ. س. سفوت  
Ali Sameh Saadat

M.M. RIAD  
G.M. MEHREZ  
A. EL BARDAI  
A.S. SAFWAT

Pour la Republique Fédérale d'Allemagne:

R. Thierfelder  
O. Kirchner

R. THIERFELDER  
O. KIRCHNER

Pour la République Fédérative Populaire  
de Yougoslavie:

Slobodan

V. SENK

Pour la République Socialiste Soviétique  
de l'Ukraine:

Slyvko

I.P. LIKSO

Pour la République Populaire Roumaine:

M. Grigore  
B. Tonita  
P. Postelnicu

M. GRIGORE  
B. TONITA  
P. POSTELNICU

Pour le Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord, y compris  
les îles Anglo-Normandes et l'île de Man:

T.C. Rapp —  
W.A. Wolverson —  
H.A. Daniels —

H. A. Daniels  
Elizabeth M. Perry.

T.C. RAPP  
W.A. WOLVERSON  
H.A. DANIELS  
ELIZABETH M. PERRY

Pour la République du Soudan:

السودان  
متحدة  
Suliman Hosseini —  
H.I. Beshir

S. HOSSEIN  
H.I. BESHIR

Pour la Suède:

Håkan Sterky  
B. Olters  
Simeon Hultare

H. STERKY  
B. OLTERS  
S. HULTARE

Pour la Confédération Suisse:

Weber  
Wettstein.  
Langenberger  
Weber  
Ch. Chappuis

E. WEBER  
A. WETTSTEIN  
A. LANGENBERGER  
F. LOCHER  
C. CHAPPUIS

Pour la Tchécoslovaquie:

Manak  
Vodnansky

J. MANAK  
G. VODNANSKY

Pour les Territoires d'Outre-Mer dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de la Grande Bretagne et de l'Irlande du Nord:

A.H. SHEFFIELD  
J. BOURN  
L.W. DUDLEY

Pour la Thaïlande:

M. CHULLAKESA  
M.L.O. SIRIVONGS

Pour la Tunisie:

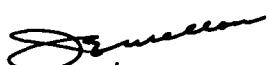
M. MILI

Pour la Turquie:

G. YENAL  
I. BILGIC A. RIZA HIZAL

Pour l'Union de l'Afrique du Sud  
et Territoire de l'Afrique du Sud-Ouest:



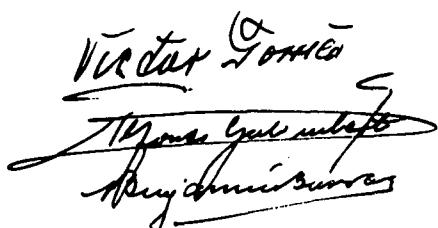
J.E. MELLON

Pour l'Union des Républiques Socialistes Soviétiques:



I. KLOKOV

Pour la République Orientale de l'Uruguay:



V. POMES  
A. GALIMBERTI  
B. BARREIRO

Pour la République de Vénézuéla:



J.A. LOPEZ

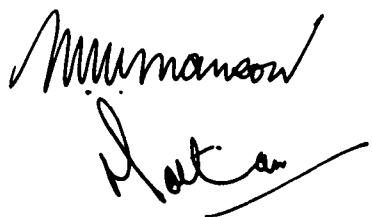
Pour la République du Viet-Nam:



NGUYEN-KHAC-THAM  
NGUYEN-QUANG-TUAN

Pour l'Afrique orientale britannique :

Pour le Gouvernement du Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord en ce qui concerne  
l'Afrique Orientale Britannique

The image shows two handwritten signatures stacked vertically. The top signature is "M.W. Manson" written in a cursive style. Below it is another signature, "R. Bolton", also in a cursive style.

M.W. MANSON  
R. BOLTON

## ANNEXE 1

(voir numéro 4)

Afghanistan	Guatemala
Albanie (République Populaire d')	Guinée (République de)
Arabie Saoudite (Royaume de l')	Haïti (République d')
Argentine (République)	Honduras (République de)
Australie (Fédération de l')	Hongroise (République Populaire)
Autriche	Inde (République de l')
Belgique	Indonésie (République d')
Biélorussie (République Socialiste Soviétique de)	Iran
Birmanie (Union de)	Iraq (République d')
Bolivie	Irlande
Brésil	Islande
Bulgarie (République Populaire de)	Israël (Etat d')
Cambodge (Royaume du)	Italie
Canada	Japon
Ceylan	Jordanie ( Royaume Hachémite de)
Chili	Kuwait
Chine	Laos (Royaume du)
Cité du Vatican (Etat de la)	Liban
Colombie (République de)	Libéria
Congo Belge et Territoire du Ruanda-Urundi	Libye (Royaume-Uni de)
Corée (République de)	Luxembourg
Costa Rica	Malaisie (Fédération de)
Cuba	Maroc (Royaume du)
Danemark	Mexique
Dominicaine (République)	Monaco
El Salvador (République de)	Népal
Equateur	Nicaragua
Espagne	Norvège
Etats d'Outre-Mer de la Communauté et Territoires français d'Outre-Mer	Nouvelle-Zélande
Etats-Unis d'Amérique	Pakistan
Ethiopie	Panama
Finlande	Paraguay
France	Pays-Bas (Royaume des)
Ghana	Pérou
Grèce	Philippines (République des)
	Pologne (République Populaire de)
	Portugal
	Provinces espagnoles d'Afrique
	Provinces portugaises d'Outre-Mer

République Arabe Unie	Territoires d'Outre-Mer dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord
République Fédérale d'Allemagne	
République Fédérative Populaire de Yougoslavie	
République Socialiste Soviétique de l'Ukraine	
Rhodésie et Nyassaland (Fédération)	Thaïlande
Roumaine (République Populaire)	Tunisie
Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord	Turquie
Soudan (République du)	Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest
Suède	Union des Républiques Socialistes Soviétiques
Suisse (Confédération)	Uruguay (République Orientale de l')
Tchécoslovaquie	Vénézuéla (République de)
Territoires des Etats-Unis d'Amérique	Viet-Nam (République du)
	Yémen

**ANNEXE 2**

(voir numéro 7)

Afrique occidentale britannique	Singapour-Bornéo britannique
Afrique orientale britannique	(Groupe)
Bermudes-Caraïbes britanniques (Groupe des)	Territoire sous tutelle de la Somalie sous Administration italienne

**ANNEXE 3**

(Voir article 51)

**Définition de termes employés dans la Convention internationale  
des télécommunications et ses annexes**

- 300     *Administration:*** Tout service ou département gouvernemental responsable des mesures à prendre pour exécuter les obligations de la Convention internationale des télécommunications et des Règlements y annexés.
- 301     *Exploitation privée:*** Tout particulier ou société, autre qu'une institution ou agence gouvernementale, qui exploite une installation de télécommunications destinée à assurer un service de télécommunications international ou qui est susceptible de produire des brouillages nuisibles à un tel service.
- 302     *Exploitation privée reconnue:*** Toute exploitation privée 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 21 sont imposées par le Membre ou le Membre associé sur le territoire duquel est installé le siège social de cette exploitation ou par le Membre ou Membre associé qui a autorisé cette exploitation à établir et à exploiter un service de télécommunications sur son territoire.
- 303     *Délégué:*** Personne envoyée par le gouvernement d'un Membre ou d'un Membre associé de l'Union à une conférence de plénipotentiaires, ou personne représentant le gouvernement ou l'administration d'un Membre ou d'un Membre associé de l'Union à une conférence administrative ou à une réunion d'un Comité consultatif international.
- 304     *Représentant:*** Personne envoyée par une exploitation privée reconnue à une conférence administrative ou à une réunion d'un Comité consultatif international.
- 305     *Expert:*** Personne envoyée par un établissement national scientifique ou industriel autorisé par le gouvernement ou l'administration de son pays

à assister aux réunions des commissions d'études d'un Comité consultatif international.

**306** *Observateur:* Personne envoyée par:

- les Nations Unies en exécution des dispositions de l'article 28 de la Convention;
- une des organisations internationales invitées ou admises conformément aux dispositions du Règlement général à participer aux travaux d'une conférence;
- le gouvernement d'un Membre ou Membre associé de l'Union participant sans droit de vote à une conférence spéciale de caractère régional conformément aux dispositions de l'article 7 de la Convention.

**307** *Délégation:* Ensemble des délégués et, éventuellement, des représentants, attachés ou interprètes envoyés par un même pays.

Chaque Membre et Membre associé est libre de composer sa délégation à sa convenance. En particulier, il peut y inclure en qualité de délégués, ou d'attachés, des personnes appartenant à des exploitations privées reconnues par lui ou des personnes appartenant à d'autres entreprises privées qui s'intéressent au domaine des télécommunications.

**308** *Télécommunication:* Toute transmission, émission ou réception de signes, de signaux, d'écrits, d'images, de sons ou de renseignements de toute nature, par fil, radioélectricité, optique ou autres systèmes électromagnétiques.

**309** *Télégraphie:* Système de télécommunications qui intervient dans toute opération assurant la transmission et la reproduction à distance du contenu de tout document, tel qu'un écrit, un imprimé ou une image fixe, ou bien la reproduction à distance de tous genres d'information sous cette forme. Aux fins du Règlement des radiocommunications, le terme « télégraphie », signifie, sauf avis contraire, « un système de télécommunications assurant la transmission des écrits par l'utilisation d'un code de signaux ».

**310** *Téléphonie:* Système de télécommunications établi en vue de la transmission de la parole, ou, dans certains cas, d'autres sons.

**311** *Radiocommunication:* Télécommunication réalisée à l'aide des ondes radioélectriques.

- 312     *Radio*: Préfixe s'appliquant à l'emploi des ondes radioélectriques.
- 313     *Brouillage nuisible*: Toute émission, tout rayonnement ou toute induction qui compromet le fonctionnement d'un service de radionavigation ou d'autres services de sécurité<sup>1</sup> ou qui cause une grave détérioration de la qualité d'un service de radiocommunications fonctionnant conformément au Règlement des radiocommunications, le gêne ou l'interrompt de façon répétée.
- 314     *Service international*: Service de télécommunications entre bureaux ou stations de télécommunications de toute nature, qui sont dans des pays différents ou appartiennent à des pays différents.
- 315     *Service mobile*: Service de radiocommunications entre stations mobiles et stations terrestres, ou entre stations mobiles.
- 316     *Service de radiodiffusion*: Service de radiocommunications dont les émissions sont destinées à être reçues directement par le public en général. Ce service peut comprendre des émissions sonores, des émissions de télévision, ou d'autres genres d'émissions.
- 317     *Correspondance publique*: Toute télécommunication que les bureaux et stations, par le fait de leur mise à la disposition du public, doivent accepter pour transmission.
- 318     *Télégramme*: Ecrit destiné à être transmis par télégraphie en vue de sa remise au destinataire. Ce terme comprend aussi le radiotélégramme, sauf spécification contraire.
- 319     *Télégrammes, appels et conversations téléphoniques d'Etat*: Télégrammes et appels et conversations téléphoniques émanant de l'une des autorités ci-après:
- chef d'un Etat;
  - chef d'un gouvernement et membres d'un gouvernement;
  - chef d'un territoire ou chef d'un territoire compris dans un groupe de territoires Membre ou Membre associé;

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<sup>1</sup> On considère comme service de sécurité tout service radioélectrique exploité de façon permanente ou temporaire pour assurer la sécurité de la vie humaine et la sauvegarde des biens.

- chef d'un territoire sous tutelle ou sous mandat, soit des Nations Unies, soit d'un Membre ou Membre associé;
- commandants en chef des forces militaires, terrestres, navales ou aériennes;
- agents diplomatiques ou consulaires;
- secrétaire général des Nations Unies; chef des organes principaux des Nations Unies;
- Cour internationale de Justice de La Haye.

**320** Les réponses aux télégrammes d'Etat définis ci-dessus sont également considérées comme des télégrammes d'Etat.

**321** *Télégrammes privés:* Télégrammes autres que les télégrammes de service ou d'Etat.

**322** *Télégrammes de service:* Télégrammes échangés entre:

- a) les administrations;
- b) les exploitations privées reconnues;
- c) les administrations et les exploitations privées reconnues;
- d) les administrations et les exploitations privées reconnues, d'une part, et le secrétaire général, d'autre part,

et relatifs aux télécommunications publiques internationales.

**ANNEXE 4**

(voir article 27)

**Arbitrage**

- 400      1. La partie qui fait appel entame la procédure en transmettant à l'autre partie une notification de demande d'arbitrage.
- 401      2. Les parties décident d'un commun accord si l'arbitrage doit être confié à des personnes, à des administrations ou à des gouvernements. Au cas où, dans le délai d'un mois à compter du jour de la notification de la demande d'arbitrage, les parties n'ont pas pu tomber d'accord sur ce point, l'arbitrage est confié à des gouvernements.
- 402      3. Si l'arbitrage est confié à des personnes, les arbitres ne doivent être ni des ressortissants d'un pays partie dans le différend, ni avoir leur domicile dans un de ces pays, ni être à leur service.
- 403      4. Si l'arbitrage est confié à des gouvernements ou à des administrations de ces gouvernements, ceux-ci doivent être choisis parmi les Membres ou Membres associés qui ne sont pas impliqués dans le différend, mais qui sont parties à l'accord dont l'application a provoqué le différend.
- 404      5. Dans le délai de trois mois à compter de la date de réception de la notification de la demande d'arbitrage, chacune des deux parties en cause désigne un arbitre.
- 405      6. Si plus de deux parties sont impliquées dans le différend, chacun des deux groupes de parties ayant des intérêts communs dans le différend désigne un arbitre conformément à la procédure prévue aux numéros 403 et 404.
- 406      7. Les deux arbitres ainsi désignés s'entendent pour nommer un troisième arbitre qui, si les deux premiers sont des personnes et non des gouvernements ou des administrations, doit répondre aux conditions fixées au numéro 402 et qui, de plus, doit être d'une nationalité différente de celles des deux autres. A défaut d'accord entre les deux arbitres sur le choix du troisième arbitre, chaque arbitre propose un troisième arbitre n'ayant aucun intérêt dans le différend. Le secrétaire général de l'Union procède alors à un tirage au sort pour désigner le troisième arbitre.

- 407        8. Les parties en désaccord peuvent s'entendre pour faire régler leur différend par un arbitre unique désigné d'un commun accord; elles peuvent aussi désigner chacune un arbitre et demander au secrétaire général de l'Union de procéder à un tirage au sort pour désigner l'arbitre unique.
- 408        9. Le ou les arbitres décident librement de la procédure à suivre.
- 409        10. La décision de l'arbitre unique est définitive et lie les parties au différend. Si l'arbitrage est confié à plusieurs arbitres, la décision intervenue à la majorité des votes des arbitres est définitive et lie les parties.
- 410        11. Chaque partie supporte les dépenses qu'elle a exposées à l'occasion de l'instruction et de l'introduction de l'arbitrage. Les frais d'arbitrage, autres que ceux exposés par les parties elles-mêmes, sont répartis d'une manière égale entre les parties en litige.
- 411        12. L'Union fournit tous les renseignements se rapportant au différend dont le ou les arbitres peuvent avoir besoin.

**ANNEXE 5****Règlement général annexé à la Convention internationale des télécommunications***Ire PARTIE***Dispositions générales concernant les conférences****CHAPITRE I****Invitation et admission aux Conférences de plénipotentiaires en cas de participation d'un gouvernement invitant**

- 500     1. Le gouvernement invitant, en accord avec le Conseil d'administration, fixe la date définitive et le lieu exact de la conférence.
- 501     2. (1) Un an avant cette date, le gouvernement invitant envoie une invitation au gouvernement de chaque pays Membre de l'Union et à chaque Membre associé de l'Union.
- 502     (2) Ces invitations peuvent être adressées soit directement, soit par l'entremise du secrétaire général, soit par l'intermédiaire d'un autre gouvernement.
- 503     3. Le secrétaire général adresse une invitation aux Nations Unies conformément aux dispositions de l'article 28 de la Convention.
- 504     4. Le gouvernement invitant, en accord avec le Conseil d'administration ou sur proposition de ce dernier, peut inviter les institutions spécialisées qui sont en rapport avec l'Organisation des Nations Unies et qui admettent réciproquement la représentation de l'Union à leurs réunions, à envoyer des observateurs pour participer aux conférences avec voix consultative.
- 505     5. Les réponses des Membres et Membres associés doivent parvenir au gouvernement invitant au plus tard un mois avant l'ouverture de la

conférence; elles doivent, autant que possible, donner toutes indications sur la composition de la délégation.

506 6. Tout organisme permanent de l'Union a le droit d'être représenté à la conférence à titre consultatif lorsque celle-ci traite des affaires qui relèvent de sa compétence. En cas de besoin, la conférence peut inviter un organisme qui n'aurait pas jugé utile de s'y faire représenter.

507 7. Sont admis aux Conférences de plénipotentiaires:

- a) les délégations, telles qu'elles sont définies au numéro 307 de l'Annexe 3 à la Convention;
- b) les observateurs des Nations Unies;
- c) les observateurs des institutions spécialisées, conformément au numéro 504.

## CHAPITRE 2

### **Invitation et admission aux conférences administratives en cas de participation d'un gouvernement invitant**

510 1. (1) Les dispositions des numéros 500 à 505 sont applicables aux conférences administratives.

511 (2) Toutefois, en ce qui concerne les conférences administratives extraordinaires et les conférences spéciales, le délai pour l'envoi des invitations peut être réduit à six mois.

512 (3) Les Membres et Membres associés de l'Union peuvent faire part de l'invitation qui leur a été adressée aux exploitations privées reconnues par eux.

513 2. (1) Le gouvernement invitant, en accord avec le Conseil d'administration ou sur proposition de ce dernier, peut adresser une notification aux organisations internationales qui ont intérêt à envoyer des observateurs pour participer aux travaux de la conférence à titre consultatif.

514 (2) Les organisations internationales intéressées adressent au gouvernement invitant une demande d'admission dans un délai de deux mois à partir de la date de la notification.

515 (3) Le gouvernement invitant rassemble les demandes, et la décision d'admission est prise par la conférence elle-même.

516 3. (1) Sont admis aux conférences administratives:

- a) les délégations, telles qu'elles sont définies au numéro 307 de l'Annexe 3 à la Convention;

- 517            b) les observateurs des Nations Unies;
- 518            c) les observateurs des institutions spécialisées conformément au numéro 504;
- 519            d) les observateurs des organisations internationales agréées conformément aux dispositions des numéros 513 à 515;
- 520            e) les représentants des exploitations privées reconnues, dûment autorisées par le pays Membre dont elles dépendent;
- 521            f) les organismes permanents de l'Union, dans les conditions prévues au numéro 506.
- 522            (2) En outre sont admis aux conférences spéciales de caractère régional les observateurs des Membres et Membres associés qui n'appartiennent pas à la région intéressée.

### CHAPITRE 3

#### **Dispositions particulières aux conférences qui se réunissent sans la participation d'un gouvernement invitant**

- 523           Lorsqu'une conférence doit être réunie sans la participation d'un gouvernement invitant, les dispositions des chapitres 1 et 2 sont applicables. Le secrétaire général, après entente avec le Gouvernement de la Confédération Suisse, prend les dispositions nécessaires pour convoquer et organiser la conférence au siège de l'Union.

### CHAPITRE 4

#### **Délais et modalités de présentation des propositions aux conférences**

- 524           1. Immédiatement après l'envoi des invitations, le secrétaire général prie les Membres et Membres associés de lui faire parvenir dans un délai de quatre mois leurs propositions relatives aux travaux de la conférence.

- 525 2. Toute proposition présentée dont l'adoption entraîne la révision du texte de la Convention ou des Règlements doit contenir des références permettant d'identifier par numéro de chapitre, d'article ou de paragraphe les parties du texte qui appellent cette révision. Les motifs de la proposition doivent être indiqués dans chaque cas aussi brièvement que possible.
- 526 3. Le secrétaire général réunit et coordonne les propositions reçues des administrations et des Comités consultatifs internationaux et les fait parvenir à tous les Membres et Membres associés trois mois au moins avant la date d'ouverture de la conférence.

## CHAPITRE 5

### Pouvoirs aux conférences

- 527 1. (1) La délégation envoyée par un Membre de l'Union pour participer à une conférence doit être dûment accréditée en vue d'exercer son droit de vote et être munie des pouvoirs nécessaires pour signer les Actes finals.
- 528 (2) La délégation envoyée à une conférence par un Membre associé doit être dûment accréditée pour participer aux travaux, conformément au numéro 16.
- 529 2. Pour les Conférences de plénipotentiaires:
- (1) a) les délégations sont accréditées par des actes signés par le chef de l'Etat, ou par le chef du gouvernement, ou par le ministre des Affaires étrangères;
- 530 b) elles peuvent cependant être provisoirement accréditées par le chef de la mission diplomatique auprès du gouvernement du pays où se tient la conférence;
- 531 c) toute délégation représentant un territoire sous tutelle, au nom duquel les Nations Unies ont adhéré à la Convention, conformément à l'article 20, doit être habilitée par le secrétaire général des Nations Unies.
- 532 (2) En vue de signer les Actes finals de la Conférence, les délégations doivent être munies de pleins pouvoirs signés par les autorités désignées au numéro 529. Les pouvoirs adressés par télégramme ne sont pas acceptables.

- 533**     3. Pour les conférences administratives:
- (1) les dispositions des numéros **529** à **532** sont applicables;
- 534**     (2) indépendamment des autorités mentionnées au numéro **529**, le ministre compétent pour les questions traitées au cours de la conférence peut accréditer une délégation et la munir de pouvoirs l'habilitant à participer aux travaux et à signer les Actes finals.
- 535**     4. Une commission spéciale est chargée de vérifier les pouvoirs de chaque délégation; elle formule ses conclusions dans le délai spécifié par l'assemblée plénière.
- 536**     5. (1) La délégation d'un Membre de l'Union exerce son droit de vote dès l'instant où elle commence à participer aux travaux de la conférence.
- 537**     (2) Toutefois, une délégation n'aura plus droit de vote à partir du moment où l'assemblée plénière estime que ses pouvoirs ne sont pas en règle et tant que la situation ne sera pas régularisée.
- 538**     6. En règle générale, les pays Membres doivent s'efforcer d'envoyer aux conférences de l'Union leurs propres délégations. Néanmoins, si pour des raisons exceptionnelles, un Membre ne peut pas envoyer sa propre délégation, il peut accréditer la délégation d'un autre Membre de l'Union et donner à cette dernière le pouvoir d'agir et de signer en son nom.
- 539**     7. Une délégation dûment accréditée peut donner mandat à une autre délégation dûment accréditée d'exercer son droit de vote au cours d'une ou de plusieurs séances auxquelles il ne lui est pas possible d'assister. Dans ce cas, elle doit en informer le président de la conférence.
- 540**     8. Dans tous les cas prévus aux numéros **538** et **539**, une délégation ne peut exercer plus d'un vote par procuration.

## CHAPITRE 6

### **Procédure pour la convocation de conférences administratives extraordinaires à la demande de Membres de l'Union ou sur proposition du Conseil d'administration**

- 541** 1. Les Membres de l'Union désirant qu'une conférence administrative extraordinaire soit convoquée en informent le secrétaire général en indiquant l'ordre du jour, le lieu et la date proposés pour la convocation.
- 542** 2. Le secrétaire général, au reçu de vingt requêtes concordantes, transmet la communication par télégramme à tous les Membres et Membres associés en priant les Membres de lui indiquer, dans un délai de six semaines, s'ils acceptent ou non la proposition formulée.
- 543** 3. Si la majorité des Membres se prononce en faveur de l'ensemble de la proposition, c'est-à-dire accepte à la fois l'ordre du jour, la date et le lieu de réunion proposés, le secrétaire général en informe tous les Membres et Membres associés de l'Union par télégramme-circulaire.
- 544** 4. (1) Si la proposition acceptée tend à réunir la conférence ailleurs qu'au siège de l'Union, le secrétaire général demande au gouvernement du pays intéressé s'il accepte de devenir gouvernement invitant.
- 545** (2) Dans l'affirmative, le secrétaire général, en accord avec ce gouvernement, prend les dispositions nécessaires pour la réunion de la conférence.
- 546** (3) Dans la négative, le secrétaire général invite les Membres qui ont demandé la convocation de la conférence à formuler de nouvelles propositions quant au lieu de la réunion.
- 547** 5. Lorsque la proposition acceptée tend à réunir la conférence au siège de l'Union, les dispositions du chapitre 3 sont applicables.
- 548** 6. (1) Si l'ensemble de la proposition (ordre du jour, lieu et date) n'est pas accepté par la majorité des Membres, le secrétaire général communique les réponses reçues aux Membres et Membres associés de l'Union, en invitant les Membres à se prononcer de façon définitive sur le ou les points controversés.

**549** (2) Ces points sont considérés comme adoptés lorsqu'ils ont été approuvés par la majorité des Membres.

**550** 7. La procédure indiquée ci-dessus est également applicable lorsque la proposition de convocation d'une conférence administrative extraordinaire est présentée par le Conseil d'administration.

## CHAPITRE 7

### **Procédure pour la convocation de conférences administratives spéciales à la demande de Membres de l'Union ou sur proposition du Conseil d'administration**

**551** 1. Les dispositions du chapitre 6 sont intégralement applicables aux conférences spéciales mondiales.

**552** 2. Dans le cas des conférences spéciales régionales, la procédure prévue au chapitre 6 s'applique aux seuls Membres de la région intéressée. Si la convocation doit se faire sur l'initiative des Membres de la région, il suffit que le secrétaire reçoive des demandes concordantes émanant du quart des Membres de cette région.

## CHAPITRE 8

### **Dispositions communes à toutes les conférences Changement de date et de lieu d'une conférence**

**553** 1. Les dispositions des chapitres 6 et 7 s'appliquent par analogie lorsqu'il s'agit, à la demande de Membres de l'Union ou sur proposition du Conseil d'administration, de changer la date et le lieu, ou l'un des deux seulement, de la réunion d'une conférence. Toutefois, de tels changements ne peuvent être opérés que si la majorité des Membres intéressés s'est prononcée en leur faveur.

**554** 2. Tout Membre ou Membre associé qui propose de changer la date ou le lieu d'une conférence est tenu d'obtenir l'appui d'autres Membres et Membres associés au nombre requis.

**555** 3. Le cas échéant, le secrétaire général fait connaître dans la communication prévue au numéro 542, les conséquences financières probables résultant du changement de lieu ou du changement de date, par exemple lorsque des dépenses ont été faites pour préparer la réunion de la conférence au lieu prévu initialement.

## CHAPITRE 9

### Règlement intérieur des conférences

#### ARTICLE 1

##### Ordre des places

**556** Aux séances de la conférence, les délégations sont rangées dans l'ordre alphabétique des noms en français des pays représentés.

#### ARTICLE 2

##### Inauguration de la conférence

**557** 1. (1) La séance inaugurale de la conférence est précédée d'une réunion des chefs de délégation au cours de laquelle sera préparé l'ordre du jour de la première assemblée plénière.

**558** (2) Le président de la réunion des chefs de délégation est désigné conformément aux dispositions des numéros 559 et 560.

**559** 2. (1) La conférence est inaugurée par une personnalité désignée par le gouvernement invitant.

**560** (2) S'il n'y a pas de gouvernement invitant, elle est inaugurée par le chef de délégation le plus âgé.

**561** 3. (1) A la première séance de l'assemblée plénière, il est procédé à l'élection du président qui, généralement, est une personnalité désignée par le gouvernement invitant.

**562** (2) S'il n'y a pas de gouvernement invitant, le président est choisi compte tenu de la proposition faite par les chefs de délégation au cours de la réunion visée au numéro 557.

**563** 4. La première assemblée plénière procède également à:

a) l'élection des vice-présidents de la conférence;

**564** b) la constitution des commissions de la conférence et l'élection des présidents et vice-présidents respectifs;

- 565** c) la constitution du secrétariat de la conférence, lequel est composé de personnel du Secrétariat général de l'Union et, le cas échéant, de personnel de l'administration du gouvernement invitant.

### ARTICLE 3

#### Prérogatives du président de la conférence

- 566** 1. Outre l'exercice de toutes les autres prérogatives qui lui sont conférées par le présent règlement, le président prononce l'ouverture et la clôture de chaque séance de l'assemblée plénière, dirige les débats, veille à l'application du règlement intérieur, donne la parole, met les questions aux voix et proclame les décisions adoptées.
- 567** 2. Il a la direction générale des travaux de la conférence et veille au maintien de l'ordre au cours des séances de l'assemblée plénière. Il statue sur les motions et points d'ordre et a, en particulier, le pouvoir de proposer l'ajournement ou la clôture du débat, la levée ou la suspension d'une séance. Il peut aussi décider d'ajourner la convocation d'une assemblée ou d'une séance plénière, s'il le juge nécessaire.
- 568** 3. Il protège le droit de toutes les délégations d'exprimer librement et pleinement leur avis sur le sujet en discussion.
- 569** 4. Il veille à ce que les débats soient limités au sujet en discussion et il peut interrompre tout orateur qui s'écarte de la question traitée, pour lui rappeler la nécessité de s'en tenir à cette question.

### ARTICLE 4

#### Institution des commissions

- 570** 1. L'assemblée plénière peut instituer des commissions pour examiner les questions soumises aux délibérations de la conférence. Ces commissions peuvent instituer des sous-commissions. Les commissions et sous-commissions peuvent également constituer des groupes de travail.

**571** 2. Les commissions et sous-commissions ne constituent des sous-commissions et des groupes de travail que si cela est absolument nécessaire.

## ARTICLE 5

### Commission de contrôle budgétaire

**572** 1. A l'ouverture de chaque conférence ou réunion, l'assemblée plénière nomme une commission de contrôle budgétaire, chargée d'apprecier l'organisation et les moyens d'action mis à la disposition des délégués, d'examiner et d'approuver les comptes des dépenses encourues pendant toute la durée de la conférence ou réunion. Cette commission comprend, indépendamment des Membres des délégations qui désirent y participer, un représentant du secrétaire général et, en cas de participation d'un gouvernement invitant, un représentant de celui-ci.

**573** 2. Avant l'épuisement du budget approuvé par le Conseil d'administration pour la conférence ou réunion, la commission de contrôle budgétaire, en collaboration avec le secrétariat de la conférence ou réunion, présente à l'asscmblée plénière un état provisoire des dépenses déjà encourues. L'assemblée plénière en tient compte, afin de décider si les progrès réalisés justifient une prolongation au-delà de la date à laquelle le budget approuvé sera épuisé.

**574** 3. A la fin de chaque conférence ou réunion, la commission de contrôle budgétaire présente à l'assemblée plénière un rapport indiquant, aussi exactement que possible, le montant estimé des dépenses effectuées à la clôture de la conférence ou réunion.

**575** 4. Après avoir été examiné et approuvé par l'assemblée plénière, ce rapport est transmis, avec les observations de l'assemblée plénière, au secrétaire général, afin qu'il en saisisse le Conseil d'administration lors de sa prochaine session annuelle.

## ARTICLE 6

### Composition des commissions

**576** 1. *Conférences de plénipotentiaires:*

Les commissions sont composées des délégués des Membres et Membres associés et des observateurs prévus aux numéros 508 et 509, qui en ont fait la demande ou qui ont été désignés par l'assemblée plénière.

**577 2. Conférences administratives:**

Les commissions sont composées des délégués des Membres et Membres associés, des observateurs et des représentants prévus aux numéros 517 à 520, qui en ont fait la demande ou qui ont été désignés par l'assemblée plénière.

**ARTICLE 7****Rapporteurs. Présidents et vice-présidents des sous-commissions**

**578** Le président de chaque commission propose à sa commission la nomination des rapporteurs et le choix des présidents, vice-présidents et rapporteurs des sous-commissions qu'elle institue.

**ARTICLE 8****Convocation aux séances**

**579** Les séances de l'assemblée plénière, des commissions, sous-commissions et groupes de travail sont annoncées suffisamment à l'avance au siège de la conférence.

**ARTICLE 9****Propositions soumises avant l'ouverture de la conférence**

**580** Les propositions soumises avant l'ouverture de la conférence sont réparties par l'assemblée plénière entre les commissions compétentes, constituées conformément aux dispositions de l'article 4 du présent règlement. Toutefois, l'assemblée plénière peut traiter directement n'importe quelle proposition.

**ARTICLE 10****Propositions ou amendements présentés au cours de la conférence**

**581** 1. Les propositions ou amendements présentés après l'ouverture de la conférence seront remis au président de la conférence ou au président

de la commission compétente selon le cas, ou bien au secrétariat de la conférence en vue de la publication et de la distribution comme document de conférence.

**582** 2. Aucune proposition ou amendement écrit ne peut être présenté s'il n'est signé par le chef de la délégation intéressée ou par son suppléant.

**583** 3. Le président d'une conférence ou d'une commission peut présenter en tout temps des propositions susceptibles d'accélérer le cours des débats.

**584** 4. Toute proposition ou amendement doit contenir en termes concrets et précis le texte à examiner.

**585** 5. (1) Le président de la conférence ou le président de la commission compétente décide dans chaque cas si une proposition ou un amendement présenté en cours de séance peut faire l'objet d'une communication verbale ou s'il doit être remis par écrit pour publication et distribution dans les conditions prévues au numéro **581**.

**586** (2) En général, le texte de toute proposition importante qui doit faire l'objet d'un vote de l'assemblée plénière doit être distribué dans les langues de travail de la conférence suffisamment tôt pour permettre son étude avant la discussion.

**587** (3) En outre, le président de la conférence, qui reçoit les propositions ou les amendements visés au numéro **581**, doit les aiguiller, selon le cas, vers les commissions compétentes ou l'assemblée plénière.

**588** 6. Toute personne autorisée peut lire ou demander qu'il soit donné lecture en séance plénière de toute proposition ou amendement présenté par elle au cours de la conférence et peut en exposer les motifs.

## ARTICLE 11

### **Conditions requises pour l'examen et le vote d'une proposition ou d'un amendement**

**589** 1. Aucune proposition ou amendement présenté avant l'ouverture de la conférence, ou par une délégation durant la conférence, ne peut être mis en discussion si, au moment de son examen, il n'est pas appuyé par au moins une autre délégation.

**590** 2. Toute proposition ou amendement dûment appuyé doit être, après discussion, mis au vote.

## ARTICLE 12

**Propositions ou amendements omis ou différés**

- 591** Quand une proposition ou un amendement a été omis ou lorsque son examen a été différé, la délégation sous les auspices de laquelle il a été présenté doit veiller à ce que cette proposition ou cet amendement ne soit pas perdu de vue par la suite.

## ARTICLE 13

**Conduite des débats en assemblée plénière**

- 592** 1. *Quorum*

Pour qu'un vote soit valablement pris au cours d'une séance d'assemblée plénière, plus de la moitié des délégations accréditées à la conférence et ayant droit de vote doivent être présentes ou représentées à la séance.

- 593** 2. *Ordre de discussion*

(1) Les personnes désirant prendre la parole ne peuvent le faire qu'après avoir obtenu le consentement du président. En règle générale, elles commencent par indiquer à quel titre elles parlent.

- 594** (2) Toute personne ayant la parole doit s'exprimer lentement et distinctement, en séparant bien les mots et en marquant les temps d'arrêt nécessaires pour permettre à tous de bien comprendre sa pensée.

- 595** 3. *Motions d'ordre et points d'ordre*

(1) Au cours des débats, une délégation peut, au moment qu'elle juge opportun, présenter toute motion d'ordre ou soulever tout point d'ordre, lesquels donnent immédiatement lieu à une décision du président conformément au présent règlement. Toute délégation peut en appeler de la décision du président, mais celle-ci reste valable en son intégrité si elle n'est pas annulée par la majorité des délégations présentes et votant.

- 596** (2) La délégation qui présente une motion d'ordre ne peut pas, dans son intervention, traiter du fond de la question en discussion.

- 597** 4. *Ordre de priorité des motions et points d'ordre*

L'ordre de priorité à assigner aux motions et points d'ordre dont il est question aux numéros 595 et 596 est le suivant:

a) tout point d'ordre relatif à l'application du présent règlement;

- 598      b) suspension de la séance;  
599      c) levée de la séance;  
600      d) ajournement du débat sur la question en discussion;  
601      e) clôture du débat sur la question en discussion;  
602      f) toutes autres motions ou points d'ordre qui pourraient être présentés et dont la priorité relative est fixée par le président.

603      5. *Motion de suspension ou de levée de la séance*

Pendant la discussion d'une question, une délégation peut proposer de suspendre ou de lever la séance, en indiquant les motifs de sa proposition. Si cette proposition est appuyée, la parole est donnée à deux orateurs s'exprimant contre la clôture et uniquement sur ce sujet, après quoi la motion est mise aux voix.

604      6. *Motion d'ajournement du débat*

Pendant la discussion de toute question, une délégation peut proposer l'ajournement du débat pour une période déterminée. Au cas où une telle motion est suivie d'un débat, seuls trois orateurs, outre l'auteur de la motion, peuvent y prendre part, l'un en faveur de la motion et deux contre.

605      7. *Motion de clôture du débat*

A tout moment, une délégation peut proposer que le débat sur la question en discussion soit clos. En ce cas, la parole n'est accordée qu'à deux orateurs opposés à la clôture, après quoi la motion est mise aux voix.

606      8. *Limitation des interventions*

(1) L'assemblée plénière peut éventuellement limiter la durée et le nombre des interventions d'une même délégation sur un sujet déterminé.

607      (2) Toutefois, sur les questions de procédure, le président limite la durée de chaque intervention à cinq minutes au maximum.

608      (3) Quand un orateur dépasse le temps de parole qui lui a été accordé, le président en avise l'assemblée et prie l'orateur de vouloir bien conclure son exposé à bref délai.

**609 9. Clôture de la liste des orateurs**

(1) Au cours d'un débat, le président peut donner lecture de la liste des orateurs inscrits; il y ajoute le nom des délégations qui manifestent le désir de prendre la parole et, avec l'assentiment de l'assemblée, peut déclarer la liste close. Cependant, s'il le juge opportun, le président peut accorder, à titre exceptionnel, le droit de répondre à tout discours prononcé, même après la clôture de la liste.

**610 (2) Lorsque la liste des orateurs est épuisée, le président prononce la clôture du débat.****611 10. Question de compétence**

Les questions de compétence qui peuvent se présenter doivent être réglées avant qu'il soit voté sur le fond de la question en discussion.

**612 11. Retrait et nouvelle présentation d'une motion**

L'auteur d'une motion peut la retirer avant qu'elle soit mise aux voix. Toute motion, amendée ou non, qui serait ainsi retirée, peut être présentée à nouveau ou reprise soit par la délégation auteur de l'amendement soit par toute autre délégation.

**ARTICLE 14****Droit de vote****613 1. A toutes les séances de la conférence, la délégation d'un Membre de l'Union, dûment accréditée par ce dernier pour participer aux travaux de la conférence, a droit à une voix, conformément à l'article 2 de la Convention.****614 2. La délégation d'un Membre de l'Union exerce son droit de vote dans les conditions précisées au chapitre 5 du Règlement général.****ARTICLE 15****Vote****615 1. Définition de la majorité**

(1) La majorité est constituée par plus de la moitié des délégations présentes et votant.

616 (2) Les abstentions ne sont pas prises en considération dans le décompte des voix nécessaires pour constituer la majorité.

617 (3) En cas d'égalité des voix, la proposition ou l'amendement est considéré comme rejeté.

618 (4) Aux fins du présent règlement, est considérée comme « délégation présente et votant » toute délégation qui se prononce pour ou contre une proposition.

619 2. *Non-participation au vote*

Les délégations présentes qui ne participent pas à un vote déterminé ou qui déclarent expressément ne pas vouloir y participer, ne sont pas considérées comme absentes, en vue de la détermination du quorum dans le sens du numéro 592, ni comme s'étant abstenues, pour l'application des dispositions du numéro 621 du présent article.

620 3. *Majorité spéciale*

En ce qui concerne l'admission des Membres de l'Union, la majorité nécessaire est fixée par l'article 1 de la Convention.

621 4. *Plus de cinquante pour cent d'abstentions*

Lorsque le nombre des abstentions dépasse la moitié du nombre des suffrages exprimés (pour, contre, abstentions), l'examen de la question en discussion est renvoyé à une séance ultérieure au cours de laquelle les abstentions n'entreront plus en ligne de compte.

622 5. *Procédures de vote*

(1) Sauf dans le cas prévu au numéro 625, les procédures de vote sont les suivants:

623 a) à main levée, en règle générale;

b) par appel nominal, si une majorité ne se dégage pas clairement d'un vote selon la procédure précédente ou si au moins deux délégations le demandent.

624 (2) Il est procédé au vote par appel nominal dans l'ordre alphabétique des noms en français des Membres représentés.

625 6. *Vote au scrutin secret*

Il est procédé à un vote secret lorsque cinq au moins des délégations présentes et ayant qualité pour voter le demandent. Dans ce cas, le secrétariat prend immédiatement les mesures nécessaires pour assurer le secret du scrutin.

**626 7. *Interdiction d'interrompre le vote***

Quand le scrutin est commencé, aucune délégation ne peut l'interrompre, sauf s'il s'agit d'un point d'ordre relatif à la manière dont s'effectue le scrutin.

**627 8. *Explications de vote***

Le président donne la parole aux délégations qui désirent expliquer leur vote postérieurement au vote lui-même.

**628 9. *Vote d'une proposition par parties***

(1) Lorsque l'auteur d'une proposition le demande, ou lorsque l'assemblée le juge opportun, ou lorsque le président, avec l'approbation de l'auteur, le propose, cette proposition est subdivisée et ses différentes parties sont mises aux voix séparément. Les parties de la proposition qui ont été adoptées sont ensuite mises aux voix comme un tout.

**629 (2)** Si toutes les parties d'une proposition sont rejetées, la proposition elle-même est considérée comme rejetée.

**630 10. *Ordre de vote des propositions relatives à une même question***

(1) Si la même question fait l'objet de plusieurs propositions, celles-ci sont mises aux voix dans l'ordre où elles ont été présentées, à moins que l'assemblée n'en décide autrement.

**631 (2)** Après chaque vote, l'assemblée décide s'il y a lieu ou non de mettre aux voix la proposition suivante.

**632 11. *Amendements***

(1) Est considérée comme amendement toute proposition de modification comportant uniquement une suppression, une addition à une partie de la proposition originale ou la révision d'une partie de cette proposition.

**633 (2)** Tout amendement à une proposition accepté par la délégation qui présente cette proposition est aussitôt incorporé au texte primitif de la proposition.

**634 (3)** Aucune proposition de modification ne sera considérée comme un amendement si l'assemblée est d'avis qu'elle se révèle incompatible avec la proposition initiale.

**635 12. *Vote sur les amendements***

(1) Si une proposition est l'objet d'un amendement, il est voté en premier lieu sur cet amendement.

**636 (2)** Si une proposition est l'objet de plusieurs amendements, il est voté en premier lieu sur celui des amendements qui s'écarte le plus du

texte original, il est ensuite voté sur celui des amendements, parmi ceux qui restent, qui s'écarte encore le plus du texte original, et ainsi de suite jusqu'à ce que tous les amendements aient été examinés.

637 (3) Si un ou plusieurs amendements sont adoptés, la proposition ainsi modifiée est ensuite elle-même mise aux voix.

638 (4) Si aucun amendement n'est adopté, le vote a lieu sur la proposition initiale.

## ARTICLE 16

### **Commissions et sous-commissions. Conduite des débats et procédure de vote**

639 1. Les présidents des commissions et sous-commissions ont des attributions analogues à celles dévolues par l'article 3 au président de la conférence.

640 2. Les dispositions prévues à l'article 13 pour la conduite des débats en assemblée plénière sont applicables aux débats des commissions ou sous-commissions, sauf en matière de quorum.

641 3. Les dispositions prévues à l'article 15 sont applicables aux votes dans les commissions ou sous-commissions, sauf dans le cas du numéro 620.

## ARTICLE 17

### **Réerves**

642 1. En règle générale, les délégations qui ne peuvent 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.

643 2. Toutefois, s'il apparaît à une délégation qu'une décision quelconque est de nature à empêcher son gouvernement de ratifier la Convention ou d'approuver la révision des Règlements, cette délégation peut faire des réserves à titre provisoire ou définitif au sujet de cette décision.

## ARTICLE 18

### **Procès-verbaux des assemblées plénières**

644 1. Les procès-verbaux des assemblées plénières sont établis par le secré-

tariat de la conférence qui s'efforce d'en assurer la distribution aux délégations le plus tôt possible avant la date à laquelle ces procès-verbaux doivent être examinés.

**645** 2. Lorsque les procès-verbaux ont été distribués, les délégations intéressées peuvent déposer par écrit au secrétariat de la conférence, et ceci dans le plus bref délai possible, les corrections qu'elles estiment justifiées, ce qui ne les empêche pas de présenter oralement des modifications à la séance au cours de laquelle les procès-verbaux sont approuvés.

**646** 3. (1) En règle générale, les procès-verbaux ne contiennent que les propositions et les conclusions, avec les arguments sur lesquels elles sont fondées, dans une rédaction aussi concise que possible.

**647** (2) Néanmoins, toute délégation a le droit de demander l'insertion analytique ou *in extenso*, de toute déclaration formulée par elle au cours des débats. Dans ce cas, elle doit, en règle générale, l'annoncer au début de son intervention, en vue de faciliter la tâche des rapporteurs. Elle doit, en outre, en fournir elle-même le texte au secrétariat de la conférence, dans les deux heures qui suivent la fin de la séance.

**648** 4. Il ne doit, en tout cas, être usé qu'avec discréption de la faculté accordée au numéro 647, en ce qui concerne l'insertion des déclarations.

## ARTICLE 19

### Comptes rendus et rapports des commissions et sous-commissions

**649** 1. (1) Les débats des commissions et sous-commissions sont résumés, séance par séance, dans des comptes rendus où se trouvent mis en relief les points essentiels des discussions, les diverses opinions qu'il convient de noter, ainsi que les propositions et conclusions qui se dégagent de l'ensemble.

**650** (2) Néanmoins, toute délégation a également le droit d'user de la faculté prévue au numéro 647.

**651** (3) Il ne doit être recouru qu'avec discréption à la faculté à laquelle se réfère l'alinéa ci-dessus.

**652** 2. Les commissions et sous-commissions peuvent établir les rapports partiels qu'elles estiment nécessaires et, éventuellement, à la fin de leurs travaux, elles peuvent présenter un rapport final dans lequel elles récapitulent, sous une forme concise, les propositions et les conclusions qui résultent des études qui leur ont été confiées.

## ARTICLE 20

### Approbation des procès-verbaux, comptes rendus et rapports

**653** 1. (1) En règle générale, au commencement de chaque séance d'assemblée plénière, ou de chaque séance de commission ou de sous-commission, le président demande si les délégations ont des observations à formuler quant au procès-verbal ou au compte rendu de la séance précédente. Ceux-ci sont considérés comme approuvés si aucune correction n'a été communiquée au secrétariat ou si aucune opposition ne se manifeste verbalement. Dans le cas contraire, les corrections nécessaires sont apportées au procès-verbal ou au compte rendu.

**654** (2) Tout rapport partiel ou final doit être approuvé par la commission ou la sous-commission intéressée.

**655** 2. (1) Le procès-verbal de la dernière assemblée plénière est examiné et approuvé par le président de cette assemblée.

**656** (2) Le compte rendu de la dernière séance d'une commission ou d'une sous-commission est examiné et approuvé par le président de cette commission ou sous-commission.

## ARTICLE 21

### Commission de rédaction

**657** 1. Les textes de la Convention, des Règlements et des autres Actes finals de la conférence établis autant que possible dans leur forme définitive par les diverses commissions, en tenant compte des avis exprimés, sont soumis à la commission de rédaction chargée d'en perfectionner la forme sans en altérer le sens, et de les assembler avec les textes anciens non amendés.

**658** 2. Ces textes sont soumis par la commission de rédaction à l'assemblée plénière de la conférence qui les approuve ou les renvoie pour nouvel examen, à la commission compétente.

## ARTICLE 22

### Numérotage

**659** 1. Les numéros des chapitres, articles et paragraphes des textes soumis à révision sont conservés, jusqu'à première lecture en assemblée plénière. Les textes ajoutés prennent provisoirement le numéro du dernier para-

graphe précédent du texte primitif en y ajoutant « a », « b », etc...

- 660     2. Le numérotage définitif des chapitres, articles et paragraphes est confié à la commission de rédaction, après leur adoption en première lecture.

### **ARTICLE 23**

#### **Approbation définitive**

- 661     Les textes de la Convention, des Règlements et des autres Actes finals sont considérés comme définitifs lorsqu'ils ont été approuvés en seconde lecture par l'assemblée plénière.

### **ARTICLE 24**

#### **Signature**

- 662     Les textes définitivement approuvés par la conférence sont soumis à la signature des délégués munis des pleins pouvoirs définis au chapitre 5 du Règlement général, en suivant l'ordre alphabétique des noms en français des pays représentés.

### **ARTICLE 25**

#### **Communiqués de presse**

- 663     Des communiqués officiels sur les travaux de la conférence ne peuvent être transmis à la presse qu'avec l'autorisation du président ou de l'un des vice-présidents.

### **ARTICLE 26**

#### **Franchise**

- 664     Pendant la durée de la conférence, les membres des délégations, les membres du Conseil d'administration, les hauts fonctionnaires des organismes permanents de l'Union et le personnel du Secrétariat de l'Union détachés à la conférence ont droit à la franchise postale, télégraphique et téléphonique dans la mesure où le gouvernement du pays où se tient la conférence a pu s'entendre à ce sujet avec les autres gouvernements et avec les exploitations privées reconnues intéressées.

*2<sup>e</sup> PARTIE*

**Comités consultatifs internationaux**

**CHAPITRE 10**

**Dispositions générales**

- 665     1. Les dispositions de la deuxième partie du Règlement général complètent l'article 13 de la Convention où sont définies les attributions et la structure des Comités consultatifs internationaux.
- 666     2. (1) Les Comités consultatifs doivent également observer, dans la mesure où il leur est applicable, le règlement intérieur des conférences contenu dans la première partie du Règlement général.
- 667     (2) En vue de faciliter les travaux de son Comité consultatif, chaque assemblée plénière peut adopter des dispositions additionnelles si elles ne sont pas incompatibles avec celles du Règlement intérieur des conférences. Ces dispositions additionnelles sont publiées sous forme de résolution dans les documents de l'assemblée plénière.

**CHAPITRE 11**

**Conditions de participation**

- 668     1. (1) Les membres de chaque Comité consultatif international sont:
- a) de droit, les administrations de tous les Membres et Membres associés de l'Union;
- b) toute exploitation privée reconnue qui, avec l'approbation du Membre ou Membre associé qui l'a reconnue et sous réserve de l'application de la procédure ci-dessous, demande à participer aux travaux de ce comité.
- 670     (2) La première demande de participation aux travaux d'un Comité consultatif émanant d'une exploitation privée reconnue est adressée au secrétaire général, qui la porte à la connaissance de tous les Membres et

Membres associés et du directeur de ce comité consultatif. La demande émanant d'une exploitation privée reconnue doit être approuvée par le Membre ou Membre associé qui l'a reconnue.

671 2. (1) Les organisations internationales qui coordonnent leurs travaux avec ceux de l'Union internationale des télécommunications et qui ont des activités connexes, peuvent être admises à participer, à titre consultatif, aux travaux des Comités consultatifs.

672 (2) La première demande de participation aux travaux d'un Comité consultatif émanant d'une organisation internationale est adressée au secrétaire général qui la porte par la voie télégraphique à la connaissance de tous les Membres et Membres associés et invite les Membres à se prononcer sur l'acceptation de cette demande; la demande est acceptée si la majorité des réponses des Membres parvenues dans le délai d'un mois est favorable. Le secrétaire général porte le résultat de cette consultation à la connaissance de tous les Membres et Membres associés et du directeur du Comité consultatif intéressé.

673 3. (1) Les organismes scientifiques ou industriels qui se consacrent à l'étude de problèmes de télécommunications ou à l'étude ou à la fabrication de matériels destinés aux services de télécommunications, peuvent être admis à participer, à titre consultatif, aux réunions des commissions d'études des Comités consultatifs, sous réserve de l'approbation des administrations des pays intéressés.

674 (2) La première demande d'admission aux séances des commissions d'études d'un Comité consultatif émanant d'un organisme scientifique ou industriel, est adressée au directeur de ce Comité consultatif. Cette demande doit être approuvée par l'administration du pays intéressé.

## CHAPITRE 12

### Rôle de l'assemblée plénière

L'assemblée plénière :

675 a) examine les rapports des commissions d'études et approuve, modifie

ou rejette les projets d'avis que contiennent ces rapports;

- 676      b) arrête la liste des questions nouvelles à mettre à l'étude, conformément aux dispositions du numéro 180 et, si besoin est, établit un programme d'études;
- 677      c) selon les nécessités, maintient les commissions d'études existantes et en crée de nouvelles;
- 678      d) attribue aux commissions d'études les questions à étudier;
- 679      e) examine et approuve le rapport du directeur sur les travaux du Comité depuis la dernière réunion de l'assemblée plénière;
- 680      f) approuve un rapport sur les besoins financiers du Comité jusqu'à la prochaine assemblée plénière, rapport qui sera soumis au Conseil d'administration;
- 681      g) examine les autres questions jugées nécessaires dans le cadre des dispositions de l'article 13 de la Convention et de la deuxième partie du Règlement général.

## CHAPITRE 13

### Réunions de l'assemblée plénière

- 682      1. L'assemblée plénière se réunit normalement tous les trois ans à la date et au lieu fixés par l'assemblée plénière précédente.
- 683      2. La date d'une réunion de l'assemblée plénière peut être modifiée avec l'approbation de la majorité des Membres de l'Union qui avaient participé à l'assemblée plénière précédente ou qui, n'ayant pas participé à cette assemblée, ont néanmoins fait savoir au secrétaire général leur intention de prendre une part active aux travaux du Comité.
- 684      3. A chacune de ces réunions, l'assemblée plénière d'un Comité consultatif est présidée par le chef de la délégation du pays dans lequel la réunion

a lieu ou, lorsque cette réunion se tient au siège de l'Union, par une personne élue par l'assemblée plénière elle-même; le président est assisté de vice-présidents élus par l'assemblée plénière.

- 685     4. Le secrétariat de l'assemblée plénière d'un Comité consultatif est assuré par le secrétariat spécialisé de ce Comité, avec, si cela est nécessaire, le concours de l'administration du gouvernement invitant et du personnel du Secrétariat général.

## CHAPITRE 14

### **Langues et mode de votation des assemblées plénieress**

- 686     1. (1) Les langues utilisées au cours des assemblées plénieress sont celles prévues à l'article 16 de la Convention.
- 687     (2) Les documents préparatoires des commissions d'études, les documents et les procès-verbaux des assemblées plénieress et les documents publiés à la suite de celles-ci par les Comités consultatifs internationaux sont rédigés dans les trois langues de travail de l'Union.
- 688     2. Les Membres qui sont autorisés à voter aux séances des assemblées plénieress des Comités consultatifs sont ceux qui sont visés aux numéros 14 et 232. Toutefois, lorsqu'un pays Membre de l'Union n'est pas représenté par une administration, les représentants des exploitations privées reconnues de ce pays ont, ensemble et quel que soit leur nombre, droit à une seule voix.

## CHAPITRE 15

### **Constitution des commissions d'études**

- 689     1. L'assemblée plénière constitue les commissions d'études nécessaires pour traiter les questions qu'elle a mises à l'étude. Les administrations, les exploitations privées reconnues et les organisations internationales admises conformément aux dispositions des numéros 671 et 672, désireuses de prendre part aux travaux de commissions d'études, donnent leur nom soit à la réunion de l'assemblée plénière, soit, ultérieurement, au directeur du Comité consultatif intéressé.

690      2. En outre, et sous réserve des dispositions des numéros 673 et 674, les experts des organismes scientifiques ou industriels peuvent être admis à participer, à titre consultatif, à toute réunion de l'une quelconque des commissions d'études.

691      3. L'assemblée plénière nomme le rapporteur principal qui doit présider chacune de ces commissions d'études et un vice-rapporteur principal. Si dans l'intervalle de deux réunions de l'assemblée plénière, un rapporteur principal vient à être empêché d'exercer ses fonctions, le vice-rapporteur principal prend sa place, et la commission d'études élit, au cours de sa réunion suivante, parmi ses membres, un nouveau vice-rapporteur principal. Elle élit de même un nouveau vice-rapporteur principal si, au cours de cette même période, le vice-rapporteur principal n'est plus en mesure d'exercer ses fonctions.

## CHAPITRE 16

### Traitemen~~t~~ des affaires des commissions d'études

692      1. Les questions confiées aux commissions d'études sont normalement traitées par correspondance.

693      2. (1) Cependant, l'assemblée plénière peut utilement donner des directives au sujet des réunions de commissions d'études qui apparaissent nécessaires pour traiter des groupes importants de questions.

694      (2) En outre, s'il apparaît à un rapporteur principal, après l'assemblée plénière, qu'une ou plusieurs réunions de sa commission d'études non prévues par l'assemblée plénière sont nécessaires pour discuter verbalement des questions qui n'ont pu être traitées par correspondance, le rapporteur peut, avec l'autorisation de son administration et après consultation du directeur intéressé et des membres de sa commission, proposer une réunion à un endroit convenable, en tenant compte de la nécessité de réduire les dépenses au minimum.

695      3. Toutefois, pour éviter des voyages inutiles et des absences prolongées, le directeur d'un Comité consultatif, d'accord avec les rapporteurs principaux, présidents des diverses commissions d'études intéressées, établit le plan général des réunions du groupe des commissions d'études qui doivent siéger en un même lieu, pendant la même période.

696      4. Le directeur envoie les rapports finals des commissions d'études aux administrations participant~~s~~, aux exploitations privées reconnues du

Comité consultatif et, éventuellement, aux organisations internationales qui auront participé. Ces rapports sont envoyés aussitôt que possible et, en tout cas, assez tôt pour qu'ils leur parviennent au moins un mois avant la date de la prochaine assemblée plénière. Il peut seulement être dérogé à cette clause lorsque des réunions des commissions d'études ont lieu immédiatement avant la réunion de l'assemblée plénière. Les questions qui n'ont pas fait l'objet d'un rapport parvenu dans les conditions ci-dessus ne peuvent être inscrites à l'ordre du jour de l'assemblée plénière.

## CHAPITRE 17

### Fonctions du directeur. Secrétariat spécialisé

- 697        1. (1) Le directeur d'un Comité consultatif coordonne les travaux de l'assemblée plénière et des commissions d'études; il est responsable de l'organisation des travaux du Comité consultatif.
- 698        (2) Il a la garde des archives du Comité.
- 699        (3) Le directeur est assisté par un secrétariat formé de personnel spécialisé qui travaille sous son autorité directe à l'organisation des travaux du Comité.
- 700        (4.) Le personnel des secrétariats spécialisés, laboratoires et installations techniques d'un Comité consultatif relève, du point de vue administratif, de l'autorité du secrétaire général.
- 701        2. Le directeur choisit le personnel technique et administratif de ce secrétariat dans le cadre du budget approuvé par la Conférence de plénipotentiaires ou par le Conseil d'administration. La nomination de ce personnel technique et administratif est arrêtée par le secrétaire général, en accord avec le directeur. La décision définitive de nomination ou de licenciement appartient au secrétaire général.
- 702        3. Le directeur participe de plein droit à titre consultatif aux délibérations de l'assemblée plénière et des commissions d'études. Il prend toutes mesures concernant la préparation des réunions de l'assemblée plénière et des commissions d'études.

- 703     4. Le directeur rend compte, dans un rapport présenté à l'assemblée plénière, de l'activité du Comité consultatif, depuis la dernière réunion de l'assemblée plénière. Ce rapport, après approbation, est envoyé au secrétaire général pour être transmis au Conseil d'administration.
- 704     5. Le directeur présente au Conseil d'administration, à sa session annuelle, un rapport sur les activités du Comité pendant l'année précédente, aux fins d'information du Conseil et des Membres et Membres associés de l'Union.
- 705     6. Le directeur soumet à l'approbation de l'assemblée plénière un rapport sur les besoins financiers du Comité consultatif jusqu'à la prochaine assemblée plénière; ce rapport, après approbation par l'assemblée, est transmis au secrétaire général qui le soumettra au Conseil d'administration.
- 706     7. Le directeur établit, afin que le secrétaire général les incorpore aux prévisions budgétaires annuelles de l'Union, les prévisions de dépenses du Comité pour l'année suivante, en se fondant sur le rapport relatif aux besoins financiers du Comité approuvé par l'assemblée plénière.
- 707     8. Le directeur participe dans toute la mesure nécessaire aux activités d'Assistance technique de l'Union dans le cadre des dispositions de la Convention.

## CHAPITRE 18

### **Propositions pour les conférences administratives**

- 708     1. Conformément au numéro 181, les Comités consultatifs peuvent formuler des propositions de modification des Règlements visés au numéro 193.
- 709     2. Ces propositions sont adressées en temps utile au secrétaire général en vue d'être rassemblées, coordonnées et communiquées dans les conditions prévues au numéro 526.

## CHAPITRE 19

### **Relations des Comités consultatifs entre eux et avec d'autres organisations internationales**

- 710      1. (1) Les assemblées plénières des Comités consultatifs peuvent constituer des commissions mixtes pour effectuer des études et émettre des avis sur des questions d'intérêt commun.
- 711      (2) Les directeurs des Comités consultatifs peuvent, en collaboration avec les rapporteurs principaux, organiser des réunions mixtes de commissions d'études des deux Comités consultatifs, en vue d'étudier et de préparer des projets d'avis sur des questions d'intérêt commun. Ces projets d'avis sont soumis à la prochaine réunion de l'assemblée plénière de chacun des Comités consultatifs.
- 712      2. L'assemblée plénière ou le directeur d'un Comité consultatif peut inviter un représentant de ce Comité pour assister, à titre consultatif, aux réunions de l'autre Comité consultatif ou aux réunions d'autres organisations internationales auxquelles ce Comité consultatif a été invité.
- 713      3. Le secrétaire général, le vice-secrétaire général, le président du Comité international d'enregistrement des fréquences et le directeur de l'autre Comité consultatif, ou leurs représentants, peuvent assister à titre consultatif aux réunions d'un Comité consultatif. En cas de besoin, un Comité peut inviter à ses réunions, à titre consultatif, des représentants de tout organisme permanent de l'Union qui n'a pas jugé nécessaire de se faire représenter.

## ANNEXE 6

(voir article 28)

### Accord entre l'Organisation des Nations Unies et l'Union internationale des télécommunications

#### PRÉAMBULE

En raison des dispositions de l'article 57 de la Charte des Nations Unies et de l'article 26 de la Convention de l'Union internationale des télécommunications conclue à Atlantic City en 1947, les Nations Unies et l'Union internationale des télécommunications conviennent de ce qui suit:

#### ARTICLE I

Les Nations Unies reconnaissent l'Union internationale des télécommunications, appelée ci-après « l'Union », comme l'institution spécialisée chargée de prendre toutes les mesures appropriées conformes à son Acte constitutif pour atteindre les buts qu'elle s'est fixés dans cet Acte.

#### ARTICLE II

##### Représentation réciproque

1. L'Organisation des Nations Unies sera invitée à envoyer des représentants pour participer, sans droit de vote, aux délibérations de toutes les conférences plénipotentiaires et administratives de l'Union; elle sera également invitée, après s'être dûment concertée avec l'Union, à envoyer des représentants pour assister à des réunions de comités consultatifs internationaux ou à toutes autres réunions convoquées par l'Union, avec le droit de participer, sans vote, à la discussion de questions intéressant les Nations Unies.

2. L'Union sera invitée à envoyer des représentants pour assister aux séances de l'Assemblée générale des Nations Unies aux fins de consultation sur les questions de télécommunications.

3. L'Union sera invitée à envoyer des représentants pour assister aux séances du Conseil économique et social des Nations Unies et du Conseil de tutelle, de leurs commissions et comités et à participer, sans droit de vote, à leurs délibérations quand il sera traité de points de l'ordre du jour auxquels l'Union serait intéressée.

4. L'Union sera invitée à envoyer des représentants pour assister aux séances des commissions principales de l'Assemblée générale au cours desquelles doivent être discutées des questions relevant de la compétence de l'Union, et à participer, sans droit de vote, à ces discussions.

5. Le Secrétariat des Nations Unies effectuera la distribution de tous exposés écrits présentés par l'Union aux Membres de l'Assemblée générale, du Conseil économique et social et de ses commissions, et du Conseil de tutelle, selon le cas. De même, les exposés écrits présentés par les Nations Unies seront distribués par l'Union à ses Membres.

### ARTICLE III

#### **Inscription de questions à l'ordre du jour**

Après les consultations préliminaires qui pourraient être nécessaires, l'Union inscrira à l'ordre du jour des conférences plénipotentiaires ou administratives, ou des réunions d'autres organes de l'Union, les questions qui lui seront proposées par les Nations Unies. Le Conseil économique et social et ses commissions, ainsi que le Conseil de tutelle inscriront pareillement à leur ordre du jour les questions proposées par les conférences ou les autres organes de l'Union.

### ARTICLE IV

#### **Recommandations des Nations Unies**

1. L'Union, tenant compte du fait que les Nations Unies sont tenues de favoriser la réalisation des objectifs prévus à l'article 55 de la Charte, et d'aider le Conseil économique et social à exercer la fonction et le pouvoir que lui confère l'article 62 de la Charte de faire ou provoquer des études et des rapports sur des questions internationales dans les domaines économiques, sociaux, de la culture intellectuelle et de l'éducation, de la santé publique et autres domaines connexes, et d'adresser des recommandations sur toutes ces questions aux institutions spécialisées intéressées; tenant

compte également du fait que les articles 58 et 63 de la Charte disposent que l'Organisation des Nations Unies doit faire des recommandations pour coordonner les activités de ces institutions spécialisées et les principes généraux dont elles s'inspirent, convient de prendre les mesures nécessaires pour soumettre le plus tôt possible, à son organe approprié, à toutes fins utiles, toutes recommandations officielles que l'Organisation des Nations Unies pourra lui adresser.

2. L'Union convient d'entrer en consultation avec l'Organisation des Nations Unies, à la demande de celle-ci au sujet de ces recommandations, et de faire connaître en temps voulu, à l'Organisation des Nations Unies, les mesures qu'auront prises l'Union ou ses Membres, pour donner effet à ces recommandations ou sur tout autre résultat de ces mesures.

3. L'Union coopérera à toute autre mesure qui pourrait être nécessaire pour assurer la coordination pleinement effective des activités des institutions spécialisées et de celles des Nations Unies. Elle convient notamment de collaborer avec tout organe ou à tous organes que le Conseil économique et social pourrait établir pour faciliter cette coordination et de fournir tous renseignements qui pourraient être nécessaires pour atteindre ces fins.

## ARTICLE V

### Echange de renseignements et de documents

1. Sous réserve des mesures qui pourraient être nécessaires pour sauvegarder le caractère confidentiel de certains documents, les Nations Unies et l'Union procéderont à l'échange le plus complet et le plus rapide possible de renseignements et de documents, pour satisfaire aux besoins de chacune d'elles.

2. Sans préjudice du caractère général des dispositions du paragraphe précédent:

- a) l'Union présentera aux Nations Unies un rapport annuel sur son activité;
- b) l'Union donnera suite, dans toute la mesure du possible, à toute demande de rapports spéciaux, d'études ou de renseignements que les Nations Unies pourraient lui adresser;
- c) le Secrétaire général des Nations Unies procédera à des échanges de vues avec l'autorité compétente de l'Union, à la demande de

celle-ci, pour fournir à l'Union les renseignements qui présenteraient pour elle un intérêt particulier.

## ARTICLE VI

### **Assistance aux Nations Unies**

L'Union convient de coopérer avec les Nations Unies, leurs organismes principaux et subsidiaires, et de leur fournir toute l'assistance qu'il lui sera possible, conformément à la Charte des Nations Unies et à la Convention internationale des télécommunications, en tenant pleinement compte de la situation particulière de ceux des Membres de l'Union qui ne sont pas Membres des Nations Unies.

## ARTICLE VII

### **Relations avec la Cour internationale de Justice**

1. L'Union convient de fournir à la Cour internationale de Justice tous renseignements que celle-ci peut lui demander en application de l'article 34 de son Statut.
2. L'Assemblée générale des Nations Unies autorise l'Union à demander à la Cour internationale de Justice des avis consultatifs sur les questions juridiques qui se posent dans le domaine de sa compétence autres que les questions concernant les relations mutuelles de l'Union avec l'Organisation des Nations Unies ou les autres institutions spécialisées.
3. Une requête de ce genre peut être adressée à la Cour par la Conférence plénipotentiaire ou par le Conseil administratif agissant en vertu d'une autorisation de la Conférence plénipotentiaire.
4. Quand elle demande un avis consultatif à la Cour internationale de Justice, l'Union informe de cette requête le Conseil économique et social.

## ARTICLE VIII

### **Dispositions concernant le personnel**

1. L'Organisation des Nations Unies et l'Union conviennent d'établir pour le personnel, dans toute la mesure du possible, des normes, méthodes et dispositions communes destinées à éviter des contradictions graves dans les termes et conditions d'emploi, ainsi que la concurrence dans le

recrutement du personnel et à faciliter les échanges de personnel qui paraîtraient souhaitables de part et d'autre pour utiliser au mieux les services de ce personnel.

2. L'Organisation des Nations Unies et l'Union conviennent de coopérer, dans toute la mesure du possible, en vue d'atteindre les fins ci-dessus.

## ARTICLE IX

### Services statistiques

1. L'Organisation des Nations Unies et l'Union conviennent de s'efforcer de réaliser une collaboration aussi étroite que possible, l'élimination de tout double emploi dans leur activité et l'utilisation la plus efficace possible de leur personnel technique dans le rassemblement, l'analyse, la publication, la normalisation, l'amélioration et la diffusion de renseignements statistiques. Elles conviennent d'unir leurs efforts pour tirer le meilleur parti possible des renseignements statistiques et pour alléger la tâche des gouvernements et des autres organismes appelés à fournir ces renseignements.

2. L'Union reconnaît que l'Organisation des Nations Unies est l'organisme central chargé de recueillir, analyser, publier, normaliser, perfectionner et répandre les statistiques servant aux buts généraux des organisations internationales.

3. L'Organisation des Nations Unies reconnaît que l'Union est l'organisme central chargé de recueillir, analyser, publier, normaliser, perfectionner et répandre les statistiques dans le domaine qui lui est propre, sans préjudice des droits de l'Organisation des Nations Unies de s'intéresser à de telles statistiques, dans la mesure où elles peuvent être nécessaires à la réalisation de ses propres objectifs ou au perfectionnement des statistiques du monde entier. Il appartiendra à l'Union de prendre toutes décisions concernant la forme sous laquelle ses documents de service seront établis.

4. En vue de constituer un centre de renseignements statistiques destiné à l'usage général, il est convenu que les données fournies à l'Union aux fins d'incorporation à ses séries statistiques de base ou à ses rapports spéciaux seront, dans toute la mesure du possible, accessibles à l'Organisation des Nations Unies, sur sa demande.

5. Il est convenu que les données fournies à l'Organisation des Nations Unies aux fins d'incorporation à ses séries statistiques de base ou à ses

rapports spéciaux seront accessibles à l'Union sur sa demande, dans toute la mesure où cela sera possible et opportun.

## ARTICLE X

### **Services administratifs et techniques**

1. L'Organisation des Nations Unies et l'Union reconnaissent qu'il est souhaitable, pour utiliser de la manière la plus efficace le personnel et les ressources disponibles, d'éviter, chaque fois que cela sera possible, la création de services dont les travaux se font concurrence ou chevauchent, et, en cas de besoin, de se consulter à cette fin.

2. L'Organisation des Nations Unies et l'Union prendront ensemble des dispositions en ce qui concerne l'enregistrement et le dépôt des documents officiels.

## ARTICLE XI

### **Dispositions budgétaires et financières**

1. Le budget ou le projet de budget de l'Union sera transmis à l'Organisation des Nations Unies en même temps qu'il sera transmis aux Membres de l'Union; l'Assemblée générale pourra faire des recommandations à l'Union à ce sujet.

2. L'Union aura le droit d'envoyer des représentants pour participer, sans droit de vote, aux délibérations de l'Assemblée générale ou de toutes commissions de cette Assemblée à tout moment où le budget de l'Union sera en discussion.

## ARTICLE XII

### **Financement des services spéciaux**

1. Si l'Union se trouve contrainte, à la suite d'une demande d'assistance, de rapports spéciaux ou d'études, présentés par l'Organisation des Nations Unies conformément à l'article VI ou à d'autres dispositions du présent accord, de faire face à d'importantes dépenses supplémentaires, les parties se consulteront pour déterminer comment faire face à ces dépenses de la manière la plus équitable possible.

2. L'Organisation des Nations Unies et l'Union se consulteront également pour prendre les dispositions qu'elles jugeront équitables pour couvrir les frais des services centraux administratifs, techniques ou fiscaux et de toutes facilités ou assistance spéciales accordées par l'Organisation des Nations Unies à la demande de l'Union.

## ARTICLE XIII

### Laissez-passer des Nations Unies

Les fonctionnaires de l'Union auront le droit d'utiliser le laissez-passer des Nations Unies conformément aux accords spéciaux qui seront conclus par le Secrétaire général de l'Organisation des Nations Unies et les autorités compétentes de l'Union.

## ARTICLE XIV

### Accords entre institutions

1. L'Union convient d'informer le Conseil économique et social de la nature et de la portée de tout accord officiel envisagé entre l'Union et toute autre institution spécialisée ou toute autre organisation intergouvernementale ou toute organisation internationale non gouvernementale, et informera en outre le Conseil économique et social des détails de cet accord quand il sera conclu.

2. L'Organisation des Nations Unies convient d'informer l'Union de la nature et de la portée de tout accord officiel envisagé par toutes autres institutions spécialisées sur des questions qui peuvent intéresser l'Union et, en outre, fera part à l'Union des détails de cet accord quand il sera conclu.

## ARTICLE XV

### Liaison

1. L'Organisation des Nations Unies et l'Union conviennent des dispositions ci-dessus dans la conviction qu'elles contribueront à maintenir une liaison effective entre les deux organisations. Elles affirment leur intention de prendre les mesures qui pourraient être nécessaires à cette fin.

2. Les dispositions concernant la liaison prévue par le présent accord s'appliqueront, dans toute la mesure appropriée, aux relations entre l'Union et l'Organisation des Nations Unies, y compris ses bureaux régionaux ou auxiliaires.

## ARTICLE XVI

### **Service de télécommunication des Nations Unies**

1. L'Union reconnaît qu'il est important pour l'Organisation des Nations Unies de bénéficier des mêmes droits que les Membres de l'Union dans l'exploitation des services de télécommunication.

2. L'Organisation des Nations Unies s'engage à exploiter les services de télécommunication qui dépendent d'elle conformément aux termes de la Convention internationale des télécommunications et du Règlement annexé à cette Convention.

3. Les modalités précises d'application de cet article feront l'objet d'arrangements distincts.

## ARTICLE XVII

### **Exécution de l'accord**

Le Secrétaire général des Nations Unies et l'autorité compétente de l'Union pourront conclure tous arrangements complémentaires qui paraîtront souhaitables en vue de l'application du présent accord.

## ARTICLE XVIII

### **Revision**

Cet accord sera sujet à revision par entente entre les Nations Unies et l'Union sous réserve d'un préavis de six mois de la part de l'une ou de l'autre partie.

## ARTICLE XIX

### **Entrée en vigueur**

1. Le présent accord entrera provisoirement en vigueur après approbation par l'Assemblée générale des Nations Unies et la Conférence plénipotentiaire des télécommunications tenue à Atlantic City, en 1947.

2. Sous réserve de l'approbation mentionnée au paragraphe 1, le présent accord entrera officiellement en vigueur en même temps que la Convention internationale des télécommunications conclue à Atlantic City en 1947 ou à une date antérieure selon la décision de l'Union.

**PROTOCOLE FINAL****à la****Convention internationale des télécommunications**  
**Genève, 1959**

Au moment de procéder à la signature de la Convention internationale des télécommunications (Genève, 1959), les plénipotentiaires soussignés prennent acte des déclarations suivantes qui font partie des Actes finals de la Conférence de plénipotentiaires, Genève, 1959:

**I**

*Pour la République Argentine :*

La délégation argentine déclare:

La Convention internationale des télécommunications (Genève, 1959) dispose au numéro 4 qu'est Membre de l'Union tout pays ou groupe de territoires énuméré dans l'Annexe 1. Cette Annexe 1 mentionne, à cet effet, les « Territoires d'Outre-Mer dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord ».

Le Gouvernement précité a coutume d'inclure dans cet ensemble le territoire qu'il dénomme les « Iles Falkland et leurs dépendances », acte qui se reflète dans les documents officiels publiés par l'Union internationale des télécommunications. Pour cette raison, la délégation argentine déclare formellement que ce fait ne porte aucunement atteinte à la souveraineté de l'Argentine sur les îles dont il s'agit. Le Royaume-Uni occupe ces îles en vertu d'un acte de force que n'a jamais accepté le Gouvernement argentin, lequel réaffirme les droits imprescriptibles et inaliénables de la République et déclare que les Iles Malouines, les Iles Sandwich du Sud, les Iles de la Géorgie du Sud et les îles comprises dans le secteur antarctique argentin ne sont ni colonie, ni possession d'aucune nation et que faisant partie intégrante du territoire argentin, elles appartiennent à son domaine national et relèvent de sa souveraineté.

La déclaration ci-dessus doit être considérée comme s'appliquant également à toute autre citation du même ordre qui serait incluse dans la Convention ou ses Annexes.

II

*Pour le Canada:*

En signant la Convention internationale des télécommunications (Genève, 1959), le Canada se réserve de ne pas accepter le numéro 193 de ladite Convention. Le Canada reconnaît les obligations du Règlement des radiocommunications, du Règlement télégraphique et, moyennant une réserve, du Règlement additionnel des radiocommunications, tous trois annexés à ladite Convention, mais il n'accepte pas d'être lié par le Règlement téléphonique.

III

*Pour la Chine:*

La délégation de la République de Chine à la Conférence de plénipotentiaires de l'Union internationale des télécommunications, Genève, 1959, de même qu'à Atlantic City et à Buenos Aires, est la seule représentation légitime de la Chine à cette Conférence, et elle a été reconnue comme telle par ladite Conférence. Toutes les déclarations ou réserves soumises à l'occasion de la présente Convention ou jointes à cette Convention, faites par des Membres de l'Union et qui sont incompatibles avec la position de la République de Chine exposée plus haut sont illégales et, par conséquent, nulles et non avenues. En signant la présente Convention, la République de Chine n'accepte, vis-à-vis de ces Membres de l'Union, aucune obligation provenant de la Convention internationale des télécommunications (Genève, 1959), ni d'aucun protocole s'y rapportant.

IV

*Pour le Congo Belge et Territoire du Ruanda-Urundi:*

En signant la Convention internationale des télécommunications (Genève, 1959), le Congo Belge et Territoire du Ruanda-Urundi déclare formellement se réserver le droit de ne respecter l'article 3 du Règlement des radiocommunications (Genève, 1959) que dans la mesure où l'application des dispositions de cet article permettra de donner satisfaction aux besoins indispensables de leur radiodiffusion intérieure.

V

*Pour Costa Rica:*

La délégation de la République de Costa Rica déclare qu'elle réserve pour son Gouvernement le droit d'accepter ou non les conséquences des réserves faites par d'autres Gouvernements participant à cette Conférence et qui pourraient entraîner une augmentation de la quote-part contributive de Costa Rica aux dépenses de l'Union.

## VI

*Pour Cuba:*

En signant la présente Convention au nom du Gouvernement de la République de Cuba, la délégation de Cuba fait une réserve formelle au sujet de l'acceptation du Règlement télégraphique, du Règlement téléphonique et du Règlement additionnel des radiocommunications cités à l'article 14 de ladite Convention internationale des télécommunications (Genève, 1959).

## VII

*Pour la République de El Salvador:*

## A

Le Gouvernement de la République de El Salvador se réserve le droit de prendre toutes mesures nécessaires ou utiles pour protéger ses intérêts au cas où un Membre ou un Membre Associé ne contribuerait pas aux dépenses de l'Union ou formulerait des réserves de nature à accroître la quote-part des dépenses qu'il assume dans le budget de l'Union.

## B

En signant la présente Convention au nom de la République de El Salvador, le délégué soussigné réserve pour son Gouvernement le droit d'accepter ou non les obligations découlant du Règlement téléphonique et celles découlant du Règlement additionnel de Radiocommunications mentionnés à l'article 14 de la Convention internationale des télécommunications (Genève, 1959).

## VIII

*Pour les Etats-Unis d'Amérique:*

La signature de la présente Convention pour et au nom des Etats-Unis d'Amérique vaut aussi, conformément à la procédure constitutionnelle, pour tous les Territoires des Etats-Unis d'Amérique.

Les Etats-Unis d'Amérique déclarent formellement que, par la signature de la présente Convention en leur nom, les Etats-Unis d'Amérique n'acceptent aucune obligation concernant le Règlement téléphonique ou le Règlement additionnel des radiocommunications, visés à l'article 14 de la Convention internationale des télécommunications (Genève, 1959).

**IX***Pour la Grèce :*

La délégation Hellénique déclare au nom de son Gouvernement qu'elle n'accepte aucune conséquence des réserves qui entraîneraient une augmentation de sa quote-part contributive aux dépenses de l'Union.

**X***Pour la République de l'Inde :*

1. En signant les Actes finals de la Conférence internationale des télécommunications, Genève, 1959, la République de l'Inde n'accepte aucune conséquence financière des réserves qui ont pu être faites au sujet des finances de l'Union par quelque délégation ayant participé à la présente conférence.

2. La délégation de la République de l'Inde déclare que la signature de la Convention par ladite délégation est également sujette à la réserve que la République de l'Inde pourra ou non se trouver en mesure d'accepter certaines dispositions du Règlement télégraphique et du Règlement téléphonique (Genève, 1958) mentionnés à l'article 14 de la Convention.

3. De plus, la délégation de la République de l'Inde réserve à son Gouvernement le droit de prendre éventuellement des mesures appropriées pour assurer le bon fonctionnement de l'Union et de ses organismes permanents, ainsi que l'application des Règlements cités à l'article 14 de la Convention, si un pays quelconque fait des réserves et/ou n'accepte pas les dispositions de la Convention et des Règlements précités.

**XI***Pour la République d'Indonésie :*

Etant donné que, aux termes de sa constitution, Irian Barat (Nouvelle Guinée occidentale) fait partie intégrante de la République d'Indonésie, la Délégation de l'Indonésie à la Conférence de plénipotentiaires et à la Conférence administrative des radiocommunications, Genève, 1959, déclare formellement que sa signature au bas de cette Convention et du Règlement des radiocommunications n'implique aucunement qu'elle accepte que le nom de Irian Barat (Nouvelle Guinée) soit précédé du mot « Pays-Bas » dans les documents de l'Union et dans le Règlement des radiocommunications ainsi que dans leurs annexes et appendices.

**XII***Pour l'Etat d'Israël :*

La délégation de l'Etat d'Israël ne peut pas accepter les réserves faites par les délégations du Royaume de l'Arabie Saoudite, de la République d'Iraq, du Royaume Hachémite de Jordanie, de Kuwait, du Liban, du Royaume Uni de Libye, du Royaume du Maroc, de la République Arabe Unie, de la République du Soudan et de la Tunisie en ce qui concerne Israël, et réserve le droit de son Gouvernement de prendre les mesures appropriées qu'il pourra juger nécessaires pour sauvegarder les intérêts de l'Etat d'Israël dans l'application de la présente Convention et des Règlements qui y sont annexés, dans la mesure où cette application intéresse les Membres susmentionnés.

**XIII***Pour le Japon :*

Le Japon se réserve le droit de prendre toutes mesures qu'il peut considérer comme nécessaires pour protéger ses intérêts si des réserves formulées par d'autres pays doivent conduire à augmenter sa part de contribution aux dépenses de l'Union.

**XIV***Pour le Royaume des Pays-Bas :*

La délégation du Royaume des Pays-Bas déclare qu'elle n'accepte pas la déclaration formulée officiellement par la délégation de la République d'Indonésie, pour autant que cette déclaration conteste la souveraineté du Gouvernement des Pays-Bas sur le territoire non autonome de la Nouvelle-Guinée néerlandaise.

La dénomination de « Nouvelle-Guinée néerlandaise » est constitutionnellement correcte: elle est formellement reconnue comme telle, et appliquée par le Secrétariat des Nations Unies.

**XV***Pour la République des Philippines :*

En signant la présente Convention, la République des Philippines déclare formellement qu'elle ne peut, actuellement, accepter d'être liée par les Règlements téléphonique et télégraphique visés au numéro 193 de ladite Convention.

## XVI

*Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:*

La délégation du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord déclare qu'elle n'accepte pas la déclaration faite par la délégation argentine pour autant que cette déclaration conteste la souveraineté du Gouvernement de Sa Majesté sur les Iles Falkland et leurs dépendances et elle désire formellement réserver les droits du Gouvernement de Sa Majesté sur cette question. Les Iles Falkland et leurs dépendances sont, et continuent à être, partie intégrante des territoires dont l'ensemble constitue le Membre de l'Union connu jusqu'ici sous le nom de «Colonies, Protectorats, Territoires d'Outre-Mer et territoires sous mandat ou tutelle du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord» au nom duquel le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord a adhéré à la Convention internationale des télécommunications (Buenos Aires, 1952), le 16 novembre 1953 et qui, dans la Convention internationale des télécommunications (Genève, 1959), est désigné de la façon suivante: «Territoires d'Outre-Mer dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord».

## XVII

*Pour la République Tchécoslovaque:*

La délégation tchécoslovaque déclare, au nom du Gouvernement de la République Tchécoslovaque, qu'elle n'accepte aucune conséquence des réserves ayant pour effet l'augmentation de sa quote-part contributive aux dépenses de l'Union.

## XVIII

*Pour la Turquie:*

La délégation de la Turquie déclare que le Gouvernement de la République de Turquie ne peut accepter aucune incidence financière qui pourrait éventuellement résulter des réserves faites par d'autres Gouvernements participant à la présente Conférence.

## XIX

*Pour l'Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest:*

La délégation de l'Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest déclare que la signature de la présente Convention par l'Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest est

donnée sous réserve que l'Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest n'accepte pas d'être liée par le Règlement téléphonique visé à l'article 14 de la Convention internationale des télécommunications (Genève, 1959).

## XX

*Pour la République de Vénézuéla :*

En signant la présente Convention, la délégation de la République de Vénézuéla déclare au nom de son Gouvernement qu'elle maintient les réserves formulées au sujet du Règlement télégraphique et du Règlement téléphonique (Genève, 1958) ainsi qu'au sujet du Règlement des radiocommunications (Genève, 1959).

## XXI

*Pour l'Afghanistan, la République Argentine, la Belgique, la République de Colombie, le Congo Belge et Territoire du Ruanda-Urundi, le Danemark, l'Espagne, les Etats d'Outre-Mer de la Communauté et Territoires français d'Outre-Mer, la France, le Mexique, Monaco, la Norvège, le Paraguay, le Pérou, le Portugal, les Provinces portugaises d'Outre-Mer, la République Fédérale d'Allemagne, la République Fédérative Populaire de Yougoslavie, la Suède et la Suisse :*

Les délégations des pays ci-dessus déclarent, au nom de leurs Gouvernements respectifs, qu'elles n'acceptent aucune conséquence des réserves qui entraîneraient une augmentation de leur quote-part contributive aux dépenses de l'Union.

## XXII

*Pour la République Populaire d'Albanie, la République Socialiste Soviétique de Biélorussie, la République Populaire de Bulgarie, la République Populaire Hongroise, la République Populaire de Pologne, la République Socialiste Soviétique de l'Ukraine, la République Populaire Roumaine, la République Tchécoslovaque et l'Union des Républiques Socialistes Soviétiques :*

Les délégations des pays ci-dessus déclarent, au nom de leurs Gouvernements respectifs, que la décision prise par la Conférence de plénipotentiaires de l'Union internationale des télécommunications, Genève, 1959, de reconnaître les pouvoirs des représentants de Tchang-Kai-Chek de participer à la Conférence et de signer ses Actes finals au nom de la Chine,

est illégale, car les représentants légitimes de la Chine ne peuvent être que ceux nommés par le Gouvernement central du peuple de la République populaire de Chine.

### XXIII

*Pour la République Populaire d'Albanie, la République Populaire de Bulgarie, la République Populaire Hongroise, la République Populaire de Pologne, la République Populaire Roumaine et la République Tchécoslovaque :*

Au moment de procéder à la signature de la Convention internationale des télécommunications (Genève, 1959), les délégations des pays suivants : République Populaire d'Albanie, République Populaire de Bulgarie, République Populaire Hongroise, République Populaire de Pologne, République Populaire Roumaine, République Tchécoslovaque, déclarent qu'elles réservent à leurs Gouvernements le droit d'accepter ou de ne pas accepter le Règlement des radiocommunications, soit dans son ensemble, soit en partie.

### XXIV

*Pour le Royaume de l'Arabie Saoudite, la République d'Iraq, le Royaume Hachémite de Jordanie, Kuwait, le Liban, le Royaume-Uni de Libye, le Royaume du Maroc, la République Arabe Unie, la République du Soudan et la Tunisie :*

Les délégations des pays ci-dessus déclarent que leur signature de la Convention internationale des télécommunications (Genève, 1959), ainsi que la ratification éventuelle ultérieure de cet Acte par leurs Gouvernements respectifs ne sont pas valables vis-à-vis du Membre inscrit à l'Annexe 1 à ladite Convention sous le nom d'Israël et n'impliquent aucunement sa reconnaissance.

### XXV

*Pour l'Autriche et l'Italie :*

L'Autriche et l'Italie se réservent le droit de prendre toutes mesures qu'elles estimeront nécessaires pour assurer leurs intérêts si des Membres ou des Membres associés ne contribuent pas aux dépenses de l'Union sur la base des dispositions de la Convention internationale des télécommunications (Genève, 1959) et si les réserves d'autres pays peuvent compromettre leurs services de télécommunications.

## XXVI

*Pour la République Socialiste Soviétique de Biélorussie, la République Socialiste Soviétique de l'Ukraine et l'Union des Républiques Socialistes Soviétiques :*

En signant la présente Convention, les délégations de la République Socialiste Soviétique de Biélorussie, de la République Socialiste Soviétique de l'Ukraine et de l'Union des Républiques Socialistes Soviétiques déclarent formellement maintenir les réserves relatives au Règlement des radio-communications que leurs Gouvernements avaient formulées en ratifiant la Convention internationale des télécommunications (Buenos Aires, 1952).

## XXVII

*Pour le Ghana, la République de Guinée et l'Iran :*

Les délégations des pays mentionnés ci-dessus réservent à leurs Gouvernements respectifs le droit de prendre toutes mesures qu'ils estimeront nécessaires pour protéger leurs intérêts si des Membres ou des Membres associés n'observent pas, de quelque manière que ce soit, les dispositions de la Convention internationale des télécommunications (Genève, 1959) ou si les réserves de ces pays peuvent compromettre leurs services de télécommunications.

## XXVIII

*Pour le Royaume Hachémite de Jordanie et la République Arabe Unie :*

Les délégations du Royaume Hachémite de Jordanie et de la République Arabe Unie déclarent, au nom de leurs Gouvernements, qu'elles n'approuvent pas le numéro 42 ni le numéro 97, qui autorisent le Conseil d'administration à conclure au nom de l'Union des accords avec des organisations internationales. Leurs pays ne seront liés par aucun de ces accords qu'ils considéreront comme contraires à leurs intérêts.

## XXIX

*Pour la Fédération de l'Australie, la Nouvelle-Zélande, le Pakistan, la République des Philippines, le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord et l'Union de l'Afrique du Sud et Territoire de l'Afrique du Sud-Ouest :*

Les délégations des pays mentionnés ci-dessus réservent à leurs Gouvernements respectifs le droit de prendre toutes mesures qu'ils pourront juger nécessaires à la sauvegarde de leurs intérêts au cas où certains Membres

ou Membres associés de l'Union ne prendraient pas leur part des dépenses de l'Union, ou manqueraient de quelque autre façon de se conformer aux dispositions de la Convention internationale des télécommunications (Genève, 1959), de ses annexes ou des protocoles qui y sont attachés, ou encore si des réserves formulées par d'autres pays compromettaient le bon fonctionnement de leurs propres services de télécommunications.

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EN FOI DE QUOI, les plénipotentiaires respectifs ont signé ce Protocole final en un exemplaire et en chacune des langues anglaise, chinoise, espagnole, française et russe. Ce Protocole restera déposé aux archives de l'Union internationale des télécommunications, laquelle en remettra une copie à chacun des pays signataires.

Fait à Genève, le 21 décembre 1959.

*Suivent les mêmes signatures que pour la Convention*

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(Ginebra, 1959)

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## CONVENIO INTERNACIONAL DE TELECOMUNICACIONES

### Preámbulo

- 1** Reconociendo en toda su plenitud el derecho soberano de cada país de reglamentar sus telecomunicaciones, los plenipotenciarios de los gobiernos contratantes, de común acuerdo y con el fin de facilitar las relaciones y la cooperación entre los pueblos por medio del buen funcionamiento de las telecomunicaciones, celebran el siguiente Convenio.
- 2** Los países y grupos de territorios que llegan a ser parte en el presente Convenio constituyen la Unión Internacional de Telecomunicaciones.

## CAPÍTULO I

### **Composición, objeto y estructura de la Unión**

#### ARTÍCULO PRIMERO

##### **Composición de la Unión**

- 3** 1. La Unión Internacional de Telecomunicaciones está constituida por Miembros y Miembros asociados.
- 4** 2. Es Miembro de la Unión:
  - a)** Todo país o grupo de territorios enumerado en el Anexo 1, una vez que, por sí o en su nombre, se haya procedido a la firma y ratificación de este Convenio, o a la adhesión al mismo;
  - b)** Todo país no enumerado en el Anexo 1 que llegue a ser Miembro de las Naciones Unidas y que adhiera a este Convenio de conformidad con las disposiciones del artículo 18;
  - c)** Todo país soberano no enumerado en el Anexo 1 que, sin ser Miembro de las Naciones Unidas, adhiera al Convenio de

conformidad con las disposiciones del artículo 18, previa aprobación de su solicitud de admisión como Miembro por dos tercios de los Miembros de la Unión.

7 3. Es Miembro asociado de la Unión:

a) Todo país, territorio o grupo de territorios enumerados en el Anexo 2, una vez que, por sí o en su nombre, se haya procedido a la firma y ratificación del Convenio, o a la adhesión al mismo;

8 b) Todo país que, sin ser Miembro de la Unión conforme a los términos de los números 4 a 6, adhiera al Convenio con arreglo a lo dispuesto en el artículo 18, previa aprobación de su solicitud de admisión como Miembro asociado por la mayoría de los Miembros de la Unión;

9 c) Todo territorio o grupo de territorios que no tenga la entera responsabilidad de sus relaciones internacionales y en cuyo nombre un Miembro de la Unión firme o ratifique este Convenio, o se adhiera a él de conformidad con los artículos 18 y 19, cuando su solicitud de admisión en calidad de Miembro asociado, presentada por el Miembro de la Unión responsable, haya sido aprobada por la mayoría de los Miembros de la Unión;

10 d) Todo territorio bajo tutela cuya solicitud de admisión en calidad de Miembro asociado de la Unión haya sido presentada por las Naciones Unidas y en nombre del cual esta última organización haya adherido al Convenio de conformidad con lo dispuesto en el artículo 20.

11 4. Cuando un territorio o grupo de territorios perteneciente a un grupo de territorios que sea Miembro de la Unión, pase o haya pasado a ser Miembro asociado de la Unión, de acuerdo con lo establecido en los números 7 y 9, tendrá únicamente los derechos y obligaciones establecidos en el Convenio para los Miembros asociados.

12 5. A los efectos de lo dispuesto en los números 6, 8 y 9, si en el intervalo de dos conferencias de plenipotenciarios se presentase una solicitud de admisión en calidad de Miembro o de Miembro asociado, por vía diplomática y por conducto del país sede de la Unión, el Secretario General consultará a los Miembros de la Unión. Se considerará como abstenido a todo Miembro que no haya respondido en el plazo de cuatro meses, a contar de la fecha en que haya sido consultado.

**ARTÍCULO 2****Derechos y obligaciones de los Miembros y Miembros asociados**

- 13**      1. (1) Todos los Miembros tendrán el derecho de participar en las conferencias de la Unión y son elegibles para todos los organismos de la misma.
- 14**      (2) Cada Miembro tendrá derecho a un voto en todas las conferencias de la Unión, en todas las reuniones de los Comités consultivos internacionales en que participe y, si forma parte del Consejo de Administración, tendrá también derecho a un voto en todas las reuniones del Consejo.
- 15**      (3) Cada Miembro tendrá derecho igualmente a un voto en toda consulta que se efectúe por correspondencia.
- 16**      2. Los Miembros asociados tienen los mismos derechos y obligaciones de los Miembros de la Unión, con excepción del derecho de voto en las conferencias y demás organismos de la Unión y el de presentar candidatos a la Junta Internacional de Registro de Frecuencias. No son elegibles para el Consejo de Administración.

**ARTÍCULO 3****Sede de la Unión**

- 17**      La sede de la Unión se fija en Ginebra.

**ARTÍCULO 4****Objeto de la Unión**

1. La Unión tiene por objeto:
- 18**      a) Mantener y ampliar la cooperación internacional para el mejoramiento y el empleo racional de toda clase de telecomunicaciones.
- 19**      b) Favorecer el desarrollo de los medios técnicos y su más eficaz explotación, a fin de aumentar el rendimiento de los servicios de telecomunicación, acrecentar su empleo y generalizar lo más posible su utilización por el público;
- 20**      c) Armonizar los esfuerzos de las naciones para la consecución de estos fines comunes.

- 21      2. A tal efecto, y en particular la Unión:
- a) Efectuará la distribución de las frecuencias del espectro y llevará el registro de las asignaciones de las frecuencias, a fin de evitar toda interferencia perjudicial entre las estaciones de radiocomunicación de los distintos países;
  - b) Coordinará los esfuerzos para eliminar toda interferencia perjudicial entre las estaciones de radiocomunicación de los diferentes países y mejorar la utilización del espectro de frecuencias radioeléctricas;
  - c) Fomentará la colaboración entre sus Miembros y Miembros asociados con el fin de llegar, en el establecimiento de tarifas, al nivel mínimo compatible con un servicio de buena calidad y con una gestión financiera de las telecomunicaciones sana e independiente;
  - d) Fomentará la creación, el desarrollo y el perfeccionamiento de las instalaciones y de las redes de telecomunicaciones en los países nuevos o en vías de desarrollo, por todos los medios de que disponga, y en particular por medio de su participación en los programas adecuados de las Naciones Unidas;
  - e) Promoverá la adopción de medidas tendientes a garantizar la seguridad de la vida humana, mediante la cooperación de los servicios de telecomunicación;
  - f) Emprenderá estudios, formulará recomendaciones y votos, reunirá y publicará informes relativos a las telecomunicaciones en beneficio de todos los Miembros y Miembros asociados.

## ARTÍCULO 5

### Estructura de la Unión

- 27      La organización de la Unión comprende:
- 1. La Conferencia de plenipotenciarios, que es el órgano supremo de la Unión;
  - 2. Las Conferencias administrativas;
  - 29      3. El Consejo de Administración;
  - 30      4. Los organismos permanentes que a continuación se enumeran:
    - a) La Secretaría General;
    - b) La Junta Internacional de Registro de Frecuencias (I.F.R.B.);

- 32           c) El Comité Consultivo Internacional de Radiocomunicaciones (C.C.I.R.);  
33           d) El Comité Consultivo Internacional Telegráfico y Telefónico (C.C.I.T.T.).

## ARTÍCULO 6

### **Conferencia de plenipotenciarios**

- 34       1. La Conferencia de plenipotenciarios:  
          a) Determinará los principios generales a seguir para el cumplimiento de los fines de la Unión, prescritos en el artículo 4 del presente Convenio;  
35       b) Examinará el informe del Consejo de Administración sobre sus actividades y las de la Unión desde la última conferencia de plenipotenciarios;  
36       c) Fijará las bases del presupuesto de la Unión y determinará el tope de sus gastos hasta la siguiente conferencia de plenipotenciarios;  
37       d) Establecerá los sueldos o la escala de sueldos base, así como el sistema de indemnizaciones y pensiones para todos los funcionarios de la Unión;  
38       e) Aprobará definitivamente las cuentas de la Unión;  
39       f) Elegirá a los Miembros de la Unión que han de constituir el Consejo de Administración;  
40       g) Elegirá al Secretario General y al Vicesecretario General y fijará las fechas en que se hagan cargo de sus funciones;  
41       h) Revisará el Convenio, si lo estima necesario;  
42       i) Concertará o revisará, llegado el caso, los acuerdos entre la Unión y otras organizaciones internacionales; examinará los acuerdos provisionales celebrados con dichas organizaciones por el Consejo de Administración en nombre de la Unión, y resolverá sobre ellos lo que estime oportuno, y  
43       j) Tratará cuantos problemas de telecomunicaciones juzgue necesario.
- 44       2. La Conferencia de plenipotenciarios se reunirá normalmente en el lugar y fecha fijados por la precedente Conferencia de plenipotenciarios.
- 45       3. (1) El lugar y la fecha de la próxima Conferencia de plenipotenciarios, o uno de los dos, podrán ser modificados:

- 46        a) A petición de veinte Miembros y Miembros asociados de la Unión, por lo menos, dirigida individualmente al Secretario General;
- 47        b) A propuesta del Consejo de Administración.
- 48        (2) En ambos casos, para fijar el nuevo lugar y la nueva fecha de la conferencia, o uno de los dos, se necesitará la conformidad de la mayoría de los Miembros de la Unión.

## ARTÍCULO 7

### Conferencias administrativas

- 49        1. Las conferencias administrativas de la Unión comprenden:
- 50        a) Conferencias administrativas ordinarias;
- 51        b) Conferencias administrativas extraordinarias, y
- 51        c) Conferencias especiales que comprenden:  
— las conferencias especiales regionales,  
— las conferencias especiales de servicio mundiales o regionales.
- 52        2. (1) Las conferencias administrativas ordinarias:
- 53        a) Revisarán, cada una en la esfera de su competencia, los Reglamentos enumerados en el número 193;
- 53        b) Tratarán, dentro de los límites del Convenio, del Reglamento General y de las normas dadas por la Conferencia de plenipotenciarios, todas las demás cuestiones que estimen necesario.
- 54        (2) Además, la conferencia administrativa ordinaria de radio-comunicaciones:
- 55        a) Elegirá a los miembros de la Junta Internacional de Registro de Frecuencias;
- 55        b) Dará instrucciones a esta Junta sobre sus actividades y examinará las actividades de la misma.
- 56        3. (1) El lugar y la fecha de las conferencias administrativas ordinarias serán determinados:
- 57        a) Por la correspondiente conferencia administrativa precedente, si ésta lo deseara, o
- 57        b) A petición de veinte Miembros y Miembros asociados de la Unión, por lo menos, dirigida individualmente al Secretario General, o
- 58        c) A propuesta del Consejo de Administración.

- 59**        (2) En los casos de los números **57** ó **58** precedentes, el lugar y la fecha serán fijados con el consentimiento de la mayoría de los Miembros de la Unión.
- 60**        4. (1) Las conferencias administrativas extraordinarias serán convocadas para estudiar cuestiones de telecomunicaciones de carácter especial y se limitarán estrictamente a tratar los asuntos que figuren en su orden del día.
- 61**        (2) Estas conferencias podrán revisar, cada una en la esfera de su competencia, algunas disposiciones de un reglamento administrativo, siempre que la revisión de dichas disposiciones figure en el orden del día aprobado por la mayoría de los Miembros de la Unión según lo establecido en el número **65**.
- 62**        5. (1) Se podrá convocar una conferencia administrativa extraordinaria:
- a)** Por decisión de la conferencia de plenipotenciarios, que fijará el orden del día y el lugar y la fecha de la reunión, o
  - b)** Cuando veinte Miembros y Miembros asociados de la Unión, por lo menos, hayan expresado individualmente al Secretario General su deseo de que se reúna tal conferencia para considerar un orden del día propuesto por ellos, o
  - c)** A propuesta del Consejo de Administración.
- 63**        (2) En los casos previstos en los números **63** y **64**, se necesitará el consentimiento de la mayoría de los Miembros de la Unión para fijar el lugar y la fecha de reunión, así como su orden del día.
- 64**        6. Las conferencias especiales serán convocadas únicamente para considerar los asuntos que se indiquen en su orden del día. Sus decisiones deberán ajustarse a las disposiciones del Convenio y de los Reglamentos administrativos.
- 65**        7. (1) Se podrán convocar conferencias especiales:
- a)** Por decisión de la conferencia de plenipotenciarios o de una conferencia administrativa ordinaria o extraordinaria, que fijará el orden del día y el lugar y fecha de la reunión; o
  - b)** Cuando veinte Miembros y Miembros asociados de la Unión, por lo menos, en el caso de conferencias especiales de servicio mundiales, o la cuarta parte de los Miembros y Miembros asociados de la región correspondiente si se trata de conferencias especiales regionales, o de conferencias especiales de servicio regionales, hayan expresado individualmente al Secre-

tario General su deseo de que se reúna una conferencia de esa naturaleza, para considerar un orden del día propuesto por ellos, o

**69**      *c) A propuesta del Consejo de Administración.*

**70**      (2) En los casos previstos en los números **68** y **69** para fijar el lugar y fecha de reunión de la conferencia, así como su orden del día, se necesitará el consentimiento de la mayoría de los Miembros de la Unión, si se trata de conferencias especiales de servicio mundiales, o de la mayoría de los Miembros de la región correspondiente, en el caso de conferencias especiales regionales o para las conferencias especiales de servicio regionales.

**71**      8. (1) El lugar y la fecha, o uno de los dos, de una conferencia administrativa ordinaria, o de una conferencia administrativa extraordinaria, o de una conferencia especial de servicio mundial, podrán modificarse:

*a) Cuando veinte Miembros y Miembros asociados de la Unión, por lo menos, lo hayan propuesto individualmente al Secretario General, o*

**72**      *b) A propuesta del Consejo de Administración.*

**73**      (2) En cualquiera de estos casos, para fijar la nueva fecha y el nuevo lugar de celebración, o uno de los dos, se necesitará el consentimiento de la mayoría de los Miembros de la Unión.

**74**      9. (1) El lugar y la fecha, o uno de los dos, de las conferencias especiales regionales, o de las conferencias especiales de servicio regionales, pueden cambiarse:

*a) A propuesta de una cuarta parte por lo menos de los Miembros o Miembros asociados de la región interesada,*

**75**      *b) A propuesta del Consejo de Administración.*

**76**      (2) En los dos casos, un nuevo lugar y una nueva fecha, o uno de los dos, se fijarán de acuerdo con la mayoría de los Miembros de la región interesada.

## ARTÍCULO 8

### **Reglamento interno de las conferencias**

**77**      Para la organización de sus trabajos y en sus debates, las conferencias aplicarán el Reglamento interno inserto en el Reglamento General anexo al Convenio. No obstante, cada conferencia podrá adoptar las disposiciones suplementarias que estime indispensables.

**ARTÍCULO 9****Consejo de Administración****A. Organización y funcionamiento**

- 78        1. (1) El Consejo de Administración estará constituido por veinticinco Miembros de la Unión, elegidos por la conferencia de plenipotenciarios teniendo en cuenta la necesidad de una representación equitativa de todas las partes del mundo, los cuales desempeñarán su mandato hasta la elección de un nuevo Consejo por la conferencia de plenipotenciarios, y podrán ser reelegidos.
- 79        (2) Si entre dos conferencias de plenipotenciarios se produjese una vacante en el Consejo de Administración, corresponderá cubrirla, por derecho propio, al Miembro de la Unión que en la última elección hubiese obtenido el mayor número de sufragios entre los Miembros pertenecientes a la misma región sin resultar elegido.
- 80        2. Cada Miembro del Consejo de Administración designará para actuar en el Consejo a una persona calificada por su experiencia en los servicios de telecomunicación y se esforzará, en la medida de lo posible, por evitar sustituirla durante el periodo del mandato del Consejo.
- 81        3. Cada Miembro del Consejo tendrá derecho a un voto.
- 82        4. El Consejo de Administración establecerá su propio Reglamento interno.
- 83        5. El Consejo de Administración elegirá presidente y vicepresidente al comienzo de cada reunión anual. Estos desempeñarán sus cargos hasta la próxima reunión anual y serán reelegibles. El vicepresidente reemplazará al presidente durante sus ausencias.
- 84        6. (1) El Consejo de Administración celebrará una reunión anual en la sede de la Unión.
- 85        (2) Durante esta reunión podrá decidir que se celebre, excepcionalmente, una reunión suplementaria.
- 86        (3) En el intervalo de dos reuniones ordinarias, el Consejo, a petición de la mayoría de sus Miembros, podrá ser convocado por su presidente, en principio en la sede de la Unión.
- 87        7. El Secretario General y el Vicesecretario General, el Presidente y el Vicepresidente de la Junta Internacional de Registro de Frecuencias y los Directores de los Comités consultivos internacionales participarán

por derecho propio en las deliberaciones del Consejo de Administración, pero no tomarán parte en las votaciones. No obstante, el Consejo podrá celebrar sesiones limitadas exclusivamente a sus Miembros.

88 8. El Secretario General de la Unión ejercerá las funciones de secretario del Consejo de Administración.

89 9. (1) En el intervalo de las conferencias de plenipotenciarios, el Consejo de Administración actuará como mandatario de la conferencia de plenipotenciarios, dentro de los límites de las facultades que ésta le delegue.

90 (2) El Consejo actuará únicamente mientras se encuentre en reunión oficial.

91 10. El representante de cada uno de los Miembros del Consejo de Administración podrá asistir como observador a todas las reuniones de los organismos permanentes de la Unión, citados en los números 31, 32 y 33.

92 11. Sólo correrán por cuenta de la Unión los gastos de traslado y estancia efectuados por el representante de cada uno de los Miembros del Consejo de Administración, con motivo del desempeño de sus funciones durante las reuniones del Consejo.

#### B. *Atribuciones*

93 12. (1) El Consejo de Administración adoptará las medidas necesarias para facilitar la aplicación, por los Miembros y Miembros asociados, de las disposiciones del Convenio, de los Reglamentos, de las decisiones de la Conferencia de plenipotenciarios y, llegado el caso, de las decisiones de otras conferencias y reuniones de la Unión.

94 (2) Asegurará, asimismo, la coordinación eficaz de las actividades de la Unión.

95 13. En particular, el Consejo de Administración:

a) Llevará a cabo las tareas que le encomiende la conferencia de plenipotenciarios;

96 b) En el intervalo de las conferencias de plenipotenciarios, asegurará la coordinación con todas las organizaciones internacionales a que se refieren los artículos 28 y 29 de este Convenio, y a tal efecto:

97 1. Concertará en nombre de la Unión acuerdos provisionales con las organizaciones internacionales a que se refiere el artículo 29

del Convenio y con las Naciones Unidas en aplicación del acuerdo contenido en el Anexo 6 al Convenio; dichos acuerdos provisionales serán sometidos a consideración de la siguiente Conferencia de plenipotenciarios, a los efectos de lo dispuesto en el número 42, y

- 98        2. Designará, en nombre de la Unión, uno o varios representantes para participar en las conferencias de tales organizaciones y, cuando sea necesario, en las comisiones de coordinación que se reúnan de acuerdo con dichas organizaciones.
- 99        c) Fijará el escalafón del personal de la Secretaría General y de las secretarías especializadas de los organismos permanentes de la Unión, teniendo en cuenta las normas generales de la conferencia de plenipotenciarios;
- 100      d) Establecerá los reglamentos que considere necesarios para las actividades administrativas y financieras de la Unión, y los reglamentos administrativos pertinentes para tener en cuenta la práctica seguida en las Naciones Unidas y en las instituciones especializadas que aplican el sistema común de sueldos, indemnizaciones y pensiones;
- 101      e) Controlará el funcionamiento administrativo de la Unión;
- 102      f) Examinará y aprobará el presupuesto anual de la Unión realizando las máximas economías;
- 103      g) Dispondrá lo necesario para la verificación anual de las cuentas de la Unión establecidas por el Secretario General, y las aprobará para presentarlas a la siguiente conferencia de plenipotenciarios;
- 104      h) Ajustará en la forma necesaria:
1. La escala de sueldos base del personal de las categorías de dirección y profesional, con exclusión de los sueldos correspondientes a los empleos cubiertos por elección, para adaptarla a la de los sueldos base adoptada por las Naciones Unidas para las categorías correspondientes del sistema común;
  2. La escala de sueldos base del personal de las categorías de servicios generales, para adaptarla a la de los sueldos aplicados por las Naciones Unidas y las instituciones especializadas en la sede de la Unión;
  3. Los ajustes por lugar de destino correspondientes a las categorías profesionales y superiores, incluidos los empleos pro-

- vistos por elección, de acuerdo con las decisiones de las Naciones Unidas aplicables en la Sede de la Unión;
- 107 4. Las indemnizaciones para todo el personal de la Unión, de acuerdo con los cambios adoptados en el sistema común de las Naciones Unidas;
- 108 5. Las contribuciones pagaderas por la Unión y por su personal a la Caja Común de Pensiones del personal de las Naciones Unidas, de conformidad con las decisiones del Comité mixto de esta Caja.
- 109 i) Adoptará las disposiciones necesarias para convocar las conferencias de plenipotenciarios y administrativas de la Unión, de conformidad con los artículos 6 y 7;
- 110 j) Hará a la conferencia de plenipotenciarios de la Unión las sugerencias que considere pertinentes;
- 111 k) Coordinará las actividades de los organismos permanentes de la Unión; adoptará las disposiciones oportunas sobre las peticiones o recomendaciones que dichos organismos le formulen, y examinará sus informes anuales;
- 112 l) Cubrirá interinamente, si lo estima oportuno, la vacante de Vicesecretario General que se produzca;
- 113 m) Cubrirá interinamente las vacantes de directores de los Comités consultivos internacionales que se produzcan;
- 114 n) Desempeñará las demás funciones que se le asignan en el presente Convenio y las que, dentro de los límites de éste y de los Reglamentos, se consideren necesarias para la buena administración de la Unión;
- 115 o) Previo acuerdo de la mayoría de los Miembros de la Unión, tomará las medidas necesarias para resolver, con carácter provisional, los casos no previstos en el Convenio y sus Anexos y para cuya solución no sea posible esperar hasta la próxima conferencia competente;
- 116 p) Someterá a la consideración de la conferencia de plenipotenciarios un informe sobre sus actividades y las de la Unión;
- 117 q) Promoverá la cooperación internacional para facilitar por todos los medios de que disponga, especialmente por la participación de la Unión en los programas apropiados de las Naciones Unidas, asistencia técnica a los países nuevos o en vías de desarrollo, conforme al objeto de la Unión que es favorecer, por todos los medios posibles, el desarrollo de las telecomunicaciones.

## ARTÍCULO 10

## Secretaría General

**118** 1. (1) La Secretaría General estará dirigida por un Secretario General, auxiliado por un Vicesecretario General.

**119** (2) El Secretario General y el Vicesecretario General asumirán sus funciones en las fechas que se determinen en el momento de su elección. Normalmente permanecerán en funciones hasta la fecha que determine la siguiente conferencia de plenipotenciarios, y serán reelegibles.

**120** (3) El Secretario General será responsable ante la conferencia de plenipotenciarios, y en los intervalos entre las reuniones de ésta ante el Consejo de Administración, del cumplimiento de las funciones encargadas a la Secretaría General y de la totalidad de los servicios administrativos y financieros de la Unión. El Vicesecretario General será responsable ante el Secretario General.

**121** (4) En caso de quedar vacante el empleo de Secretario General, asumirá interinamente sus funciones el Vicesecretario General.

**122** 2. El Secretario General:

a) Asegurará la unidad de acción de los organismos permanentes de la Unión por medio de un Comité de coordinación presidido por él e integrado por el Vicesecretario General y por los jefes de los organismos permanentes; esta coordinación afectará a las cuestiones administrativas, la asistencia técnica, las relaciones exteriores, la información pública y, en general, a todo asunto cuya importancia lo merezca a juicio del Consejo de Administración;

**123** b) Organizará el trabajo de la Secretaría General y nombrará el personal de la misma de conformidad con las normas fijadas por la conferencia de plenipotenciarios y con los reglamentos establecidos por el Consejo de Administración;

**124** c) Adoptará las medidas administrativas relativas a la constitución de las secretarías especializadas de los organismos permanentes y nombrará al personal de las mismas de acuerdo con el jefe de cada organismo permanente y basándose en la elección de este último; sin embargo, la decisión definitiva en lo que respecta al nombramiento y cese del personal corresponderá al Secretario General;

- 125      d) Informará al Consejo de Administración acerca de las decisiones adoptadas por las Naciones Unidas y las instituciones especializadas que afecten a las condiciones de servicio, indemnizaciones y pensiones del sistema común;
- 126      e) Velará por que en las secretarías especializadas se apliquen los reglamentos administrativos y financieros aprobados por el Consejo de Administración;
- 127      f) Tendrá a su cargo la inspección exclusivamente administrativa del personal de las secretarías especializadas que trabaja directamente bajo las órdenes de los jefes de los organismos permanentes de la Unión;
- 128      g) Asegurará el trabajo de secretaría previo y subsiguiente a las conferencias de la Unión;
- 129      h) Asegurará, en cooperación, si así procede, con el gobierno invitante, la secretaría de todas las conferencias de la Unión y, cuando así se solicite o se disponga en los Reglamentos anexos a este Convenio, la de las reuniones de los organismos permanentes de la Unión o de aquellas otras que se celebren bajo sus auspicios. También podrá encargarse de contratar el personal de secretaría para otras reuniones de telecomunicaciones, cuando así se solicite;
- 130      i) Tendrá al día las listas oficiales, excepto los registros básicos y demás documentación esencial que pueda relacionarse con las funciones de la Junta Internacional de Registro de Frecuencias, utilizando para ello los datos suministrados a tal fin por los organismos permanentes de la Unión o por las administraciones;
- 131      j) Publicará las recomendaciones e informes principales de los organismos permanentes de la Unión;
- 132      k) Publicará los acuerdos internacionales y regionales concernientes a las telecomunicaciones que le hayan sido comunicados por las partes interesadas, y tendrá al día la documentación que a los mismos se refiera;
- 133      l) Publicará las normas técnicas de la Junta Internacional de Registro de Frecuencias así como toda otra documentación relativa a la asignación y utilización de las frecuencias que prepare la Junta Internacional de Registro de Frecuencias en cumplimiento de sus funciones;
- 134      m) Preparará, publicará y tendrá al día, con la colaboración de los demás organismos permanentes de la Unión cuando corresponda:

- 135        1. La documentación relativa a la composición y estructura de la Unión;
- 136        2. Las estadísticas generales y los documentos oficiales de servicio de la Unión, previstos en los Reglamentos anexos al Convenio;
- 137        3. Cuantos documentos prescriban las conferencias y el Consejo de Administración.
- 138        n) Distribuirá los documentos publicados;
- 139        o) Recopilará y publicará en forma adecuada los informes nacionales e internacionales referentes a las telecomunicaciones del mundo entero;
- 140        p) Reunirá y publicará, en colaboración con los demás organismos permanentes de la Unión, las informaciones de carácter técnico o administrativo que puedan ser de especial utilidad para los países nuevos o en vías de desarrollo, con el fin de ayudarles a perfeccionar sus redes de telecomunicación. Se llama la atención de estos países sobre las posibilidades que ofrecen los programas internacionales colocados bajo la égida de las Naciones Unidas.
- 141        q) Recopilará y publicará todas las informaciones referentes a la aplicación de medios técnicos que puedan servir a los Miembros y Miembros asociados para lograr el máximo rendimiento de los servicios de telecomunicación y, en especial, el empleo más conveniente de las frecuencias radioeléctricas para disminuir las interferencias;
- 142        r) Publicará periódicamente un boletín de información y de documentación general sobre las telecomunicaciones, a base de las informaciones que pueda reunir o se le faciliten, incluso las que pueda obtener de otras organizaciones internacionales;
- 143        s) Preparará y someterá al Consejo de Administración un proyecto de presupuesto anual que, una vez aprobado por el Consejo, será enviado a todos los Miembros y Miembros asociados para su conocimiento;
- 144        t) Preparará anualmente un informe de gestión financiera que someterá al Consejo de Administración, y un estado de cuentas recapitulativo antes de cada conferencia de plenipotenciarios; previa verificación y aprobación por el Consejo de Administración, estos informes serán enviados a los Miembros y Miembros asociados y sometidos a la siguiente conferencia de plenipotenciarios para su examen y aprobación definitiva;

- 145 u) Preparará un informe anual sobre las actividades de la Unión que, después de aprobado por el Consejo de Administración, será enviado a todos los Miembros y Miembros asociados;
- 146 v) Asegurará las demás funciones de secretaría de la Unión.
- 147 3. El Vicesecretario General auxiliará al Secretario General en el desempeño de sus funciones y asumirá las que específicamente le confíe el Secretario General. Desempeñará las funciones del Secretario General en ausencia de éste.
- 148 4. El Secretario General, o el Vicesecretario General, podrá asistir con carácter consultivo a las Asambleas plenarias de los Comités consultivos internacionales y a todas las conferencias de la Unión; el Secretario General o su representante podrá participar, con carácter consultivo, en las demás reuniones de la Unión.

## ARTÍCULO 11

### Funcionarios y personal de la Unión

- 149 1. El Secretario General, el Vicesecretario General y los directores de los Comités consultivos internacionales, serán todos nacionales de países diferentes, Miembros de la Unión.
- 150 2. (1) En el desempeño de sus funciones, el Secretario General, el Vicesecretario General, así como los miembros de la Junta Internacional de Registro de Frecuencias, los directores de los Comités consultivos internacionales y el personal de la Unión, no deberán solicitar ni aceptar instrucciones de gobierno alguno ni de ninguna autoridad ajena a la Unión. Se abstendrán asimismo de todo acto incompatible con su condición de funcionarios internacionales.
- 151 (2) Cada Miembro y Miembro asociado deberá respetar el carácter exclusivamente internacional de las funciones de los funcionarios citados en el número 150 y del personal de la Unión y no tratará de influir sobre ellos en el ejercicio de las mismas.
- 152 3. La consideración predominante en el reclutamiento del personal y en la determinación de las condiciones de empleo será la necesidad de asegurar a la Unión los servicios de las personas de la mayor eficiencia, competencia e integridad. Se dará la debida importancia al reclutamiento del personal sobre una base geográfica lo más amplia posible.

## ARTÍCULO 12

## Junta Internacional de Registro de Frecuencias

- 153** 1. Las funciones esenciales de la Junta Internacional de Registro de Frecuencias serán las siguientes:
- a) Efectuar la inscripción metódica de las asignaciones de frecuencias hechas por los diferentes países, en tal forma que queden determinadas, de acuerdo con el procedimiento establecido en el Reglamento de Radiocomunicaciones y, llegado el caso, con las decisiones de las conferencias competentes de la Unión; la fecha, la finalidad y las características técnicas de cada una de dichas asignaciones, con el fin de asegurar su reconocimiento internacional oficial;
- 154** b) Asesorar a los Miembros y Miembros asociados, con miras a la explotación del mayor número posible de canales radioeléctricos en las regiones del espectro de frecuencias en que puedan producirse interferencias perjudiciales;
- 155** c) Llevar a cabo las demás funciones complementarias relacionadas con la asignación y utilización de las frecuencias que puedan encómedarle las conferencias competentes de la Unión, o el Consejo de Administración, con el consentimiento de la mayoría de los Miembros de la Unión, para la preparación de conferencias de esta índole o en cumplimiento de decisiones de las mismas, y
- 156** d) Tener al día los registros indispensables para el cumplimiento de sus funciones.
- 157** 2. (1) La Junta Internacional de Registro de Frecuencias estará integrada por once miembros independientes nombrados de conformidad con lo dispuesto en los números 160 a 169.
- 158** (2) Los miembros de la Junta deberán estar plenamente capacitados por su competencia técnica en radiocomunicaciones y poseer experiencia práctica en materia de asignación y utilización de frecuencias.
- 159** (3) Además, para la mejor comprensión de los problemas que tendrá que resolver la Junta en virtud del número 154, cada miembro deberá conocer las condiciones geográficas, económicas y demográficas de una región particular del globo.
- 160** 3. (1) En cada una de sus reuniones, la conferencia administrativa ordinaria de radiocomunicaciones elegirá a los once miembros de la Junta. Esta elección se hará entre los candidatos propuestos por los países

Miembros de la Unión. Cada Miembro de la Unión no podrá proponer más de un candidato nacional. Cada candidato deberá reunir los requisitos mencionados en los números 158 y 159.

- 161 (2) El procedimiento para esta elección lo establecerá la misma conferencia, asegurando una representación equitativa entre las diferentes regiones del mundo.
- 162 (3) Todos los miembros de la Junta en funciones podrán ser propuestos en una elección subsiguiente como candidatos del país de que sean nacionales.
- 163 (4) Los miembros de la Junta iniciarán el desempeño de sus funciones en la fecha determinada por la conferencia administrativa ordinaria de radiocomunicaciones que los haya elegido, y continuarán desempeñándolas, normalmente, hasta la fecha que, para la toma de posesión de sus sucesores, fije la conferencia siguiente.
- 164 (5) Cuando un miembro elegido de la Junta renuncie a sus funciones, o las abandone injustificadamente durante más de tres meses consecutivos, en el periodo comprendido entre dos conferencias administrativas ordinarias de radiocomunicaciones, el país Miembro de la Unión del que sea nacional será invitado por el presidente de la Junta a que designe lo antes posible a uno de sus nacionales como reemplazante.
- 165 (6) Si el país Miembro de la Unión interesado no procediese a la sustitución en un plazo de tres meses, contados desde la fecha de la invitación, perderá el derecho de designar a una persona para participar en la Junta durante el periodo que falte hasta la expiración del mandato de la Junta.
- 166 (7) Cuando un sustituto de un miembro de la Junta renuncie a sus funciones o las abandone injustificadamente durante más de tres meses, en el periodo comprendido entre dos conferencias administrativas ordinarias de radiocomunicaciones, el país, Miembro de la Unión, del que sea nacional, no tendrá derecho a designar un nuevo sustituto.
- 167 (8) En los casos previstos en los números 165 y 166, el presidente de la Junta pedirá al país, Miembro de la Unión, cuyo candidato hubiere obtenido en la elección precedente el mayor número de votos entre los de la región considerada sin ser elegido, que designe a éste para formar parte de la Junta durante el periodo que falte hasta la expiración de su mandato. Si la persona designada no se halla en condiciones de asumir el cargo, se invitará al país interesado a que designe para sustituirla a otro de sus nacionales.
- 168 (9) Cuando un miembro elegido de la Junta o su sustituto fallezca en el periodo comprendido entre dos conferencias ordinarias de radio-

comunicaciones, el país Miembro de la Unión del que fuere nacional conservará el derecho a nombrar un sucesor, nacional de su país.

169 (10) Con el fin de garantizar el funcionamiento de la I.F.R.B., todo país que haya designado miembro de la Junta a uno de sus nacionales, se abstendrá, en la mayor medida posible, de retirarlo entre dos conferencias ordinarias de radiocomunicaciones.

170 4. (1) En el Reglamento de Radiocomunicaciones se definen los métodos de trabajo de la Junta.

171 (2) Los miembros de la Junta elegirán en su propio seno un presidente y un vicepresidente, cuyas funciones durarán un año. Una vez transcurrido éste, el vicepresidente sucederá al presidente y se elegirá un nuevo vicepresidente.

172 (3) La Junta dispondrá de una secretaría especializada.

173 5. (1) Los miembros de la Junta desempeñarán su cometido, no como representantes de sus respectivos países ni de una región determinada, sino como agentes imparciales investidos de un mandato internacional.

174 (2) En el ejercicio de sus funciones, los miembros de la Junta no solicitarán ni recibirán instrucciones de gobierno alguno, de ningún funcionario de gobierno, ni de ninguna organización o persona pública o privada. Además, cada Miembro o Miembro asociado deberá respetar el carácter internacional de la Junta y de las funciones de sus miembros, y no deberá, en ningún caso, tratar de influir sobre cualquiera de ellos en lo que respecta al ejercicio de sus funciones.

175 (3) Fuera de sus funciones, los miembros y el personal de la Junta no tomarán parte activa, ni tendrán intereses financieros de especie alguna, en ninguna empresa de telecomunicaciones. En la expresión « intereses financieros » no se incluye la continuación del pago de cuotas destinadas a la constitución de una pensión de jubilación, derivada de un empleo o de servicios anteriores.

## ARTÍCULO 13

### Comités consultivos internacionales

176 1. (1) El Comité Consultivo Internacional de Radiocomunicaciones (C.C.I.R.) realizará estudios y formulará recomendaciones sobre cuestiones técnicas y de explotación relativas específicamente a las radiocomunicaciones.

177 (2) El Comité Consultivo Internacional Telegráfico y Telefónico (C.C.I.T.T.) realizará estudios y formulará recomendaciones sobre las cuestiones técnicas, de explotación y de tarifas que se refieren a la telegrafía y la telefonía.

178 (3) En cumplimiento de su misión, todo Comité consultivo prestará especial atención al estudio de los problemas y a la elaboración de las recomendaciones directamente relacionadas con la creación, el desarrollo y el perfeccionamiento de las telecomunicaciones en los países nuevos o en vías de desarrollo, en el marco regional y en el campo internacional.

179 (4) A solicitud de los países interesados, todo Comité consultivo podrá igualmente efectuar estudios y formular consejos sobre los problemas relativos a las telecomunicaciones nacionales de esos países.

180 2. (1) Las cuestiones que ha de estudiar cada Comité consultivo internacional, sobre las cuales debe formular recomendaciones, son las que a cada uno de ellos sometan la conferencia de plenipotenciarios, una conferencia administrativa, el Consejo de Administración, el otro Comité consultivo o la Junta Internacional de Registro de Frecuencias, además de aquellas cuyo estudio haya sido decidido por la Asamblea plenaria del Comité consultivo mismo o pedido o aprobado por correspondencia en el intervalo entre sus Asambleas, por doce Miembros o Miembros asociados de la Unión, como mínimo.

181 (2) Las Asambleas plenarias de los Comités consultivos internacionales están autorizadas para someter a las conferencias administrativas proposiciones que se deriven directamente de sus recomendaciones o de las conclusiones de los estudios que estén efectuando.

182 3. Serán miembros de los Comités consultivos internacionales:

a) Por derecho propio, las administraciones de los Miembros y Miembros asociados de la Unión, y

183 b) Toda empresa privada de explotación reconocida, que, con la aprobación del Miembro o Miembro asociado que la haya reconocido, manifieste el deseo de participar en los trabajos de estos Comités.

184 4. El funcionamiento de cada Comité consultivo internacional estará asegurado:

a) Por la Asamblea plenaria que se reunirá normalmente cada tres años. Cuando una conferencia administrativa ordinaria corres-

pondiente haya sido convocada, la reunión de la Asamblea plenaria se celebrará, si es posible, por lo menos ocho meses antes de esta conferencia;

- 185      b) Por las comisiones de estudio establecidas por la Asamblea plenaria para tratar las cuestiones que hayan de ser examinadas;
- 186      c) Por un director nombrado por la Asamblea plenaria. Su condición de empleo será la de un funcionario permanente, pero podrá ser objeto de disposiciones reglamentarias especiales;
- 187      d) Por una secretaría especializada, que auxiliará al director;
- 188      e) Por los laboratorios o instalaciones técnicas creados por la Unión.
- 189      5. (1) Los Comités consultivos observarán, en cuanto les sea aplicable, el Reglamento interno de las conferencias contenido en el Reglamento General anexo al presente Convenio.
- 190      (2) Para facilitar los trabajos de los Comités consultivos, las respectivas Asambleas plenarias podrán adoptar disposiciones complementarias que no sean incompatibles con el Reglamento de las conferencias.
- 191      6. En la segunda parte del Reglamento General anexo a este Convenio se establecen los métodos de trabajo de los Comités consultivos.

## ARTÍCULO 14

### Reglamentos

- 192      1. El Reglamento General contenido en el Anexo 5 al Convenio tendrá el mismo alcance e igual duración que éste, sin perjuicio de lo dispuesto en el artículo 8.
- 193      2. (1) Las disposiciones del Convenio se completan con los siguientes Reglamentos administrativos, que obligan a todos los Miembros y Miembros asociados:
- Reglamento Telegráfico  
Reglamento Telefónico  
Reglamento de Radiocomunicaciones  
Reglamento adicional de Radiocomunicaciones
- 194      (2) Los Miembros y Miembros asociados deberán notificar al Secretario General su aprobación de toda revisión de estos Reglamentos efectuada por una conferencia administrativa. El Secretario General

comunicará estas aprobaciones, a medida que las vaya recibiendo, a los Miembros y Miembros asociados.

- 195 3. En caso de divergencia entre una disposición del Convenio y otra de un Reglamento, prevalecerá el Convenio.

## ARTÍCULO 15

### Finanzas de la Unión

- 196 1. Los gastos de la Unión comprenderán aquellos ocasionados por:
- a) El Consejo de Administración, la Secretaría General, la Junta Internacional de Registro de Frecuencias, las Secretarías de los Comités consultivos internacionales y los laboratorios e instalaciones técnicas establecidas por la Unión; y
  - b) Las conferencias que se convoquen, de conformidad con las disposiciones de los artículos 6 y 7 del Convenio, según decisión o acuerdo de la mayoría de los Miembros de la Unión;
  - c) Todas las reuniones de los Comités consultivos internacionales.
- 199 2. Los gastos ocasionados por las conferencias especiales a que se refiere el número 51, que no se hallen comprendidos en el número 197 precedente y que tengan un carácter regional, con arreglo a lo que determine el Consejo de Administración, después de obtener la conformidad de la mayoría de los Miembros y de los Miembros asociados de la región de que se trate, serán sufragados por los Miembros y Miembros asociados de la expresada región, de acuerdo con sus unidades contributivas, y, eventualmente, del mismo modo por los Miembros y Miembros asociados de otras regiones que hayan participado en tales conferencias.
- 200 3. Los gastos ocasionados por otras conferencias especiales que no estén comprendidas en los números 197 y 199 serán sufragados, a prorrata de sus unidades contributivas, por los Miembros y Miembros asociados que deseen participar o que participen en dichas conferencias.
- 201 4. El Consejo de Administración examinará y aprobará el presupuesto anual de la Unión, dentro del tope establecido por la conferencia de plenipotenciarios.
- 202 5. Los gastos de la Unión se cubrirán con las contribuciones de sus Miembros y Miembros asociados, a prorrata del número de unidades

correspondientes a la clase de contribución elegida por cada Miembro y Miembro asociado, según la escala siguiente:

Clase de 30 unidades	Clase de 8 unidades
» » 25 »	» » 5 »
» » 20 »	» » 4 »
» » 18 »	» » 3 »
» » 15 »	» » 2 »
» » 13 »	» » 1 »
» » 10 »	» » $\frac{1}{2}$ »

- 203      6. Los Miembros y Miembros asociados elegirán libremente la clase en que deseen contribuir para el pago de los gastos de la Unión.
- 204      7. (1) Cada Miembro o Miembro asociado comunicará al Secretario General seis meses antes, por lo menos, de la entrada en vigor del Convenio, la clase contributiva que haya elegido.
- 205      (2) El Secretario General notificará esta decisión a los Miembros y Miembros asociados.
- 206      (3) Los Miembros y Miembros asociados que no hayan dado a conocer su decisión antes de la fecha mencionada en el número 204, deberán contribuir a los gastos de conformidad con la clase contributiva que les corresponda con arreglo al Convenio Internacional de Telecomunicaciones (Buenos Aires, 1952).
- 207      (4) Los Miembros y Miembros asociados podrán elegir en cualquier momento una clase contributiva superior a la que hayan adoptado anteriormente.
- 208      (5) No podrá efectuarse ninguna reducción de la clase contributiva establecida de acuerdo con los números 204 a 206 mientras esté en vigor el Convenio.
- 209      8. Los Miembros y Miembros asociados abonarán por adelantado su contribución anual, calculada a base del presupuesto aprobado por el Consejo de Administración.
- 210      9. Las sumas adeudadas producirán intereses desde el comienzo de cada ejercicio económico de la Unión. Para estos intereses se fija el tipo de un 3% (tres por ciento) anual durante los seis primeros meses, y de un 6% (seis por ciento) anual a partir del séptimo mes.
- 211      10. (1) Las empresas privadas de explotación reconocidas y los organismos científicos o industriales contribuirán al pago de los gastos de las conferencias o reuniones en que deseen participar o en que hayan participado.

- 212 (2) Las organizaciones internacionales contribuirán también al pago de los gastos de las conferencias o reuniones a las que hayan sido admitidas a participar, salvo cuando el Consejo de Administración las exima como medida de reciprocidad.
- 213 (3) El Consejo de Administración fijará el importe de las contribuciones, que se considerará como un ingreso de la Unión. Devengarán intereses de conformidad con las reglas que establezca el Consejo de Administración.
- 214 11. Los gastos ocasionados en los laboratorios e instalaciones técnicas de la Unión por las mediciones, ensayos e investigaciones especiales realizados por cuenta de determinados Miembros o Miembros asociados, grupos de Miembros o de Miembros asociados, organizaciones regionales u otros, serán sufragados por estos Miembros o Miembros asociados, grupos, organizaciones, etc.
- 215 12. El Secretario General, en colaboración con el Consejo de Administración, fijará el precio de los documentos vendidos a las administraciones, empresas privadas de explotación reconocidas, o particulares, cuidando de que los gastos de publicación y de distribución de los documentos queden cubiertos en general con la venta de los mismos.

## ARTÍCULO 16

### Idiomas

- 216 1. (1) Los idiomas oficiales de la Unión son: el chino, el español, el francés, el inglés y el ruso.
- 217 (2) Los idiomas de trabajo de la Unión son: el español, el francés y el inglés.
- 218 (3) En caso de desacuerdo, el texto francés hará fe.
- 219 2. (1) Los documentos definitivos de las conferencias de plenipotenciarios y de las conferencias administrativas, sus actas finales, protocolos, resoluciones, recomendaciones y votos, se redactarán en los idiomas oficiales de la Unión, en textos equivalentes en su forma y en su fondo.
- 220 (2) Todos los demás documentos de estas conferencias se redactarán en los idiomas de trabajo de la Unión.
- 221 3. (1) Los documentos oficiales de servicio de la Unión previstos en los reglamentos administrativos, se publicarán en los cinco idiomas oficiales.

- 222 (2) Los demás documentos, cuya distribución general deba efectuar el Secretario General, de conformidad con sus atribuciones, se redactarán en los tres idiomas de trabajo.
- 223 4. Los documentos aludidos en los números 219 a 222 podrán publicarse en un idioma distinto de los previstos en los mismos, a condición de que los Miembros o Miembros asociados que lo soliten se comprometan a sufragar la totalidad de los gastos que origine la traducción y publicación en el idioma de que se trate.
- 224 5. (1) En los debates de las conferencias de la Unión, y siempre que sea necesario en las reuniones de su Consejo de Administración y de sus organismos permanentes, se utilizará un sistema eficaz de interpretación recíproca en los tres idiomas de trabajo y en el idioma ruso.
- 225 (2) Cuando todos los asistentes a una sesión estén de acuerdo en ello, los debates podrán desarrollarse en menos de los cuatro idiomas precedentemente mencionados.
- 226 6. (1) En las conferencias de la Unión y en las reuniones de su Consejo de Administración y de sus organismos permanentes, podrán emplearse otros idiomas distintos de los indicados en los números 217 y 224:
- 227 a) Cuando se solicite del Secretario General, o del jefe del organismo permanente interesado, que tome las medidas adecuadas para el empleo oral o escrito de uno o más idiomas adicionales, siempre que los gastos correspondientes sean sufragados por los Miembros o Miembros asociados que hayan formulado o apoyado la petición;
- 228 b) Cuando una delegación asegure, a sus expensas, la traducción oral de su propia lengua en uno de los idiomas indicados en el número 224.
- 229 (2) En el caso previsto en el número 227 el Secretario General o el jefe del organismo permanente interesado atenderá la petición en la medida de lo posible, a condición de que los Miembros o Miembros asociados interesados se comprometan previamente a reembolsar a la Unión el importe de los gastos consiguientes.
- 230 (3) En el caso previsto en el número 228, la delegación que así lo desee podrá asegurar por su cuenta la traducción oral a su propia lengua de las intervenciones efectuadas en uno de los idiomas indicados en el número 224.

## CAPÍTULO II

### Aplicación del Convenio y de los Reglamentos

#### ARTÍCULO 17

##### Ratificación del Convenio

- 231 1. El presente Convenio será ratificado por cada uno de los gobiernos signatarios. Los instrumentos de ratificación se remitirán en el más breve plazo posible, por vía diplomática y por conducto del gobierno del país sede de la Unión, al Secretario General, quien hará la notificación pertinente a los Miembros y Miembros asociados.
- 232 2. (1) Durante un periodo de dos años a partir de la fecha de entrada en vigor de este Convenio, todo gobierno signatario, aun cuando no haya depositado el instrumento de ratificación de acuerdo con lo dispuesto en el número 231, gozará de los mismos derechos que confieren a los Miembros de la Unión los números 13 a 15.
- 233 (2) Finalizado el periodo de dos años a partir de la fecha de entrada en vigor de este Convenio, todo gobierno signatario que no haya depositado el instrumento de ratificación de acuerdo con lo dispuesto en el número 231 anterior, no tendrá derecho a votar en ninguna conferencia de la Unión, en ninguna reunión del Consejo de Administración ni en ninguna de las reuniones de los organismos permanentes hasta que no haya depositado tal instrumento.
- 234 3. A partir de la entrada en vigor de este Convenio, prevista en el artículo 52, cada instrumento de ratificación surtirá efectos desde la fecha de su depósito en la Secretaría General.
- 235 4. La falta de ratificación del presente Convenio por uno o varios gobiernos signatarios en nada obstará a su plena validez para los gobiernos que lo hayan ratificado.

#### ARTÍCULO 18

##### Adhesión al Convenio

- 236 1. El gobierno de un país que no haya firmado el presente Convenio podrá adherir a él en todo momento, ajustándose a las disposiciones del artículo 1.

- 237** 2. El instrumento de adhesión se remitirá, por vía diplomática y por conducto del gobierno del país sede de la Unión, al Secretario General, quien notificará la adhesión a los Miembros y Miembros asociados y enviará a cada uno de ellos una copia certificada del acta de adhesión. Salvo estipulación en contrario, la adhesión surtirá efecto a partir de la fecha de depósito del instrumento correspondiente.

## ARTÍCULO 19

### **Aplicación del Convenio a los países o territorios cuyas relaciones internacionales sean mantenidas por Miembros de la Unión**

- 238** 1. Los Miembros de la Unión podrán declarar en cualquier momento que el presente Convenio se aplicará al conjunto, a un grupo o a uno sólo de los países o territorios cuyas relaciones internacionales sean mantenidas por ellos.
- 239** 2. Toda declaración que se haga de conformidad con el número 238 será dirigida al Secretario General de la Unión, quien la notificará a los Miembros y Miembros asociados.
- 240** 3. Las disposiciones de los números 238 y 239 no serán obligatorias para los países, territorios o grupos de territorios enumerados en el Anexo 1 del presente Convenio.

## ARTÍCULO 20

### **Aplicación del Convenio a los territorios bajo tutela de las Naciones Unidas**

- 241** Las Naciones Unidas podrán adherir al presente Convenio en nombre de cualquier territorio o grupo de territorios confiado a su administración en virtud de un acuerdo de tutela establecido de conformidad con el artículo 75 de la Carta de las Naciones Unidas.

## ARTÍCULO 21

### **Ejecución del Convenio y de los Reglamentos**

- 242** 1. Los Miembros y Miembros asociados estarán obligados a atenerse a las disposiciones del presente Convenio y de los Reglamentos anexos en todas las oficinas y estaciones de telecomunicación instaladas o explo-

tadas por ellos y que presten servicios internacionales o puedan causar interferencias perjudiciales en los servicios de radiocomunicación de otros países, excepto en lo que concierne a los que se hallen exentos de estas obligaciones de conformidad con el artículo 50 del Convenio.

- 243** 2. Además, deberán adoptar las medidas necesarias para imponer la observancia de las disposiciones del presente Convenio y de sus Reglamentos anexos, a las empresas privadas de explotación por ellos autorizadas para establecer y explotar telecomunicaciones, que aseguren servicios internacionales o que exploten estaciones que puedan causar interferencias perjudiciales en los servicios de radiocomunicación de otros países.

## ARTÍCULO 22

### **Denuncia del Convenio**

- 244** 1. Todo Miembro o Miembro asociado que haya ratificado el Convenio o haya adherido a él, tendrá el derecho de denunciarlo mediante notificación dirigida al Secretario General de la Unión por vía diplomática y por conducto del Gobierno del país sede de la Unión. El Secretario General comunicará la denuncia a los demás Miembros y Miembros asociados.
- 245** 2. Esta denuncia surtirá efecto a la expiración del periodo de un año, contado desde la fecha en que el Secretario General haya recibido la notificación.

## ARTÍCULO 23

### **Denuncia del Convenio por países o territorios cuyas relaciones internacionales sean mantenidas por Miembros de la Unión**

- 246** 1. La aplicación de este Convenio a un país, territorio o grupo de territorios, conforme al artículo 19, podrá cesar en cualquier momento. Si el país, territorio o grupo de territorios fuese Miembro asociado, perderá simultáneamente esta calidad.
- 247** 2. Las denuncias previstas en el apartado anterior serán notificadas en la forma establecida en el número 244, y surtirán efecto en las condiciones previstas en el numero 245.<sup>[1]</sup>

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<sup>[1]</sup> Portion in heavy type was omitted from the certified text.

**ARTÍCULO 24****Derogación del Convenio anterior**

- 248** El presente Convenio deroga y reemplaza, en las relaciones entre los gobiernos contratantes, al Convenio Internacional de Telecomunicaciones (Buenos Aires, 1952).

**ARTÍCULO 25****Validez de los Reglamentos administrativos vigentes**

- 249** Los Reglamentos administrativos a que se refiere el número 193 se considerarán como anexos al presente Convenio y conservarán su validez hasta la fecha de entrada en vigor de los nuevos Reglamentos aprobados por las conferencias administrativas competentes ordinarias o, en su caso, extraordinarias.

**ARTÍCULO 26****Relaciones con Estados no contratantes**

- 250** 1. Los Miembros y Miembros asociados se reservan para sí, y para las empresas privadas de explotación reconocidas, la facultad de fijar las condiciones de admisión de las telecomunicaciones que hayan de cursarse con un Estado que no sea parte en este Convenio.
- 251** 2. Toda telecomunicación procedente de un Estado no contratante, aceptada por un Miembro o Miembro asociado, deberá ser transmitida, y se le aplicarán las disposiciones obligatorias del Convenio y de los Reglamentos y las tasas normales, en la medida en que utilice canales de un Miembro o Miembro asociado.

**ARTÍCULO 27****Solución de diferencias**

- 252** 1. Los Miembros y Miembros asociados podrán resolver sus diferencias sobre cuestiones relativas a la aplicación de este Convenio o de los Reglamentos a que se refiere el artículo 14, por vía diplomática, por

el procedimiento establecido en los tratados bilaterales o multilaterales concertados entre sí para la solución de diferencias internacionales, o por cualquier otro método que decidan de común acuerdo.

- 253** 2. Cuando no se adopte ninguno de los métodos citados, todo Miembro o Miembro asociado, parte en una diferencia, podrá recurrir al arbitraje, de conformidad con el procedimiento fijado en el Anexo 4.

## CAPÍTULO III

### **Relaciones con las Naciones Unidas y con las organizaciones internacionales**

#### ARTÍCULO 28

##### **Relaciones con las Naciones Unidas**

- 254** 1. Las relaciones entre las Naciones Unidas y la Unión Internacional de Telecomunicaciones se definen en el Acuerdo cuyo texto figura en el Anexo 6 del presente Convenio.
- 255** 2. De conformidad con las disposiciones del artículo XVI del citado Acuerdo, los servicios de explotación de telecomunicaciones de las Naciones Unidas gozarán de los derechos previstos y estarán sujetos a las obligaciones impuestas por este Convenio y por los Reglamentos administrativos anexos. En consecuencia, tendrán el derecho de asistir, con carácter consultivo, a todas las conferencias de la Unión, incluso a las reuniones de los Comités consultivos internacionales.

#### ARTÍCULO 29

##### **Relaciones con las organizaciones internacionales**

- 256** A fin de contribuir a una completa coordinación internacional en materia de telecomunicaciones, la Unión colaborará con las organizaciones internacionales que tengan intereses y actividades conexos.

## CAPÍTULO IV

### **Disposiciones generales relativas a las telecomunicaciones**

#### **ARTÍCULO 30**

##### **Derecho del público a utilizar el servicio internacional de telecomunicaciones**

- 257** Los Miembros y Miembros asociados reconocen al público el derecho de mantener correspondencia por medio del servicio internacional de correspondencia pública. Los servicios, las tasas y las garantías serán los mismos, en cada categoría de correspondencia, para todos los usuarios, sin prioridad ni preferencia alguna.

#### **ARTÍCULO 31**

##### **Detención de telecomunicaciones**

- 258** 1. Los Miembros y Miembros asociados se reservan el derecho de detener la transmisión de todo telegrama privado que pueda parecer peligroso para la seguridad del Estado o contrario a sus leyes, al orden público o a las buenas costumbres, a condición de notificar inmediatamente a la oficina de origen la detención del telegrama o de una parte del mismo, a no ser que tal notificación se juzgue peligrosa para la seguridad del Estado.
- 259** 2. Los Miembros y Miembros asociados se reservan también el derecho de interrumpir cualquier comunicación privada, telegráfica o telefónica, que pueda parecer peligrosa para la seguridad del Estado o contraria a sus leyes, al orden público o a las buenas costumbres.

#### **ARTÍCULO 32**

##### **Suspensión del servicio**

- 260** Cada Miembro y Miembro asociado se reserva el derecho de suspender por tiempo indefinido el servicio de telecomunicaciones internacionales, bien en su totalidad o solamente para ciertas relaciones y/o para deter-

minadas clases de correspondencia de salida, llegada o tránsito, con la obligación de comunicarlo inmediatamente, por conducto de la Secretaría General, a los demás Miembros y Miembros asociados.

## ARTÍCULO 33

### Responsabilidad

- 261** Los Miembros y Miembros asociados no aceptan responsabilidad alguna con relación a los usuarios de los servicios internacionales de telecomunicación, especialmente en lo que concierne a las reclamaciones por daños y perjuicios.

## ARTÍCULO 34

### Secreto de las telecomunicaciones

- 262** 1. Los Miembros y Miembros asociados se comprometen a adoptar todas las medidas que permita el sistema de telecomunicación empleado, para garantizar el secreto de la correspondencia internacional.
- 263** 2. Sin embargo, se reservan el derecho de comunicar esta correspondencia a las autoridades competentes, con el fin de asegurar la aplicación de su legislación interior o la ejecución de los convenios internacionales en que sean parte.

## ARTÍCULO 35

### Establecimiento, explotación y protección de las instalaciones y canales de telecomunicación

- 264** 1. Los Miembros y Miembros asociados adoptarán las medidas procedentes para el establecimiento, en las mejores condiciones técnicas, de los canales e instalaciones necesarios a fin de asegurar el intercambio rápido e ininterrumpido de las telecomunicaciones internacionales.
- 265** 2. En lo posible, estos canales e instalaciones deberán explotarse de acuerdo con los mejores métodos y procedimientos adoptados en vista de la experiencia lograda por la práctica, y se mantendrán en buen estado de funcionamiento y a la altura de los progresos científicos y técnicos.

**266** 3. Los Miembros y Miembros asociados asegurarán la protección de estos canales e instalaciones dentro de sus respectivas jurisdicciones.

**267** 4. Salvo acuerdos particulares que fijen otras condiciones, cada Miembro y Miembro asociado adoptará las medidas necesarias para asegurar la conservación de aquellas secciones de los circuitos de telecomunicaciones internacionales comprendidas dentro de los límites de su jurisdicción.

### ARTÍCULO 36

#### Notificación de las contravenciones

**268** Con objeto de facilitar la aplicación del artículo 21 de este Convenio, los Miembros y Miembros asociados se comprometen a informarse mutuamente de las contravenciones a las disposiciones de este Convenio y de los Reglamentos anexos.

### ARTÍCULO 37

#### Tasas y franquicia

**269** En los Reglamentos anexos a este Convenio figuran las disposiciones relativas a las tasas de las telecomunicaciones y los diversos casos en que se concede la franquicia.

### ARTÍCULO 38

#### Prioridad de las telecomunicaciones relativas a la seguridad de la vida humana

**270** Los servicios internacionales de telecomunicación deberán dar prioridad absoluta a las telecomunicaciones relativas a la seguridad de la vida humana en el mar, en tierra o en el aire, y a las telecomunicaciones epidemiológicas de urgencia excepcional de la Organización Mundial de la Salud.

### ARTÍCULO 39

#### Prioridad de los telegramas y de las llamadas y comunicaciones telefónicas de Estado

**271** A reserva de lo dispuesto en los artículos 38 y 48 de este Convenio, los telegramas de Estado tendrán prioridad sobre los demás telegramas cuando el expedidor lo solicite. Las llamadas y comunicaciones telefónicas de Estado podrán igualmente tener prioridad sobre las demás llamadas y comunicaciones telefónicas, a petición expresa y en la medida de lo posible.

## ARTÍCULO 40

### Lenguaje secreto

- 272 1. Los telegramas de Estado, así como los de servicio, podrán ser redactados en lenguaje secreto en todas las relaciones.
- 273 2. Los telegramas privados en lenguaje secreto podrán también admitirse entre todos los países, a excepción de aquéllos que previamente hayan notificado, por conducto de la Secretaría General, que no admiten este lenguaje para dicha categoría de correspondencia.
- 274 3. Los Miembros y Miembros asociados que no admitan los telegramas privados en lenguaje secreto procedentes de su propio territorio o destinados al mismo, deberán aceptarlos en tránsito, salvo en el caso de la suspensión de servicio prevista en el artículo 32 de este Convenio.

## ARTÍCULO 41

### Establecimiento y liquidación de cuentas

- 275 1. Las administraciones de los Miembros y Miembros asociados y las empresas privadas de explotación reconocidas que exploten servicios internacionales de telecomunicación deberán ponerse de acuerdo sobre el importe de sus respectivos débitos y créditos.
- 276 2. Las cuentas correspondientes a los débitos y créditos a que se refiere el número 275, se establecerán de acuerdo con las disposiciones de los Reglamentos anexos al presente Convenio, a menos que se hayan concertado arreglos particulares entre las partes interesadas.
- 277 3. La liquidación de cuentas internacionales será considerada como una transacción corriente, y se efectuará con sujeción a las obligaciones internacionales ordinarias de los países interesados cuando los gobiernos hayan celebrado arreglos sobre esta materia. En ausencia de arreglos de este género o de acuerdos particulares concertados en las condiciones previstas en el artículo 43 del presente Convenio, estas liquidaciones de cuentas serán efectuadas conforme a los Reglamentos.

## ARTÍCULO 42

### Unidad monetaria

- 278 La unidad monetaria empleada en la composición de las tarifas de telecomunicaciones internacionales y para el establecimiento de las cuentas internacionales, será el franco oro de 100 céntimos, de un peso de 10/31 de gramo y una ley de 900 milésimas.

**ARTÍCULO 43****Acuerdos particulares**

- 279** Los Miembros y Miembros asociados se reservan para sí, para las empresas privadas de explotación por ellos reconocidas y para las demás debidamente autorizadas a tal efecto, la facultad de concertar acuerdos particulares sobre cuestiones relativas a telecomunicaciones que no interesen a la generalidad de los Miembros y Miembros asociados. Tales acuerdos, sin embargo, no podrán estar en contradicción con las disposiciones del Convenio o de los Reglamentos anexos en lo que se refiere a las interferencias perjudiciales que su aplicación pueda ocasionar en los servicios de radiocomunicación de otros países.

**ARTÍCULO 44****Conferencias, acuerdos y organizaciones regionales**

- 280** Los Miembros y Miembros asociados se reservan el derecho de celebrar conferencias regionales, concertar acuerdos regionales y crear organizaciones regionales con el fin de resolver problemas de telecomunicaciones que puedan ser tratadas en un plano regional. No obstante, los acuerdos regionales no deberán estar en contradicción con el presente Convenio.

**CAPÍTULO V****Disposiciones especiales  
relativas a las radiocomunicaciones****ARTÍCULO 45****Utilización racional de las frecuencias y del espacio  
del espectro**

- 281** Los Miembros y Miembros asociados reconocen la conveniencia de limitar el número de las frecuencias y el espacio del espectro utilizados al mínimo indispensable para asegurar de manera satisfactoria el funcionamiento de los servicios necesarios.

## ARTÍCULO 46

### Intercomunicación

- 282 1. Las estaciones que aseguren las radiocomunicaciones en el servicio móvil estarán obligadas, dentro de los límites de su empleo normal, al intercambio recíproco de radiocomunicaciones, sin distinción del sistema radioeléctrico que utilicen.
- 283 2. Sin embargo, a fin de no entorpecer los progresos científicos, las disposiciones del número 282 no serán obstáculo para el empleo de un sistema radioeléctrico incapaz de comunicar con otros sistemas, siempre que esta incapacidad sea debida a la naturaleza específica de tal sistema y no resultado de dispositivos adoptados con el único objeto de impedir la intercomunicación.
- 284 3. No obstante lo dispuesto en el número 282, una estación podrá ser dedicada a un servicio internacional restringido de telecomunicación, determinado por la finalidad de este servicio o por otras circunstancias independientes del sistema empleado.

## ARTÍCULO 47

### Interferencias perjudiciales

- 285 1. Todas las estaciones, cualquiera que sea su objeto, deberán ser instaladas y explotadas de tal manera que no puedan causar interferencias perjudiciales en las comunicaciones o servicios radioeléctricos de otros Miembros o Miembros asociados, de las empresas privadas de explotación reconocidas o de aquellas otras debidamente autorizadas para realizar un servicio de radiocomunicación y que funcionen de conformidad con las disposiciones del Reglamento de Radiocomunicaciones.
- 286 2. Cada Miembro o Miembro asociado se compromete a exigir a las empresas privadas de explotación por él reconocidas, y a las demás debidamente autorizadas a este efecto, el cumplimiento de las prescripciones del número 285.
- 287 3. Además, los Miembros y Miembros asociados reconocen la conveniencia de adoptar cuantas medidas sean posibles para impedir que el funcionamiento de las instalaciones y aparatos eléctricos de toda clase cause interferencias perjudiciales en las comunicaciones o servicios radioeléctricos a que se refiere el número 285.

**ARTÍCULO 48****Llamadas y mensajes de socorro**

- 288** Las estaciones de radiocomunicación están obligadas a aceptar con prioridad absoluta las llamadas y mensajes de socorro, cualquiera que sea su origen, y a responder en la misma forma a dichos mensajes, dándoles inmediatamente el debido curso.

**ARTÍCULO 49****Señales de socorro, seguridad o identificación falsas o engañosas**

- 289** Los Miembros y Miembros asociados se comprometen a adoptar las medidas necesarias para impedir la transmisión o circulación de señales de socorro, seguridad o identificación falsas o engañosas, así como a colaborar en la localización e identificación desde su propio país, de las estaciones que las emitan.

**ARTÍCULO 50****Instalaciones de los servicios de defensa nacional**

- 290** 1. Los Miembros y Miembros asociados conservarán su entera libertad en lo relativo a las instalaciones radioeléctricas militares de sus ejércitos de tierra, mar y aire.
- 291** 2. Sin embargo, estas instalaciones se ajustarán en lo posible a las disposiciones reglamentarias relativas al auxilio en casos de peligro, a las medidas para impedir las interferencias perjudiciales y a las prescripciones de los Reglamentos concernientes a los tipos de emisión y a las frecuencias que deban utilizarse, según la naturaleza del servicio.
- 292** 3. Ademá, cuando estas instalaciones se utilicen en el servicio de correspondencia pública o en los demás servicios regidos por los Reglamentos anexos a este Convenio, deberán, en general, ajustarse a las disposiciones reglamentarias para la ejecución de dichos servicios.

## CAPÍTULO VI

### Definiciones

#### ARTÍCULO 51

##### Definiciones

- 293 Siempre que no resulte contradicción con el contexto:  
a) Los términos definidos en el Anexo 3 tendrán el significado que en él se les asigna;  
294 b) Los demás términos definidos en los Reglamentos a que se refiere el artículo 14, tendrán el significado que se les asigna en los citados Reglamentos.

## CAPÍTULO VII

### Disposición final

#### ARTÍCULO 52

##### Fecha de entrada en vigor del Convenio

- 295 El presente Convenio entrará en vigor el primero de enero de mil novecientos sesenta y uno, entre los países, territorios o grupos de territorios cuyos instrumentos de ratificación o de adhesión hayan sido depositados antes de dicha fecha.
- 

EN FE DE LO CUAL, los plenipotenciarios respectivos firman el Convenio en cada uno de los idiomas chino, español, francés, inglés y ruso, en la inteligencia de que, en caso de desacuerdo, el texto francés hará fé; este ejemplar quedará depositado en los archivos de la Unión Internacional de Telecomunicaciones, la cual remitirá una copia del mismo a cada uno de los países signatarios.

En Ginebra, a 21 de diciembre de 1959

Pour l'Afghanistan:



M.A. GRAN M.M. ASGHAR

Pour la République Populaire d'Albanie:



D. LAMANI

Pour le Royaume de l'Arabie Saoudite:



A. ZAIDAN  
M. MIRDAD

Pour la République Argentine:

L. Autelli  
O. Carli  
P.E. Comino  
A.J. Senestrari  
M.E. Iturrioz  
J. L. Skerrett

M.R. PICO  
O.N. CARLI  
J.A. AUTELLI  
P.E. COMINO  
A.J. SENESTRARI  
M.E. ITURRIOS

Pour la Fédération de l'Australie:

J. L. Skerrett

J.L. SKERRETT

Pour l'Autriche:

N. WENINGER  
M. KRASSER

Pour la Belgique:

R. VANDENHOVE  
J. ETIENNE

Pour la République Socialiste Soviétique  
de Biélorussie:

P.V. AFANASIEV

Pour l'Union de Birmanie:

K. WIN  
M. LWIN

Pour la Bolivie:



J. CUADROS QUIROGA

Pour le Brésil:



L.O. DE MIRANDA

Pour la République Populaire de Bulgarie:



I.M. TRIFONOV  
I. PETROV

Pour le Canada:



M.H. WERSHOF

Pour Ceylan:



D.P. JAYASEKARA  
C.A.R. ANKETELL

Pour la Chine:

于立志 Yu Li-zhi  
柳光成 Liu Keh-shen  
陈敦川 Chen Dun-chuan  
茅道明 Mao Tsao-ming

T. YU  
K. LIU  
S. CHEN  
T. MIAO

Pour l'Etat de la Cité du Vatican:

Antonio Stefanizzi  
Johann de Riedmatten

A. STEFANIZZI  
J. DE RIEDMATTEN

Pour la République de Colombie:

*Santiago Quijano C.*  
*Ramón Arciniegas*  
*L. Ramírez Arana*  
*M.G. Vega*  
*S. Albornoz Plata*  
*V. Jiménez Suárez*

S. QUIJANO C.  
R. ARCIPIEGAS  
L. RAMIREZ ARANA  
M.G. VEGA  
S. ALBORNOZ PLATA  
V. JIMENEZ SUAREZ

Pour le Congo Belge et Territoire  
du Ruanda Urundi:

*J. Segall*  
*J. Etienne*

S. SEGALL  
J. ETIENNE

Pour la République de Corée:

7/8/ Yongsuk Kim

7/8/ Nam Soo Lim

7/8/ Cho Wooy Pak

Y.S. KIM  
N.S. LIM  
C.W. PAK

Pour Costa Rica:

Donnadié

A.P. DONNADIEU

Pour Cuba:

Miguel Rey Bofälle aguilar:

Paulo Estrada Castro

Manuel G. Longoria

M.R. BOFILL AGUILAR  
C. ESTRADA CASTRO  
M. GONZALEZ LONGORIA

Pour le Danemark:

*Gunnar Pedersen  
Børge Nielsen  
C.B. Nielsen*

G. PEDERSEN  
B. NIELSEN  
C.B. NIELSEN

Pour la République Dominicaine:

*S.E. Paradas*

S.E. PARADAS

Pour la République de El Salvador:

*A. Amy*

A. AMY

Pour l'Espagne:

*L.G. Llera  
José Garrido.*

L.G. LLERA  
J. GARRIDO

Pour les Etats d'Outre-Mer de la Communauté  
et Territoires français d'Outre-Mer:

*H. Farat*  
*J. Meyer*  
*E. Skinazi*  
*M. Ntsiba*  
*J. Agoh*  
*C. Ramanitra*  
*M. Bouquin*

H. FARAT  
J. MEYER  
E. SKINAZI  
M. NTSIBA  
J. AGOH  
C. RAMANITRA  
M. BOUQUIN

Pour les Etats Unis d'Amérique:

*François Colt de Wolf*  
*Rachel Hyde*

F. COLT DE WOLF  
R.H. HYDE

Pour l'Ethiopie:

TACBEN TECEN Gabriel Tedros

Amb. H. T. B. Admassie

G. TEDROS  
B. ADMASSIE

Pour la Finlande:

S. J. Ahola  
U. A. Talvitie  
E. Heino

S.J. AHOLA  
U.A. TALVITIE  
E. HEINO

Pour la France:



A. Drevet





A. DREVET  
G. TERRAS  
L.A. LAMOTIER  
J.-P. GASCUEL

Pour Ghana:



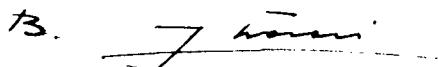
E.M. KORAM

Pour la Grèce:



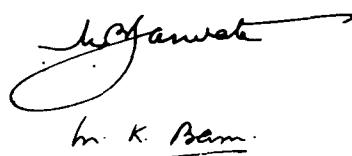
A. LELAKIS  
A. MARANGOUDEKIS

Pour la République Populaire Hongroise:



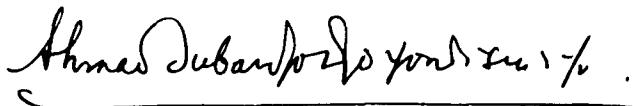
J. IVANYI

Pour la République de l'Inde:



M.B. SARWATE  
M.K. BASU

Pour la République d'Indonésie:



A. SUBARDJO DJOYOADISURYO

Pour l'Iran:

H. SAMIY

Pour la République d'Iraq:

M.A. BAGHDADI  
I. ELWALI

Pour l'Irlande:

J.A. SCANNELL  
G.E. ENRIGHT  
T.P. SEOIGHE

Pour l'Islande:

G. BRIEM  
S. THORKELSSON

Pour l'Etat d'Israël:

M.E. BERMAN  
D. HAREVEN  
M. KAHANY

Pour l'Italie:

A. BERIO  
F. NICOTERA

Pour le Japon:

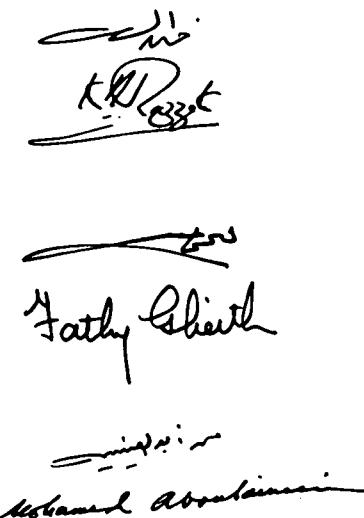
K. OKUMURA  
H. MATSUDA  
T. HACHIFUJI

Pour le Royaume Hachémite de Jordanie:



A.M. MORTADA

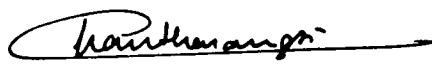
Pour Kuwait:



K.A. RAZZAQ  
F. GHEITH  
M.A. ABUALAINAIN

TIAS 4892

Pour le Royaume du Laos:

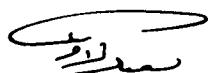

T. CHANTHARANGSI  
G.H. SENGIER

Pour le Liban:

H. OSSEIRAN

Pour le Royaume-Uni de Libye:

K. EL ATRASH

Pour le Luxembourg:



E. RAUS

Pour la Fédération de Malaisie:

Sardon Jubir

W. Stubbs.

Lee Chye Watt

B.H. JUBIR SARDON  
W. STUBBS  
C.W. LEE

Pour le Royaume du Maroc:

Aouad Mohamed

le 88

HADJ NASSAR MOHTAR

J. K.

BERRADA Abderrazak

A. BERRADA

BENKIRANE Abdelhak

A. BENKIRANE

M. AOUD  
M.H. NASSER  
A. BERRADA  
A. BENKIRANE

Pour le Mexique:

Carlos Núñez A.

C. NUNEZ A.

Pour Monaco:



C. SOLAMITO  
R. BICKERT

Pour le Népal:



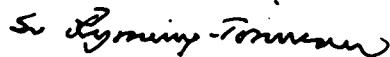
J.N. SINGHA

Pour le Nicaragua:



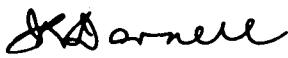
A.A. MULLHAUPT

Pour la Norvège:



Sv. RYNNING-TØNNESEN  
L. LARSEN  
A. STRAND

Pour la Nouvelle-Zélande:



J.B. DARNELL  
E.S. DOAK

Pour le Pakistan:

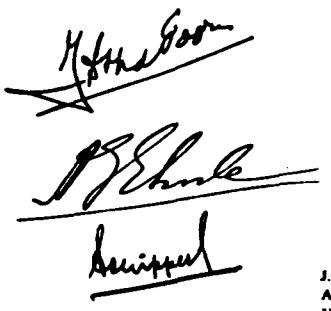
  
(M.N. MIRZA)

M.N. MIRZA

Pour le Paraguay:

  
S. GUANES  
B. GUANES  
W. GARCIA

Pour le Royaume des Pays-Bas:

  
J.D.H. VAN DER TOORN  
A.J. EHNLÉ  
H.J. SCHIPPERS

Pour le Pérou:

  
M. DE LA FUENTE LOCKER

Pour la République des Philippines:

The block contains four handwritten signatures stacked vertically. The top signature is 'J.S. Alfonso' in cursive. Below it is 'G. Canon' with a small 'G.' preceding the name. The third signature is 'F. Trinidad' with a small 'F.' preceding the name. The bottom signature is 'A.P.B. Frago' in cursive.

J.S. ALFONSO  
G. CANON  
F. TRINIDAD  
A.P.B. FRAGO

Pour la République Populaire de Pologne:

The block contains two handwritten signatures stacked vertically. The top signature is 'H. Baczko' in cursive. Below it is 'K. Kozlowski' with a small 'K.' preceding the name.

H. BACZKO  
K. KOZLOWSKI

Pour le Portugal:

Henrique Faria  
Maria Vieira  
Fernando Eloy  
António de Sousa  
António Baptista  
Luís Gois Figueira

H.M. PEREIRA  
M.A. VIEIRA  
F. ELOY  
A. DE SOUSA  
A. OLIVEIRA BAPTISTA  
L. GOIS FIGUEIRA

Pour les Provinces portugaises d'Outre-Mer:

A.J. Magro  
José Rogado Quintino  
António A. dos Santos

A.J. MAGRO  
J.A. ROGADO QUINTINO  
A.A. DOS SANTOS

Pour la République Arabe Unie:

*émissaire à l'ambassade  
M. M. Riad  
G. M. Mehrez  
A. El Bardai  
Amis El Bardai  
G. M. Mehrez  
A. S. Saifwat*

M.M. RIAD  
G.M. MEHREZ  
A. EL BARDAI  
A.S. SAFWAT

Pour la République Fédérale d'Allemagne:

*Rainer Thierfelder  
Oliver Kirchner*

R. THIERFELDER  
O. KIRCHNER

Pour la République Fédérative Populaire  
de Yougoslavie:

Simbolnium

V. SENK

Pour la République Socialiste Soviétique  
de l'Ukraine:

Sirnes

I.P. LIKSO

Pour la République Populaire Roumaine:

M. Grigore  
B. Ionita  
P. Postelnicu

M. GRIGORE  
B. IONITA  
P. POSTELNICU

Pour le Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord, y compris  
les Iles Anglo-Normandes et l'Île de Man:

T.C. Rapp  
W.A. Wolverson  
H.A. Daniels

H.A. Daniels  
Elizabeth M. Perry.

T.C. RAPP  
W.A. WOLVERSON  
H.A. DANIELS  
ELIZABETH M. PERRY

Pour la République du Soudan:

السودان  
متحدة  
Suliman Hossein  
H.I. Beshir

S. HOSSEIN  
H.I. BESHIR

Pour la Suède:

Håkan Sterky  
B. Olters  
Simeon Hultare

H. STERKY  
B. OLTERS  
S. HULTARE

Pour la Confédération Suisse:

Hebe  
Müller.  
Langenberger  
Haller  
Ch. Chappuis

E. WEBER  
A. WETTSTEIN  
A. LANGENBERGER  
F. LOCHER  
C. CHAPPUIS

Pour la Tchécoslovaquie:

Manak  
Vodnansky

J. MANAK  
G. VODNANSKY

Pour les Territoires d'Outre-Mer dont les  
relations internationales sont assurées par le  
Gouvernement du Royaume-Uni  
de la Grande Bretagne et de l'Irlande du Nord:

A.H. SHEFFIELD  
J. BOURN  
L.W. DUDLEY

Pour la Thaïlande:

M. CHULLAKESA  
M.L.O. SIRIVONGS

Pour la Tunisie:

M. MILII

Pour la Turquie:

G. YENAL  
I. BILGIC A. RIZA HIZAL

Pour l'Union de l'Afrique du Sud  
et Territoire de l'Afrique du Sud-Ouest:

J.E. MELLON

Pour l'Union des Républiques Socialistes Soviétiques:

I. KLOKOV

Pour la République Orientale de l'Uruguay:

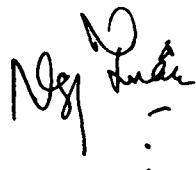
V. POMES  
A. GALIMBERTI  
B. BARREIRO

Pour la République de Vénézuela:



J.A. LOPEZ

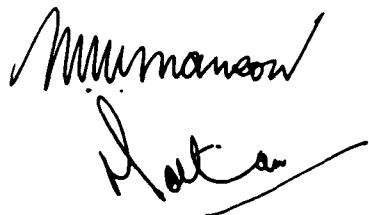
Pour la République du Viet-Nam:



NGUYEN-KHAC-THAM  
NGUYEN-QUANG-TUAN

Pour l'Afrique orientale britannique :

Pour le Gouvernement du Royaume-Uni de la Grande-Bretagne  
et de l'Irlande du Nord en ce qui concerne  
l'Afrique Orientale Britannique

The image shows two handwritten signatures. The top signature is "M.W. Manson" written in a cursive style. Below it is another signature, "R. Bolton", also in cursive. Both signatures are written in black ink on a white background.

M.W. MANSON  
R. BOLTON

**ANEXO 1**

(véase el número 4)

Afganistán	Ghana
Albania (República Popular de)	Grecia
Arabia Saudita (Reino de)	Guatemala
Argentina (República)	Guinea (República de)
Australia (Federación de)	Haití (República de)
Austria	Honduras (República de)
Bélgica	Húngara (República Popular)
Bielorrusia (República Socialista Sovié-tica de)	India (República de)
Birmania (Unión de)	Indonesia (República de)
Bolivia	Irán
Brasil	Iraq (República de)
Bulgaria (República Popular de)	Irlanda
Cambodia (Reino de)	Islandia
Canadá	Israel (Estado de)
Ceilán	Italia
Chile	Japón
China	Jordania (Reino Hachemita de)
Ciudad del Vaticano (Estado de la)	Kuwait °
Colombia (República de)	Laos (Reino de)
Congo Belga y Territorio de Ruanda-Urundi	Líbano
Corea (República de)	Liberia
Costa Rica	Libia (Reino Unido de)
Cuba	Luxemburgo
Dinamarca	Malaya (Federación)
Dominicana (República)	Marruecos (Reino de)
El Salvador (República de)	México
Ecuador	Mónaco
España	Nepal
Estados de Ultramar de la Comunidad y Territorios franceses de Ultramar	Nicaragua
Estados Unidos de América	Noruega
Etiopía	Nueva Zelanda
Finlandia	Pakistán
Francia	Panamá
	Paraguay
	Países Bajos (Reino de los)
	Perú

Filipinas (República de)	Checoeslovaquia
Polonia (República Popular de)	Territorios de los Estados Unidos de América
Portugal	Territorios de Ultramar cuyas relaciones internacionales corren a cargo del Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte
Provincias españolas de África	Tailandia
Provincias portuguesas de Ultramar	Túnez
República Árabe Unida	Turquía
República Federal de Alemania	Unión Sudafricana y Territorio de África del Sudoeste
República Federativa Popular de Yugoslavia	Unión de Repúblicas Socialistas Soviéticas
República Socialista Soviética de Ucrania	Uruguay (República Oriental del)
Rhodesia y Nyasalandia (Federación de)	Venezuela (República de)
Rumana (República Popular)	Viet-Nam (República de)
Reino Unido de Gran Bretaña e Irlanda del Norte	Yemen
Sudán (República del)	
Suecia	
Suiza (Confederación)	

**ANEXO 2**

(véase el número 7)

África Occidental Británica  
 África Oriental Británica  
 Grupo Bermudas Caribes Británicas

Grupo Singapur-Borneo Británico  
 Territorio en fideicomiso de Somalia bajo administración italiana

## ANEXO 3

(Véase el artículo 51)

### Definición de términos empleados en el Convenio Internacional de Telecomunicaciones y en sus Anexos

- 300** *Administración:* Todo departamento o servicio gubernamental responsable del cumplimiento de las obligaciones derivadas del Convenio Internacional de Telecomunicaciones y de sus reglamentos anexos.
- 301** *Empresa privada de explotación:* Todo particular o sociedad que, sin ser institución o agencia gubernamental, explote una instalación de telecomunicaciones destinada a asegurar un servicio de telecomunicación internacional, o que pueda causar interferencias perjudiciales a tal servicio.
- 302** *Empresa privada de explotación reconocida:* Toda empresa privada de explotación que responda a la definición precedente y que explote un servicio de correspondencia pública o de radiodifusión, y a la cual imponga las obligaciones previstas en el artículo 21 el Miembro o Miembro asociado en cuyo territorio se halle la sede social de esta explotación, o el Miembro o Miembro asociado que la haya autorizado a establecer y a explotar un servicio de telecomunicación en su territorio.
- 303** *Delegado:* Persona enviada por el gobierno de un Miembro o Miembro asociado de la Unión a una conferencia de plenipotenciarios, o persona que represente al gobierno, o a la administración de un Miembro o Miembro asociado de la Unión, en una conferencia administrativa o en una reunión de un Comité consultivo internacional.
- 304** *Representante:* Persona enviada por una empresa privada de explotación reconocida a una conferencia administrativa o a una reunión de un Comité consultivo internacional.
- 305** *Experto:* Persona enviada por un establecimiento nacional, científico o industrial, autorizada por el gobierno o la administración de su país

para asistir a las reuniones de las comisiones de estudio de un Comité consultivo internacional.

**306** *Observador*: Persona enviada:

- Por las Naciones Unidas, de acuerdo con el artículo 28 del Convenio;
- Por toda organización internacional invitada o admitida a participar en los trabajos de una conferencia de acuerdo con las disposiciones del Reglamento General;
- Por el gobierno de un Miembro o Miembro asociado de la Unión, que participe, sin derecho a voto, en una conferencia especial de carácter regional, de acuerdo con lo dispuesto en el artículo 7 del Convenio.

**307** *Delegación*: El conjunto de delegados y, eventualmente, de representantes, agregados o intérpretes enviados por un mismo país.

Cada Miembro y Miembro asociado tendrá la libertad de organizar su delegación en la forma que deseé. En particular, podrá incluir en ella, en calidad de delegados o agregados, a personas pertenecientes a empresas privadas de explotación por él reconocidas, o a otras empresas privadas que se interesen en el ramo de las telecomunicaciones.

**308** *Telecomunicación*: Toda transmisión, emisión o recepción de signos, señales, escritos, imágenes, sonidos o informaciones de cualquier naturaleza, por hilo, radioelectricidad, medios ópticos u otros sistemas electromagnéticos.

**309** *Telegrafía*: Sistema de telecomunicación que permite obtener una transmisión y reproducción a distancia del contenido de documentos tales como escritos, impresos o imágenes fijas, o la reproducción a distancia en esa forma de cualquier información. A los efectos del Reglamento de Radiocomunicaciones, no obstante, y a menos que en él se especifique lo contrario, significa «Sistema de telecomunicación para la transmisión de escritos por medio de un código de señales».

**310** *Telefonía*: Sistema de telecomunicación para la transmisión de la palabra o, en algunos casos, de otros sonidos.

**311** *Radiocomunicación*: Toda telecomunicación transmitida por medio de las ondas radioeléctricas.

- 312** *Radio:* Término general que se aplica al empleo de las ondas radioeléctricas.
- 313** *Interferencia perjudicial:* Toda emisión, radiación o inducción que comprometa el funcionamiento de un servicio de radionavegación o de otros servicios de seguridad<sup>1)</sup> o que perjudique gravemente, perturbe o interrumpa reiteradamente un servicio de radiocomunicaciones que funcione de acuerdo con el Reglamento de Radiocomunicaciones.
- 314** *Servicio internacional:* Servicio de telecomunicación entre oficinas o estaciones de telecomunicación de cualquier naturaleza que se hallen en diferentes países o pertenezcan a países diferentes.
- 315** *Servicio móvil:* Servicio de radiocomunicación entre estaciones móviles y estaciones terrestres, o entre estaciones móviles.
- 316** *Servicio de radiodifusión:* Servicio de radiocomunicación cuyas emisiones se destinan a ser recibidas directamente por el público en general. Dicho servicio abarca emisiones sonoras, de televisión o de otro género.
- 317** *Correspondencia pública:* Toda telecomunicación que deban aceptar para su transmisión las oficinas y estaciones, por el simple hecho de hallarse a disposición del público.
- 318** *Telegrama:* Escrito destinado a ser transmitido por telegrafía para su entrega al destinatario. Este término comprende también el radiotelegrama, salvo especificación en contrario.
- 319** *Telegramas, llamadas y comunicaciones telefónicas de Estado:* Telegramas, llamadas y comunicaciones telefónicas, procedentes de una de las siguientes autoridades:
- Jefe de un Estado;
  - Jefe de un gobierno y miembro de un gobierno;
  - Jefe de un territorio o jefe de un territorio incluido en un Grupo de territorios Miembro o Miembro asociado;

<sup>1)</sup> Se considera como servicio de seguridad todo servicio radioeléctrico que se explote de manera permanente o temporal para garantizar la seguridad de la vida humana o la salvaguardia de los bienes.

- Jefe de un territorio bajo tutela o mandato, bien de las Naciones Unidas o de un Miembro o Miembro asociado;
- Comandantes en jefe de las fuerzas militares, terrestres, navales o aéreas;
- Agentes diplomáticos o consulares;
- Secretario General de las Naciones Unidas; jefes de los organismos principales de las Naciones Unidas;
- Corte Internacional de Justicia de La Haya.

**320** Se consideran igualmente como telegramas de Estado las respuestas a los telegramas de Estado precedentemente mencionados.

**321** *Telegramas privados:* Los telegramas que no sean de servicio ni de Estado.

**322** *Telegramas de servicio:*

Telegramas cursados entre:

- a) Las administraciones;
- b) Las empresas privadas de explotación reconocidas;
- c) Las administraciones y las empresas privadas de explotación reconocidas;
- d) Las administraciones y las empresas privadas de explotación reconocidas, por una parte, y el Secretario General, por otra;

y relativos a las telecomunicaciones públicas internacionales.

**ANEXO 4**

(Véase el artículo 27)

**Arbitraje**

- 400** 1. La parte que desee recurrir al arbitraje iniciará el procedimiento enviando a la otra parte una notificación de petición de arbitraje.
- 401** 2. Las partes decidirán de común acuerdo si el arbitraje ha de ser confiado a personas, administraciones o gobiernos. Si en el término de un mes, contado a partir de la fecha de notificación de la petición de arbitraje, las partes no logran ponerse de acuerdo sobre este punto, el arbitraje será confiado a gobiernos.
- 402** 3. Cuando el arbitraje se confie a personas, los árbitros no podrán pertenecer a un país que sea parte en la diferencia, ni tener su domicilio en uno de los países interesados, ni estar al servicio de alguno de ellos.
- 403** 4. Cuando el arbitraje se confie a gobiernos o administraciones de gobiernos, éstos se elegirán entre los Miembros o Miembros asociados que no sean parte en la diferencia, pero sí en el acuerdo cuya aplicación la haya provocado.
- 404** 5. Cada una de las dos partes en causa designará un árbitro en el plazo de tres meses contados a partir de la fecha de recibo de la notificación de la petición de arbitraje.
- 405** 6. Cuando en la diferencia se hallen implicadas más de dos partes, cada uno de los dos grupos de partes que tengan intereses comunes en la diferencia designará un árbitro, conforme al procedimiento previsto en los números **403** y **404**.
- 406** 7. Los dos árbitros así designados se concertarán para nombrar un tercero, el cual, en el caso de que los dos primeros sean personas y no gobiernos o administraciones, habrá de responder a las condiciones señaladas en el número **402** de este Anexo, y deberá ser, además, de nacionalidad distinta a la de aquéllos. Si los dos árbitros no llegan a un acuerdo sobre la elección del tercero, cada uno de ellos propondrá un tercer árbitro no interesado en la diferencia. El Secretario General de la Unión realizará en tal caso un sorteo para designar al tercer árbitro.

- 407 8. Las partes en desacuerdo podrán concertarse para resolver su diferencia por medio de un árbitro único, designado de común acuerdo; también podrán designar un árbitro cada una y solicitar del Secretario General que por sorteo designe, entre ellos, el árbitro único.
- 408 9. El árbitro, o árbitros, decidirá libremente el procedimiento a seguir.
- 409 10. La decisión del árbitro único será definitiva y obligará a las partes en diferencia. Si el arbitraje se confía a varios árbitros, la decisión que se adopte por mayoría de votos de los árbitros será definitiva y obligará a las partes.
- 410 11. Cada parte sufragará los gastos en que haya incurrido con motivo de la instrucción y presentación del arbitraje. Los gastos de arbitraje que no sean los efectuados por las partes se repartirán por igual entre los litigantes.
- 411 12. La Unión facilitará cuantos informes relacionados con la diferencia pueda necesitar el árbitro, o los árbitros.

**ANEXO 5****Reglamento General anexo al Convenio  
Internacional de Telecomunicaciones***PARTE I***Disposiciones generales relativas a las conferencias****CAPÍTULO 1****Invitación y admisión a las conferencias de plenipotenciarios cuando haya  
un gobierno invitante**

- 500      1. El gobierno invitante, de acuerdo con el Consejo de Administración, fijará la fecha definitiva y el lugar exacto de la conferencia.
- 501      2. (1) Un año antes de esta fecha, el gobierno invitante enviará la invitación al gobierno de cada país Miembro y Miembro asociado de la Unión.
- 502      (2) Dichas invitaciones podrán enviarse ya sea directamente, ya por conducto del Secretario General o bien por intermedio de otro gobierno.
- 503      3. El Secretario General invitará a las Naciones Unidas, de conformidad con lo dispuesto en el artículo 28 del Convenio.
- 504      4. El gobierno invitante, de acuerdo con el Consejo de Administración, o a propuesta de éste, podrá invitar a las instituciones especializadas vinculadas con la Organización de las Naciones Unidas que admitan, recíprocamente, la representación de la Unión en sus reuniones, a que envíen observadores para participar, con carácter consultivo, en la conferencia.
- 505      5. Las respuestas de los Miembros y Miembros asociados de la Unión deberán obrar en poder del gobierno invitante, un mes antes,

por lo menos, de la fecha de apertura de la conferencia, y en ellas se hará constar, de ser posible, la composición de la delegación.

**506** 6. Todo organismo permanente de la Unión tendrá derecho a estar representado en la conferencia, con carácter consultivo, cuando en ella se traten asuntos de su competencia. En caso necesario, la conferencia podrá invitar a un organismo que no haya enviado representante.

**507** 7. Se admitirá en las conferencias de plenipotenciarios:

*a)* A las delegaciones definidas en el número 307 del Anexo 3 al Convenio;

**508** *b)* A los observadores de las Naciones Unidas;

**509** *c)* A los observadores de las instituciones especializadas de conformidad con el número 504.

## CAPÍTULO 2

### **Invitación y admisión a las conferencias administrativas cuando haya un gobierno invitante**

**510** 1. (1) Lo dispuesto en los números 500 a 505 se aplica a las conferencias administrativas.

**511** (2) No obstante, el plazo para el envío de invitaciones en lo que respecta a las conferencias administrativas extraordinarias y a las conferencias especiales podrá reducirse a seis meses.

**512** (3) Los Miembros y Miembros asociados de la Unión podrán comunicar la invitación recibida a las empresas privadas por ellos reconocidas.

**513** 2. (1) El gobierno invitante, de acuerdo con el Consejo de Administración, o a propuesta de éste, podrá enviar una notificación a las organizaciones internacionales que tengan interés en que sus observadores participen con carácter consultivo en los trabajos de la conferencia.

**514** (2) Las organizaciones internacionales interesadas dirigirán al gobierno invitante la solicitud de admisión dentro de los dos meses siguientes a la fecha de la notificación.

**515** (3) El gobierno invitante reunirá las solicitudes, y la conferencia decidirá respecto de la admisión de las organizaciones.

**516** 3. (1) Se admitirá en las conferencias administrativas:

*a)* A las delegaciones definidas en el número 307 del Anexo 3 al Convenio;

- 517        b) A los observadores de las Naciones Unidas;
- 518        c) A los observadores de las instituciones especializadas de conformidad con el número 504;
- 519        d) A los observadores de las organizaciones internacionales que hayan sido admitidas según lo dispuesto en los números 513 a 515;
- 520        e) A los representantes de las empresas privadas de explotación reconocidas, que hayan sido autorizadas por los países Miembros de que dependan, y
- 521        f) A los organismos permanentes de la Unión, en las condiciones indicadas en el número 506.
- 522        (2) En las conferencias especiales de carácter regional se admitirá, además, a los observadores de los Miembros y Miembros asociados no pertenecientes a la región de que se trate.

## CAPÍTULO 3

### **Disposiciones especiales para las conferencias que se reúnan sin participación de gobierno invitante**

- 523        Cuando una conferencia haya de celebrarse sin participación de gobierno invitante, se aplicarán las disposiciones de los Capítulos 1 y 2. El Secretario General adoptará las disposiciones necesarias para convocar y organizar la conferencia en la sede de la Unión, de acuerdo con el Gobierno de la Confederación Suiza.

## CAPÍTULO 4

### **Plazos y modalidades para la presentación de proposiciones en las conferencias**

- 524        1. Enviadas las invitaciones, el Secretario General rogará de inmediato a los Miembros y Miembros asociados que le remitan, en el término de cuatro meses, las proposiciones relativas a los trabajos de la conferencia.

525 2. Toda proposición cuya adopción entraña la revisión del texto del Convenio o de los Reglamentos, deberá contener referencias que permitan identificar por número de capítulo, artículo o apartado, las partes del texto objeto de revisión. Las razones que motivan la proposición se indicarán concisamente a continuación de ésta.

526 3. El Secretario General reunirá y coordinará las proposiciones recibidas de las administraciones y de los Comités consultivos internacionales y las enviará a todos los Miembros y Miembros asociados con tres meses de antelación, por lo menos, a la apertura de la conferencia.

## CAPÍTULO 5

### Credenciales para las conferencias

527 1. (1) La delegación de un Miembro de la Unión a una conferencia deberá estar debidamente acreditada para poder ejercer el derecho de voto y provista de los poderes necesarios para firmar las Actas finales.

528 (2) La delegación de un Miembro asociado a una conferencia deberá estar debidamente acreditada para participar en sus trabajos, de acuerdo con el número 16.

529 2. En las conferencias de plenipotenciarios:

(1) a) Las delegaciones estarán acreditadas por credenciales firmadas por el Jefe del Estado, por el Jefe del Gobierno, o por el Ministro de Relaciones Exteriores;

530 b) También podrán estar acreditadas provisionalmente por el Jefe de la misión diplomática ante el Gobierno del país en que se celebre la conferencia;

531 c) Toda delegación que represente a un territorio bajo tutela, en cuyo nombre las Naciones Unidas hayan adherido al Convenio, en virtud del artículo 20 del mismo, deberá estar acreditada por el Secretario General de las Naciones Unidas.

532 (2) Para firmar las Actas finales de la Conferencia, las delegaciones deberán estar provistas de cartas de plenipotencia firmadas por las autoridades señaladas en el número 529. No se aceptarán los poderes conferidos por telegrama.

- 533        3. En las conferencias administrativas:
- (1) Se aplicarán las disposiciones de los números 529 a 532.
- 534        (2) Una delegación podrá ser acreditada y facultada para firmar las actas finales con credenciales firmadas por el ministro competente en la materia de que trate la conferencia, independientemente de las autoridades mencionadas en el número 529.
- 535        4. Una comisión especial examinará las credenciales de cada delegación, y presentará sus conclusiones dentro del plazo que le fije la Asamblea plenaria.
- 536        5. (1) La delegación de todo Miembro de la Unión ejercerá su derecho de voto desde el momento en que comience a participar en los trabajos de la conferencia.
- 537        (2) Sin embargo, una delegación perderá el derecho de voto desde el momento en que la Asamblea plenaria declare que sus credenciales no están en regla y hasta tanto se regularice esta situación.
- 538        6. Como norma general, los países Miembros deberán esforzarse por enviar sus propias delegaciones a las conferencias de la Unión. Sin embargo, si por razones excepcionales un Miembro no puede enviar su propia delegación, podrá acreditar a la de otro Miembro con facultad para actuar y firmar en su nombre.
- 539        7. Toda delegación debidamente acreditada podrá otorgar poder a otra delegación también acreditada para que vote en su nombre durante una o más sesiones a las que no pueda asistir. En tal caso, deberá comunicarlo al presidente de la conferencia.
- 540        8. En los casos previstos en los números 538 y 539, ninguna delegación podrá emitir más de un voto por poder.

## CAPÍTULO 6

### **Procedimiento para la convocatoria de conferencias administrativas extraordinarias a petición de Miembros de la Unión o a propuesta del Consejo de Administración**

- 541** 1. Los Miembros de la Unión que deseen la convocatoria de una conferencia administrativa extraordinaria lo comunicarán al Secretario General, indicando el orden del día, el lugar y la fecha propuestos para la convocatoria.
- 542** 2. Recibidas veinte peticiones concordantes, el Secretario General transmitirá telegráficamente la comunicación a todos los Miembros y Miembros asociados y rogará a los Miembros que le indiquen, en el término de seis semanas, si aceptan o no la proposición formulada.
- 543** 3. Cuando la mayoría de los Miembros se pronuncie en favor del conjunto de la proposición, es decir, si aceptan, al mismo tiempo, el orden del día, la fecha y el lugar de la reunión propuestos, el Secretario General lo comunicará a todos los Miembros y Miembros asociados de la Unión por medio de telegrama-circular.
- 544** 4. (1) Cuando la proposición aceptada se refiera a la reunión de la conferencia en lugar distinto de la sede de la Unión, el Secretario General preguntará al gobierno del país interesado si acepta ser gobierno invitante.
- 545** (2) En caso afirmativo, el Secretario General adoptará las disposiciones necesarias para la reunión de la conferencia, de acuerdo con dicho gobierno.
- 546** (3) En caso negativo, el Secretario General invitará a los Miembros que hayan solicitado la convocatoria de la conferencia a formular nuevas proposiciones en cuanto al lugar de la reunión.
- 547** 5. Cuando la proposición aceptada tienda a reunir la conferencia en la sede de la Unión, se aplicarán las disposiciones del Capítulo 3.
- 548** 6. (1) Cuando la proposición no sea aceptada en su totalidad (orden del día, lugar y fecha), por la mayoría de los Miembros, el Secretario General comunicará las respuestas recibidas a los Miembros y Miembros asociados de la Unión, e invitará a los Miembros a que se pronuncien definitivamente sobre el punto o puntos en litigio.

**549** (2) Se considerarán adoptados dichos puntos cuando reciban la aprobación de la mayoría de los Miembros.

**550** 7. El procedimiento indicado precedentemente se aplicará también cuando la proposición de convocatoria de una conferencia administrativa extraordinaria sea formulada por el Consejo de Administración.

## CAPÍTULO 7

### **Procedimiento para la convocatoria de conferencias administrativas especiales a petición de Miembros de la Unión o a propuesta del Consejo de Administración**

**551** 1. Las disposiciones del Capítulo 6 se aplicarán en su totalidad a las conferencias especiales mundiales.

**552** 2. En el caso de las conferencias especiales regionales se aplicará el procedimiento previsto en el Capítulo 6 sólo a los Miembros de la región interesada. Cuando la convocatoria se haga por iniciativa de Miembros de la región, bastará con que el Secretario General reciba las solicitudes concordantes de una cuarta parte de los Miembros de la misma.

## CAPÍTULO 8

### **Disposiciones comunes a todas las conferencias. Cambio de lugar y fecha de una conferencia**

**553** 1. Las disposiciones de los Capítulos 6 y 7 se aplicarán por analogía cuando a petición de los Miembros de la Unión o a propuesta del Consejo de Administración, se trate de cambiar la fecha o el lugar de reunión de una conferencia. Sin embargo, dichos cambios podrán efectuarse únicamente cuando la mayoría de los Miembros interesados se hayan pronunciado en su favor.

**554** 2. Todo Miembro o Miembro asociado que proponga la modificación del lugar o de la fecha de reunión de una conferencia deberá obtener por sí mismo el apoyo del número requerido de Miembros y Miembros asociados.

555 3. El Secretario General hará conocer, llegado el caso, en la consulta que prevé el número 542, las repercusiones financieras que pueda originar el cambio de lugar o de fecha, por ejemplo, cuando ya se hubieran efectuado gastos para preparar la conferencia en el lugar previsto inicialmente.

## CAPÍTULO 9

### Reglamento interno de las conferencias

#### ARTÍCULO 1

##### Orden de colocación

556 En las sesiones de la conferencia, las delegaciones se colocarán por orden alfabético de los nombres en francés de los países representados.

#### ARTÍCULO 2

##### Inauguración de la conferencia

557 1. (1) Precederá a la sesión de apertura de la conferencia una reunión de los jefes de delegación, en el curso de la cual se preparará el orden del día de la primera sesión plenaria.

558 (2) La presidencia de la reunión de los jefes de delegación será nombrada de conformidad con lo dispuesto en los números 559 y 560.

559 2. (1) La conferencia será inaugurada por una personalidad designada por el gobierno invitante.

560 (2) De no haber gobierno invitante se encargará de la apertura el jefe de delegación de edad más avanzada.

561 3. (1) En la primera sesión plenaria se procederá a la elección del presidente, que recogerá, por lo general, en una personalidad designada por el gobierno invitante.

562 (2) Si no hay gobierno invitante, el presidente se elegirá teniendo en cuenta la propuesta efectuada por los jefes de delegación en el curso de la reunión mencionada en el número 557.

563 4. En la primera sesión plenaria se procederá, asimismo:

a) A la elección de los vicepresidentes de la conferencia;

564 b) A la constitución de las comisiones de la conferencia y a la elección de los presidentes y vicepresidentes respectivos;

- 565** c) A la constitución de la Secretaría de la conferencia, que estará integrada por personal de la Secretaría General de la Unión y, en caso dado, por personal de la administración del gobierno invitante.

### ARTÍCULO 3

#### Atribuciones del presidente de la conferencia

- 566** 1. El presidente, además de las facultades que le confiere el presente Reglamento, abrirá y levantará las sesiones de la Asamblea plenaria, dirigirá sus deliberaciones, velará por la aplicación del Reglamento interno, concederá la palabra, someterá a votación las cuestiones que se planteen y proclamará las decisiones adoptadas.
- 567** 2. Asumirá la dirección general de los trabajos de la conferencia y velará por el mantenimiento del orden durante las sesiones de la Asamblea plenaria. Resolverá las mociones y cuestiones de orden y, en particular, estará facultado para proponer la postergación o cierre del debate o la suspensión o levantamiento de una sesión. Asimismo podrá diferir la convocatoria de una Asamblea o sesión plenaria cuando lo considere necesario.
- 568** 3. Protegerá el derecho de las delegaciones de expresar libre y plenamente su opinión sobre la materia en debate.
- 569** 4. Velará por que los debates se limiten al asunto en discusión, y podrá interrumpir a todo orador que se aparte del tema para recomendarle que se concrete a la materia tratada.

### ARTÍCULO 4

#### Institución de comisiones

- 570** 1. La Asamblea plenaria podrá constituir comisiones para examinar los asuntos sometidos a consideración de la conferencia. Dichas comisiones podrán, a su vez, establecer subcomisiones. Las comisiones y subcomisiones podrán, asimismo, formar grupos de trabajo.

- 571** 2. Las comisiones y subcomisiones establecerán subcomisiones y grupos de trabajo sólo en los casos en que sea absolutamente necesario.

## ARTÍCULO 5

### Comisión de control financiero

- 572** 1. La Asamblea plenaria designará, al inaugurar una conferencia o reunión, una comisión de control financiero encargada de determinar la organización y los medios que han de ponerse a disposición de los delegados, de examinar y aprobar las cuentas de los gastos realizados durante dicha conferencia o reunión. Formarán parte de esta comisión, además de los miembros de las delegaciones que deseen inscribirse en ella, un representante del Secretario General y, cuando exista gobierno invitante, un representante de su país.

- 573** 2. Antes de que se agoten los créditos previstos en el presupuesto aprobado por el Consejo de Administración para la conferencia o reunión de que se trate, la comisión de control financiero, en colaboración con la secretaría de la conferencia o reunión, preparará un estado provisional de los gastos realizados para que la Asamblea plenaria, en su vista, pueda decidir si el progreso de los trabajos justifica una prolongación de la conferencia o de la reunión después de la fecha en que se hayan agotado los créditos del presupuesto.

- 574** 3. La comisión de control financiero presentará a la Asamblea plenaria, al final de la conferencia o reunión, un informe en el que se indicará lo más exactamente posible las previsiones totales de gastos hasta la clausura de la conferencia o reunión.

- 575** 4. Una vez examinado y aprobado por la Asamblea plenaria, el informe será transmitido, junto con las observaciones del Pleno, al Secretario General, a fin de que sea presentado al Consejo de Administración en su próxima reunión anual.

## ARTÍCULO 6

### Composición de las comisiones

- 576** 1. *Conferencias de plenipotenciarios:*

Las comisiones se constituirán con delegados de los Miembros y Miembros asociados y con los observadores previstos en los números 508 y 509 que lo soliciten o que sean designados por la Asamblea plenaria.

**577 2. Conferencias administrativas:**

Las comisiones se constituirán con delegados de los Miembros y Miembros asociados y con los observadores y representantes previstos en los números 517 a 520 que lo soliciten o que sean designados por la Asamblea plenaria.

**ARTÍCULO 7****Relatores. Presidentes y vicepresidentes de las subcomisiones.**

**578** El presidente de cada comisión propondrá a ésta el nombramiento de sus correspondientes relatores, y la designación de los presidentes, vicepresidentes y relatores de las subcomisiones que se constituyan.

**ARTÍCULO 8****Convocatoria de las sesiones**

**579** Las sesiones de Asamblea plenaria, comisiones, subcomisiones y grupos de trabajo, se anunciarán con anticipación suficiente en el local de la conferencia.

**ARTÍCULO 9****Proposiciones presentadas con anterioridad  
a la apertura de la conferencia**

**580** La Asamblea plenaria distribuirá las proposiciones presentadas con anterioridad a la apertura de la conferencia entre las comisiones competentes que se instituyan de acuerdo con lo estipulado por el artículo 4 de este Reglamento. Sin embargo, la Asamblea plenaria podrá tratar directamente cualquier proposición.

**ARTÍCULO 10****Proposiciones o enmiendas presentadas durante la conferencia**

**581** 1. Las proposiciones o enmiendas que se presenten después de la apertura de la conferencia se remitirán al presidente de ésta o al presi-

dente de la comisión competente, según corresponda. Asimismo, podrán entregarse en la secretaría de la conferencia para su publicación y distribución como documentos de la conferencia.

- 582** 2. No podrá presentarse proposición escrita o enmienda alguna sin la firma del jefe de la delegación interesada o de quien lo sustituya.
- 583** 3. El presidente de una conferencia o de una comisión podrá presentar en cualquier momento proposiciones tendientes a acelerar el curso de los debates.
- 584** 4. Toda proposición o enmienda contendrá, en términos precisos y concretos, el texto que deba considerarse.
- 585** 5. (1) El presidente de la conferencia o el de la comisión competente decidirá, en cada caso, si las proposiciones o enmiendas presentadas en el curso de una sesión podrán hacerse verbalmente o entregarse por escrito para su publicación y distribución en las condiciones previstas en el número **581**.
- 586** (2) En general, el texto de toda proposición importante que deba someterse a votación en la Asamblea plenaria, deberá distribuirse en los idiomas de trabajo de la conferencia con suficiente antelación para facilitar su estudio antes de la discusión.
- 587** (3) Además, el presidente de la conferencia, al recibir las proposiciones o enmiendas mencionadas en el número **581**, las asignará a la comisión competente o a la Asamblea plenaria, según corresponda.
- 588** 6. Toda persona autorizada podrá leer, o solicitar que se lea, en sesión de la Asamblea plenaria, cualquier proposición o enmienda que haya presentado en el transcurso de la conferencia, y exponer los motivos en que la funda.

## ARTÍCULO 11

### Requisitos para la discusión de las proposiciones y enmiendas

- 589** 1. No podrá ponerse a discusión ninguna proposición o enmienda que haya sido presentada con anterioridad a la apertura de la conferencia, o que durante su transcurso presente una delegación, si en el momento de su consideración no lograse, por lo menos, el apoyo de otra delegación.
- 590** 2. Toda proposición o enmienda debidamente apoyada, una vez discutida deberá someterse a votación.

**ARTÍCULO 12****Proposiciones o enmiendas omitidas o diferidas**

- 591** Cuando se omita o difiera el examen de una proposición o enmienda, correrá por cuenta de la delegación interesada la responsabilidad de su consideración ulterior.

**ARTÍCULO 13****Normas para las deliberaciones en Asamblea plenaria****592 1. Quórum**

Las votaciones en la Asamblea plenaria sólo serán válidas cuando se hallen presentes o representadas en la sesión más de la mitad de las delegaciones con derecho a voto acreditadas ante la conferencia.

**593 2. Orden de las deliberaciones**

(1) Las personas que deseen hacer uso de la palabra necesitarán para ello el asentimiento previo del presidente. Por regla general, comenzarán por indicar la representación que ejerzan.

**594** (2) Todo orador deberá expresarse con lentitud y claridad, distinguendo bien las palabras e intercalando las pausas necesarias para facilitar la comprensión de su pensamiento.

**595 3. Mociones y cuestiones de orden**

(1) Durante las deliberaciones cualquier delegación podrá formular una moción de orden o plantear una cuestión de orden cuando lo considere oportuno, que será resuelta de inmediato por el presidente, de conformidad con este Reglamento. Toda delegación tendrá el derecho de apelar de la decisión presidencial, pero ésta se mantendrá en todos sus términos si la mayoría de las delegaciones presentes y votantes no se manifestara en su contra.

**596** (2) La delegación que presente una moción de orden se abstendrá, en su intervención, de hablar sobre el fondo del asunto en debate.

**597 4. Prioridad de las mociones y cuestiones de orden**

La prioridad que deberá asignarse a las mociones y cuestiones de orden de que tratan los números **595** y **596**, será la siguiente:

- a) Toda cuestión de orden relativa a la aplicación del presente Reglamento;

- 598        b) Suspensión de la sesión;  
599        c) Levantamiento de la sesión;  
600        d) Aplazamiento del debate sobre el tema en discusión;  
601        e) Cierre del debate sobre el tema en discusión;  
602        f) Cualquier otra moción o cuestión de orden que pueda plantearse, cuya prioridad relativa será fijada por el presidente.

603        5. *Moción de suspensión o levantamiento de las sesiones*

En el transcurso de un debate, toda delegación podrá proponer la suspensión o levantamiento de la sesión indicando las razones en que se funda tal propuesta. Si la proposición fuese apoyada, sólo se concederá la palabra a dos oradores que se opongan a dicha moción, para referirse exclusivamente a ella, después de lo cual la propuesta será sometida a votación.

604        6. *Moción de aplazamiento del debate*

Durante las deliberaciones, cualquier delegación podrá proponer el aplazamiento del debate por un tiempo determinado. Formulada tal moción, el debate consiguiente, si lo hubiere, se limitará a tres oradores como máximo, uno en pro y dos en contra, además del autor de la moción.

605        7. *Moción de cierre del debate*

Toda delegación podrá proponer, en cualquier momento, el cierre del debate sobre el tema en discusión. En tal caso, y antes de verificarse la votación correspondiente, podrá concederse el uso de la palabra a sólo dos oradores que se opongan a la moción.

606        8. *Limitación de las intervenciones*

(1) La Asamblea plenaria podrá establecer, eventualmente, el número y duración de las intervenciones de una misma delegación sobre un tema determinado.

607        (2) Sin embargo, en las cuestiones de procedimiento, el presidente limitará cada intervención a cinco minutos como máximo.

608        (3) Cuando un orador exceda el término preestablecido, el presidente lo hará notar a la Asamblea y rogará al orador que concluya brevemente su exposición.

**609 9. Clausura de la lista de oradores**

(1) En el curso de un debate, el presidente podrá disponer que se dé lectura de la lista de oradores inscritos; incluirá en ella a quienes manifiesten su deseo de intervenir, y, con el consentimiento de la Asamblea, ordenará su cierre. No obstante, el presidente, cuando lo considere oportuno, podrá permitir, como excepción, que se conteste cualquier exposición, anterior, aun después de cerrada la lista de oradores.

**610 10. Cuestiones de competencia**

Las cuestiones de competencia que puedan suscitarse serán resueltas con anterioridad a la votación sobre el fondo del asunto que se estuviere discutiendo.

**612 11. Retiro y reposición de mociones**

El autor de cualquier moción podrá retirarla antes de la votación. Toda moción, enmendada o no, que se retire del debate, podrá ser repuesta o retomada por la delegación autora de la enmienda o por cualquier otra delegación.

**ARTÍCULO 14****Derecho de voto****613 1. La delegación de todo Miembro de la Unión, debidamente acreditada por éste para tomar parte en los trabajos de la conferencia, tendrá derecho a un voto en todas las sesiones que se celebren, de conformidad con lo dispuesto en el artículo 1 del Convenio.****614 2. La delegación de todo Miembro de la Unión ejercerá su derecho de voto en las condiciones determinadas en el Capítulo 5 del Reglamento General.****ARTÍCULO 15****Votación****1. Definición de mayoría****615 (1) Se entiende por mayoría más de la mitad de las delegaciones presentes y votantes.**

**616** (2) Las delegaciones que se abstengan de votar no serán tomadas en consideración para el cómputo de mayoría.

**617** (3) En caso de empate, toda proposición o enmienda se considerará rechazada.

**618** (4) Para todos los efectos de este Reglamento, se considerará «delegación presente y votante» a la que vote en favor o en contra de una propuesta.

**619** 2. *No participación en una votación*

Las delegaciones presentes que no participen en una votación determinada o que declaren explícitamente no querer participar en ella, no se considerarán como ausentes para la determinación del quórum en el sentido del número 592, ni como que se abstienen para la aplicación de las disposiciones del número 621.

**620** 3. *Mayoría especial*

Para la admisión de Miembros de la Unión regirá la mayoría prevista en el artículo 1 del Convenio.

**621** 4. *Abstenciones de más del cincuenta por ciento*

Cuando el número de abstenciones exceda de la mitad de los votos registrados (en favor, en contra y abstenciones), el examen del asunto en discusión quedará diferido hasta una sesión ulterior, en la cual no se computarán las abstenciones.

**622** 5. *Procedimientos de votación*

(1) En las votaciones se adoptarán los siguientes procedimientos, excepto en el caso previsto en el número 625:

a) De mano alzada, por regla general;

**623** b) Por llamamiento nominal, si no resultase claramente la mayoría por el anterior procedimiento o si por lo menos dos delegaciones así lo solicitaran.

**624** (2) Las votaciones nominales se verificarán por orden alfabético de los nombres, en francés, de los Miembros representados.

**625** 6. *Votación secreta*

La votación será secreta cuando así lo soliciten, por lo menos, cinco de las delegaciones presentes con derecho a voto. En tal caso, la secretaría adoptará, de inmediato, las medidas necesarias para garantizar el secreto del sufragio.

**626 7. Prohibición de interrumpir una votación**

Ninguna delegación podrá interrumpir una votación iniciada, excepto si se tratase de una cuestión de orden acerca de la forma en que aquélla se realizara.

**627 8. Fundamentos del voto**

Terminada la votación, el presidente concederá la palabra a las delegaciones que deseen explicar su voto.

**628 9. Votación por partes**

(1) Se subdividirá y pondrá a votación por partes toda proposición si su autor así lo solicitase, o si la Asamblea lo estimara oportuno, o si el presidente, con la aprobación del autor, lo propusiera. Las partes de la proposición que resulten aprobadas serán luego sometidas a nueva votación de conjunto.

**629 (2)** Cuando se rechacen todas las partes de una proposición, se considerará rechazada la proposición en su totalidad.

**630 10. Orden de votación sobre proposiciones concurrentes**

(1) Cuando existan dos o más proposiciones sobre un mismo asunto, la votación se realizará de acuerdo con el orden en que aquéllas hayan sido presentadas, excepto si la Asamblea resolviera adoptar otro orden distinto.

**631 (2)** Concluida cada votación, la Asamblea decidirá si se vota también o no sobre la proposición siguiente.

**632 11. Enmiendas**

(1) Se entenderá por enmienda toda propuesta de modificación que solamente tienda a suprimir, agregar o alterar una parte en la proposición original.

**633 (2)** Toda enmienda admitida por la delegación que haya presentado la propuesta original será incorporada de inmediato a dicha proposición.

**634 (3)** Ninguna propuesta de modificación que la Asamblea juzgue incompatible con la proposición original será considerada como enmienda.

**635 12. Votación de las enmiendas**

(1) Cuando una proposición sea objeto de enmienda, ésta se votará en primer término.

**636 (2)** Cuando una proposición sea objeto de dos o más enmiendas, se votará en primer término la enmienda que más se aparte del texto

original; luego se hará lo propio con aquella enmienda que, entre las restantes, también se aparte en mayor grado de la proposición considerada, y, por fin, este mismo procedimiento se observará sucesivamente hasta concluir la consideración de todas las enmiendas presentadas.

637       (3) Cuando se adopte una o varias enmiendas, se someterá seguidamente a votación la proposición así modificada.

638       (4) Si no se adoptara enmienda alguna, se someterá a votación la propuesta original.

## ARTÍCULO 16

### Comisiones y subcomisiones.

#### Normas para las deliberaciones y procedimientos de votación

639       1. El presidente de toda comisión o subcomisión tendrá atribuciones similares a las que el artículo 3 concede al presidente de la conferencia.

640       2. Las normas de deliberación instituidas en el artículo 13 para las Asambleas plenarias, también serán aplicables a los debates de las comisiones y subcomisiones, con excepción de lo estipulado en materia de quórum.

641       3. Las normas previstas en el artículo 15 también serán aplicables a las votaciones que se verifiquen en toda comisión o subcomisión, excepto en el caso del número 620.

## ARTÍCULO 17

### Reservas

642       1. En general, toda delegación cuyos puntos de vista no sean compartidos por las demás delegaciones, procurará, en la medida de lo factible, adherirse a la opinión de la mayoría.

643       2. Sin embargo, cuando una delegación considere que una decisión cualquiera es de tal naturaleza que impedirá que su gobierno ratifique el Convenio o apruebe la revisión de los Reglamentos, dicha delegación podrá formular reservas provisionales o definitivas sobre aquella decisión.

## ARTÍCULO 18

### Actas de las Asambleas plenarias

644       1. Las actas de las Asambleas plenarias serán redactadas por la secretaría de la conferencia, la cual procurará que su distribución entre las

delegaciones se realice con la mayor antelación posible a la fecha en que deban considerarse.

- 645**      2. Una vez distribuidas las actas, las delegaciones interesadas podrán presentar por escrito a la secretaría de la conferencia dentro del más breve plazo posible las correcciones que consideren pertinentes, sin perjuicio de su derecho a interponer oralmente tales correcciones durante la sesión en que se consideren dichas actas.
- 646**      3. (1) Por regla general, las actas sólo contendrán las propuestas y conclusiones, con sus respectivos fundamentos, redactados con la mayor concisión posible.
- 647**      (2) No obstante, toda delegación tendrá derecho a solicitar que el acta recoja, en forma sumaria o íntegra, cualquier declaración que aquélla hubiera formulado durante el debate. En tal caso, por regla general lo anunciará así al comienzo de su exposición, para facilitar la tarea de los relatores. El texto respectivo será suministrado a la secretaría de la conferencia dentro de las dos horas siguientes al término de la sesión.
- 648**      4. La facultad conferida en el número **647** en cuanto concierne a la inserción de declaraciones, deberá usarse con discreción en todos los casos.

## ARTÍCULO 19

### **Resúmenes de los debates e informes de las comisiones y subcomisiones**

- 649**      1. (1) Los debates de las comisiones y subcomisiones se compendiarán, sesión por sesión, en resúmenes que destacarán los puntos esenciales de cada discusión, así como las distintas opiniones que sea conveniente consignar, sin perjuicio de las proposiciones o conclusiones que se deriven del conjunto.
- 650**      (2) No obstante, toda delegación también tendrá derecho a proceder en estos casos conforme a la facultad que le confiere el número **647**.
- 651**      (3) La facultad a que se refiere el apartado anterior, también deberá usarse con discreción en todos los casos.
- 652**      2. Las comisiones y subcomisiones podrán redactar los informes parciales que estimen necesarios y, eventualmente, al finalizar sus trabajos, podrán presentar un informe final en el que recapitularán, en forma concisa, las proposiciones y conclusiones resultantes de los estudios que se les hayan confiado.

## ARTÍCULO 20

### Abrobación de actas, resúmenes de debates e informes

**653** 1. (1) Por regla general, al iniciarse cada sesión de Asamblea plenaria, comisión o subcomisión, el presidente preguntará si las delegaciones tienen alguna observación que formular en cuanto al acta o al resumen de los debates de la sesión anterior, y estos documentos se darán por aprobados si no mediasen correcciones presentadas ante la secretaría o si no se manifestara ninguna oposición verbal. En caso contrario, se introducirán las rectificaciones a que hubiere lugar.

**654** (2) Todo informe parcial o final deberá ser aprobado por la comisión o subcomisión interesada.

**655** 2. (1) El acta de la última Asamblea plenaria será examinada y aprobada por el presidente de ésta.

**656** (2) El resumen de los debates de la última sesión de cada comisión o subcomisión será examinado y aprobado por su respectivo presidente.

## ARTÍCULO 21

### Comisión de redacción

**657** 1. Los textos del Convenio, de los Reglamentos y de las demás Actas finales de la conferencia que las diversas comisiones, teniendo para ello en cuenta las opiniones emitidas, redactarán, en la medida de lo posible, en forma definitiva, se someterán a la comisión de redacción, la cual, sin alterar el sentido, se encargará de perfeccionar su forma, y disponer su correcta articulación con los textos preexistentes que no hubieran sido modificados.

**658** 2. La comisión de redacción someterá dichos textos a la Asamblea plenaria de la conferencia, la cual decidirá sobre su aprobación o devolución, para nuevo examen, a la comisión competente.

## ARTÍCULO 22

### Numeración

**659** 1. Hasta su primera lectura en Asamblea plenaria se conservarán los números de los capítulos, artículos y apartados de los textos que deban revisarse. Provisionalmente, se dará a los textos que se agreguen el número

del último párrafo precedente del texto primitivo, seguidos de « a », « b », etc.

- 660** 2. La numeración definitiva de los capítulos, artículos y apartados, después de su aprobación en primera lectura, será confiada a la comisión de redacción.

#### ARTÍCULO 23

##### **Aprobación definitiva**

- 661** Los textos del Convenio, de los Reglamentos y demás Actas finales se considerarán definitivos una vez aprobados en segunda lectura por la Asamblea plenaria.

#### ARTÍCULO 24

##### **Firma**

- 662** Los textos definitivamente aprobados por la conferencia serán sometidos a la firma de los delegados que tengan para ellos las plenipotencias definitidas en el Capítulo 5, a cuyo efecto se observará el orden alfabético de los nombres, en francés, de sus respectivos países.

#### ARTÍCULO 25

##### **Comunicados de prensa**

- 663** No se podrán facilitar a la prensa comunicados oficiales sobre los trabajos de la conferencia sin previa autorización del presidente o de uno de los vicepresidentes.

#### ARTÍCULO 26

##### **Franquicia**

- 664** Durante la conferencia, los miembros de las delegaciones, los miembros del Consejo de Administración, los altos funcionarios de los organismos permanentes de la Unión y el personal de la secretaría de la Unión enviado a la conferencia, tendrán derecho a la franquicia postal, telegráfica y telefónica que el gobierno del país en que se celebre la conferencia haya podido conceder, de acuerdo con los demás gobiernos y con las empresas privadas de explotación reconocidas interesadas.

*PARTE II*

**Comités consultivos internacionales**

**CAPÍTULO 10**

**Disposiciones generales**

- 665** 1. Las disposiciones de esta Parte II del Reglamento General completan el artículo 13 del Convenio, en el que se definen las atribuciones y la estructura de los Comités consultivos internacionales.
- 666** 2. (1) Los Comités consultivos deberán observar igualmente, en cuanto les sea aplicable, el Reglamento interno de las conferencias contenido en la Parte I del presente Reglamento General.
- 667** (2) Para facilitar los trabajos de su Comité consultivo, cada Asamblea plenaria puede adoptar disposiciones suplementarias que no sean incompatibles con las del reglamento interno de las conferencias. Estas disposiciones suplementarias se publicarán en forma de Resolución recogida en los documentos de la Asamblea plenaria interesada.

**CAPÍTULO 11**

**Condiciones para la participación**

- 668** 1. (1) Serán miembros de los Comités consultivos internacionales:
- a)* Las administraciones de todos los Miembros y Miembros asociados de la Unión, por derecho propio;
  - 669** *b)* Toda empresa privada de explotación reconocida que, en las condiciones estipuladas más adelante, y con la aprobación del Miembro o Miembro asociado que la haya reconocido, manifieste el deseo de participar en los trabajos de estos Comités.
- 670** (2) La primera solicitud de participación de una empresa privada de explotación reconocida en los trabajos de un Comité consultivo deberá dirigirse al Secretario General, quien la pondrá en conocimiento

de todos los Miembros y Miembros asociados y del Director del Comité consultivo interesado. La solicitud de una empresa privada de explotación reconocida deberá ser aprobada por el Miembro o Miembro asociado que la reconoce.

**671** 2. (1) En los trabajos de los Comités consultivos podrá admitirse la participación, con carácter consultivo, de las organizaciones internacionales que tengan actividades conexas y coordinen sus trabajos con los de la Unión Internacional de Telecomunicaciones.

**672** (2) La primera solicitud de participación de una organización internacional en los trabajos de un Comité consultivo deberá dirigirse al Secretario General, el cual la comunicará telegráficamente a todos los Miembros y Miembros asociados invitando a los Miembros a que se pronuncien sobre la aceptación. La solicitud quedará aceptada cuando sea favorable la mayoría de las respuestas que se reciban en el plazo de un mes. El Secretario General pondrá en conocimiento de todos los Miembros y Miembros asociados y del director del Comité consultivo interesado el resultado de la consulta.

**673** 3. (1) Los organismos científicos o industriales que se dediquen al estudio de los problemas de telecomunicación o al estudio o fabricación de materiales destinados a los servicios de telecomunicación, podrán ser admitidos a participar, con carácter consultivo, en las reuniones de las comisiones de estudio de los Comités consultivos siempre que su participación haya sido aprobada por la administración del país interesado.

**674** (2) La primera solicitud de admisión de un organismo científico o industrial a las sesiones de las comisiones de estudio de un Comité consultivo deberá dirigirse al director del Comité. La solicitud deberá ser aprobada por la administración del país interesado.

## CAPÍTULO 12

### Atribuciones de la Asamblea plenaria

**675** La Asamblea plenaria:

a) Examinará los informes de las comisiones de estudio y aprobará,

modificará o rechazará los proyectos de recomendación contenidos en los mismos;

- 676 b) Establecerá la lista de las nuevas cuestiones a estudio, de conformidad con las disposiciones del número 180, y, en caso necesario, establecerá un programa de estudios;
- 677 c) Según las necesidades, mantendrá las comisiones de estudio existentes y creará otras nuevas;
- 678 d) Asignará a las diversas comisiones las cuestiones a estudio;
- 679 e) Examinará y aprobará el informe del director sobre las actividades del Comité desde la última reunión de la Asamblea plenaria;
- 680 f) Aprobará un informe sobre las necesidades financieras del Comité hasta la siguiente Asamblea plenaria, que será sometido a la consideración del Consejo de Administración;
- 681 g) Examinará todas las cuestiones cuyo estudio estime necesario de acuerdo con lo dispuesto en el artículo 13 del Convenio y en esta Parte II del Reglamento General.

## CAPÍTULO 13

### Reuniones de la Asamblea plenaria

- 682 1. La Asamblea plenaria se reunirá normalmente cada tres años en la fecha y en el lugar fijados por la Asamblea plenaria anterior.
- 683 2. La fecha de una reunión de la Asamblea plenaria podrá ser modificada previa aprobación de la mayoría de los Miembros de la Unión que participaron en la reunión precedente de la Asamblea plenaria, o que, sin haber participado en ella, hayan comunicado al Secretario General su deseo de tomar parte en los trabajos del Comité consultivo correspondiente.
- 684 3. En cada una de sus reuniones, la Asamblea plenaria será presidida por el jefe de la delegación del país en que se celebre la reunión o, en el caso de una reunión celebrada en la sede de la Unión, por una persona

elegida por la Asamblea. El presidente estará asistido por vicepresidentes elegidos por la Asamblea plenaria.

- 685     4. La secretaría especializada del Comité se encargará de la secretaría de la Asamblea plenaria, con el concurso, si fuere necesario, de personal de la administración del gobierno invitante y de la Secretaría General.

## CAPÍTULO 14

### **Idiomas y votaciones en las sesiones de la Asamblea plenaria**

- 686     1. (1) Los idiomas que se utilizarán en las sesiones de la Asamblea plenaria son los previstos en el artículo 16 del Convenio.  
687     (2) Los documentos preparatorios de las comisiones de estudio, los documentos y actas de las Asambleas plenarias, y los que publiquen después de éstas los Comités consultivos internacionales estarán redactados en los tres idiomas de trabajo de la Unión.  
688     2. Los Miembros autorizados a votar en las sesiones de las Asambleas plenarias de los Comités consultivos son aquellos a que se refieren los números 14 y 232. No obstante, cuando un país Miembro de la Unión no se halle representado por una administración, el conjunto de los representantes de sus empresas privadas de explotación reconocidas, cualquiera que sea su número, tendrán derecho a un solo voto.

## CAPÍTULO 15

### **Constitución de las comisiones de estudio**

- 689     1. La Asamblea plenaria constituirá las comisiones de estudio necesarias para tratar las cuestiones cuyo examen haya decidido. Las administraciones, empresas privadas de explotación reconocidas y organizaciones internacionales admitidas de acuerdo con las disposiciones de los números 671 y 672, que deseen tomar parte en los trabajos de las comisiones de estudio, indicarán su nombre, ya sea en la reunión de la Asamblea plenaria, o bien ulteriormente al director del Comité consultivo interesado.

**690** 2. Además, y a reserva de lo dispuesto en los números **673** y **674**, podrá admitirse a los expertos de los organismos científicos o industriales a que participen, con carácter consultivo, en cualquier reunión de toda comisión de estudio.

**691** 3. La Asamblea plenaria nombrará el relator principal que presidirá cada una de estas comisiones de estudio, y un relator principal adjunto. Cuando un relator principal se vea imposibilitado de ejercer sus funciones en el intervalo de dos reuniones de la Asamblea plenaria, el relator principal adjunto le sustituirá en su cargo y la comisión de estudio en el curso de su próxima reunión elegirá entre sus miembros un nuevo relator principal adjunto, elección que volverá a repetir en el caso de que durante el mismo periodo el nuevo relator principal adjunto prime- ramente elegido se encuentre en la imposibilidad de ejercer sus funciones.

## CAPÍTULO 16

### Tramitación de los asuntos en las comisiones de estudio

**692** 1. Los asuntos confiados a las comisiones serán tratados, normalmente, por correspondencia.

**693** 2. (1) Sin embargo, la Asamblea plenaria podrá dar instrucciones con respecto a las reuniones de comisiones de estudio que parezcan necesarias para tratar grupos importantes de cuestiones.

**694** (2) Además, si después de la Asamblea plenaria algún relator principal estima necesario que se reúna una comisión de estudio no prevista por la Asamblea plenaria, para discutir verbalmente los asuntos que no hayan podido ser tratados por correspondencia, podrá proponer una reunión en un lugar adecuado, teniendo en cuenta la necesidad de reducir los gastos al mínimo, previa autorización de su administración, y después de haber consultado con el director del Comité y con los miembros de su comisión de estudio.

**695** 3. Sin embargo, para evitar viajes inútiles y ausencias prolongadas, el director de un Comité consultivo, de acuerdo con los relatores principales presidentes de las diversas comisiones de estudio interesadas, establecerá el plan general para las reuniones de un grupo de comisiones de estudio en un mismo lugar, durante el mismo periodo.

**696** 4. El director enviará los informes finales de las comisiones de estudio a las administraciones participantes, a las empresas privadas

de explotación reconocidas de su Comité consultivo y, eventualmente, a las organizaciones internacionales que hayan participado. Estos informes se enviarán tan pronto como sea posible, y en todo caso con tiempo suficiente para que lleguen a su destino un mes antes, por lo menos, de la fecha de apertura de la siguiente reunión de la Asamblea plenaria; se puede solamente renunciar a mantener este plazo cuando inmediatamente antes de la reunión de la Asamblea plenaria se celebren reuniones de comisiones de estudio. No podrán incluirse en el orden del día de la Asamblea plenaria las cuestiones que no hayan sido objeto de un informe enviado en las condiciones mencionadas.

## CAPÍTULO 17

### **Funciones del director. Secretaría especializada**

- 697        1. (1) El director de cada Comité consultivo coordinará los trabajos de la Asamblea plenaria y de las comisiones de estudio, y será responsable de la organización de la labor del Comité consultivo.
- 698        (2) Tendrá a su cargo los archivos del Comité.
- 699        (3) Dispondrá de una secretaría constituida con personal especializado, que trabajará a sus órdenes directas en la organización de los trabajos del Comité.
- 700        (4) El personal de las secretarías especializadas, de los laboratorios y de los servicios técnicos de los Comités consultivos dependerá a efectos administrativos del Secretario General.
- 701        2. El director elegirá al personal técnico y administrativo de su secretaría, ajustándose al presupuesto aprobado por la Conferencia de plenipotenciarios o por el Consejo de Administración. El nombramiento de este personal técnico y administrativo lo hará el Secretario General, de acuerdo con el director. Correspondrá al Secretario General decidir en último término acerca del nombramiento o de la destitución.
- 702        3. El director participará por derecho propio, con carácter consultivo, en las deliberaciones de la Asamblea plenaria y de las comisiones de estudio, y adoptará las medidas necesarias para la preparación de las reuniones de la Asamblea plenaria y de las comisiones de estudio.

- 703 4. El director someterá a la consideración de la Asamblea plenaria un informe sobre las actividades del Comité desde la reunión anterior de la Asamblea plenaria. Este informe, una vez aprobado, será enviado al Secretario General para su transmisión al Consejo de Administración.
- 704 5. El director someterá a la reunión anual del Consejo de Administración, para su conocimiento y el de los Miembros y Miembros asociados de la Unión, un informe sobre las actividades del Comité durante el año anterior.
- 705 6. El director someterá a la aprobación de la Asamblea plenaria un informe acerca de las necesidades financieras de su Comité consultivo hasta la siguiente Asamblea plenaria. Dicho informe, una vez aprobado por la Asamblea plenaria, se enviará al Secretario General quien lo someterá al Consejo de Administración.
- 706 7. Basándose en el informe acerca de las necesidades financieras del Comité, aprobado por la Asamblea plenaria, el Director establecerá, con el fin de que sean incluidos por el Secretario General en el presupuesto anual de la Unión, las previsiones de gastos del Comité para el año siguiente.
- 707 8. El director participará, en la medida necesaria, en las actividades de Asistencia técnica de la Unión dentro del marco de las disposiciones del Convenio.

## CAPÍTULO 18

### Proposiciones para las conferencias administrativas

- 708 1. De conformidad con el número 181, los Comités consultivos podrán formular proposiciones de modificación de los Reglamentos mencionados en el número 193.
- 709 2. Estas proposiciones se dirigirán a su debido tiempo al Secretario General, a fin de que puedan ser agrupadas, coordinadas y comunicadas en las condiciones previstas en el número 526.

## CAPÍTULO 19

### **Relaciones de los Comités consultivos entre sí y con otras organizaciones internacionales**

- 710** 1. (1) Las Asambleas plenarias de los Comités consultivos internacionales podrán constituir comisiones mixtas para efectuar estudios y formular recomendaciones sobre cuestiones de interés común.
- 711** (2) Los directores de los Comités consultivos, en colaboración con los relatores principales, podrán organizar reuniones mixtas de comisiones de estudio de cada uno de los Comités consultivos, con el objeto de estudiar y preparar proyectos de recomendaciones sobre cuestiones de interés común. Estos proyectos de recomendaciones serán presentados en la siguiente reunión de la Asamblea plenaria del Comité consultivo correspondiente.
- 712** 2. La Asamblea plenaria o el director de un Comité consultivo podrán invitar a un representante de este Comité para asistir, con carácter consultivo, a las reuniones del otro Comité consultivo o de otras organizaciones internacionales a las que haya sido invitado el Comité consultivo interesado.
- 713** 3. Podrán asistir, con carácter consultivo, a las reuniones de un Comité consultivo, el Secretario General, el Vicesecretario General el Presidente de la Junta Internacional de Registro de Frecuencias y el Director, o sus representantes, del otro Comité consultivo. En caso necesario, un Comité podrá invitar a enviar observadores a sus reuniones a título consultivo a cualquier organismo permanente de la Unión que no haya considerado necesario estar representado en ellas.

## ANEXO 6

(Véase el artículo 28)

### Acuerdo entre las Naciones Unidas y la Unión Internacional de Telecomunicaciones

#### PREÁMBULO

En virtud de las disposiciones del artículo 57 de la Carta de las Naciones Unidas y del artículo 26 del Convenio de la Unión Internacional de Telecomunicaciones de Atlantic City, 1947, las Naciones Unidas y la Unión Internacional de Telecomunicaciones acuerdan lo siguiente:

#### ARTÍCULO I

Las Naciones Unidas reconocen a la Unión Internacional de Telecomunicaciones, denominada en adelante en este Acuerdo « la Unión », como la institución especializada encargada de adoptar, de conformidad con su Acta constitutiva, las medidas necesarias para el cumplimiento de los fines señalados en la misma.

#### ARTÍCULO II

##### Representación recíproca

1. La Organización de las Naciones Unidas será invitada a enviar representantes para participar, sin derecho a voto, en las deliberaciones de todas las Conferencias de plenipotenciarios y administrativas de la Unión; igualmente será invitada, previo debido acuerdo con la Unión, a enviar representantes para asistir a reuniones de Comités consultivos internacionales o a cualesquiera otras convocadas por la Unión, con el derecho de tomar parte, sin voto, en la discusión de asuntos que interesen a las Naciones Unidas.

2. La Unión será invitada a enviar representantes para asistir a las sesiones de la Asamblea General de las Naciones Unidas, con fines de consulta sobre asuntos de telecomunicaciones.

3. La Unión será invitada a enviar representantes para asistir a las sesiones del Consejo Económico y Social de las Naciones Unidas y del Consejo de Tutela y de sus comisiones y comités, y a participar, sin derecho a voto, en sus deliberaciones, cuando se traten puntos del orden del día en los que la Unión pueda estar interesada.

4. La Unión será invitada a enviar representantes para asistir a las sesiones de las Comisiones principales de la Asamblea General en las que hayan de discutirse asuntos de la competencia de la Unión, y a participar, sin derecho a voto, en estas discusiones.

5. La Secretaría de las Naciones Unidas distribuirá entre los Miembros de la Asamblea General, del Consejo Económico y Social y de sus comisiones, y del Consejo de Tutela, según el caso, cuantas exposiciones presente la Unión por escrito. De igual modo, las exposiciones que por escrito presenten las Naciones Unidas serán distribuidas por la Unión entre sus propios Miembros.

### **ARTÍCULO III**

#### **Inclusión de asuntos en el orden del día**

Previas las consultas oportunas, la Unión incluirá en el orden del día de las conferencias de plenipotenciarios o administrativas, o de las reuniones de otros organismos de la Unión, los asuntos que le propongan las Naciones Unidas. El Consejo Económico y Social y sus comisiones, así como el Consejo de Tutela, incluirán, de igual modo, en su orden del día los asuntos propuestos por las conferencias o por los demás órganos de la Unión.

### **ARTÍCULO IV**

#### **Recomendaciones de las Naciones Unidas**

1. La Unión, teniendo en cuenta el deber de las Naciones Unidas de facilitar el logro de los objetivos previstos en el artículo 55 de la Carta, y de ayudar al Consejo Económico y Social a ejercer la función y el poder que le confiere el artículo 62 de la Carta para efectuar o promover estudios e informes sobre problemas internacionales de carácter económico, social, cultural, educativo, sanitario, etc., y para dirigir recomendaciones sobre tales asuntos a las instituciones especializadas competentes; teniendo en cuenta, asimismo, que los artículos 58 y 63 de la Carta disponen que

las Naciones Unidas deben formular recomendaciones para coordinar las actividades de estas instituciones especializadas y los principios generales en que se inspiran, conviene en tomar las medidas necesarias para someter lo antes posible a su órgano apropiado, a los efectos procedentes, cuantas recomendaciones oficiales pueda dirigirle la Organización de Naciones Unidas.

2. La Unión conviene en ponerse en relación con la Organización de Naciones Unidas, cuando ésta lo solicite, con respecto a las recomendaciones a que se refiere el apartado anterior, y en comunicar a su debido tiempo a las Naciones Unidas las medidas adoptadas por la Unión o por sus Miembros para poner en práctica dichas recomendaciones o cualquier otro resultado que de la consideración de las mismas se derive.

3. La Unión cooperará en cualquier otra medida que pudiera considerarse necesaria para asegurar la coordinación plenamente efectiva de las actividades de las instituciones especializadas y de las Naciones Unidas. Conviene, especialmente, en colaborar con todo órgano o en todos los órganos que el Consejo Económico y Social pueda crear para facilitar esta coordinación, y en suministrar cuantos informes se revelen necesarios para el logro de tales fines.

## ARTÍCULO V

### **Intercambio de informaciones y de documentos**

1. Sin perjuicio de las medidas que pudiera ser necesario adoptar para garantizar el carácter confidencial de ciertos documentos, las Naciones Unidas y la Unión procederán al intercambio más completo y rápido posible de informaciones y documentos, para satisfacer las necesidades de cada una de ellas.

2. Sin perjuicio del carácter general de las disposiciones del apartado precedente:

- a) La Unión presentará a las Naciones Unidas un informe anual sobre sus actividades;
- b) La Unión dará curso, en lo posible, a toda petición de informes especiales, estudios o antecedentes que las Naciones Unidas puedan dirigirle;
- c) El Secretario General de las Naciones Unidas se pondrá en relación con la autoridad competente de la Unión, a petición de ésta, para

facilitar a la Unión cuantas informaciones presenten para ella un interés particular.

## ARTÍCULO VI

### **Asistencia a las Naciones Unidas**

La Unión conviene en cooperar con las Naciones Unidas y con sus organismos principales y subsidiarios, y en prestarles la asistencia que le sea posible, de conformidad con la Carta de las Naciones Unidas y el Convenio Internacional de Telecomunicaciones, teniendo debidamente en cuenta la situación particular de los Miembros de la Unión que no son Miembros de las Naciones Unidas.

## ARTÍCULO VII

### **Relaciones con la Corte Internacional de Justicia**

1. La Unión conviene en suministrar a la Corte Internacional de Justicia cuantas informaciones pueda solicitar de ella, en aplicación del artículo 34 del Estatuto de dicha Corte.
2. La Asamblea general de las Naciones Unidas autoriza a la Unión a solicitar de la Corte Internacional de Justicia dictámenes consultivos sobre las cuestiones jurídicas que se planteen en materia de su competencia y no conciernan a las relaciones mutuas de la Unión con la Organización de Naciones Unidas o con las demás instituciones especializadas.
3. La Conferencia de plenipotenciarios o el Consejo de Administración, actuando en virtud de autorización de la Conferencia de plenipotenciarios, podrán dirigir una solicitud de esta naturaleza a la Corte.
4. Cuando la Unión solicite un dictamen consultivo de la Corte Internacional de Justicia, informará de ello al Consejo Económico y Social.

## ARTÍCULO VIII

### **Disposiciones concernientes al personal**

1. Las Naciones Unidas y la Unión convienen en establecer para el personal, en lo posible, normas, métodos y disposiciones comunes con el fin de evitar contradicciones graves en los términos y condiciones de

empleo, impedir la competencia en la contratación del personal, y facilitar el intercambio de personal que convenga a una y otra parte para la mejor utilización de sus servicios.

2. Las Naciones Unidas y la Unión convienen en cooperar, en todo lo posible, para el logro de los fines indicados.

## ARTÍCULO IX

### Servicios estadísticos

1. Las Naciones Unidas y la Unión convienen en realizar los mayores esfuerzos por lograr la máxima colaboración, eliminar toda concurrencia innecesaria en sus actividades y utilizar con la mayor eficacia posible su personal técnico en la compilación, análisis, publicación, normalización, mejora y difusión de datos estadísticos. Asimismo, unirán sus esfuerzos para obtener la mayor utilidad posible de las informaciones estadísticas y para aliviar la labor de los gobiernos y demás organismos llamados a suministrar estas informaciones.

2. La Unión reconoce a la Organización de Naciones Unidas como el organismo central encargado de recoger, analizar, publicar, normalizar, perfeccionar y divulgar las estadísticas que sirvan a los fines generales de las organizaciones internacionales.

3. La Organización de Naciones Unidas reconoce a la Unión como el organismo central encargado de recoger, analizar, publicar, normalizar, perfeccionar y divulgar las estadísticas en la esfera de su competencia, sin perjuicio del derecho de la Organización de Naciones Unidas de interesarse en tales estadísticas, en cuanto puedan ser necesarias para la realización de sus propios objetivos o para el perfeccionamiento de las estadísticas del mundo entero. Correspondrá a la Unión adoptar las decisiones relativas a la forma en que se hayan de establecer sus documentos de servicio.

4. Con el fin de establecer un centro de información estadística para uso general, los datos que se suministran a la Unión para incorporarlos a sus series estadísticas o a sus informes especiales se pondrán, en lo posible, a disposición de la Organización de Naciones Unidas cuando ésta así lo solicite.

5. Los datos que reciba la Organización de Naciones Unidas para incorporarlos a sus series estadísticas básicas o a sus informes especiales

se pondrán a disposición de la Unión, a petición de ésta y en la medida en que sea posible y oportuno.

## ARTÍCULO X

### **Servicios administrativos y técnicos**

1. A los efectos de la utilización más eficaz del personal y de los recursos disponibles, la Organización de Naciones Unidas y la Unión reconocen la conveniencia de evitar, en cuanto sea posible, la creación de servicios que puedan hacerse competencia o cuyos trabajos sean análogos, y de consultarse a este respecto en caso necesario.

2. La Organización de Naciones Unidas y la Unión tomarán conjuntamente disposiciones en lo relativo al registro y depósito de los documentos oficiales.

## ARTÍCULO XI

### **Disposiciones relativas al presupuesto**

1. El presupuesto o el proyecto de presupuesto de la Unión será transmitido a la Organización de Naciones Unidas al mismo tiempo que a los Miembros de la Unión. La Asamblea general podrá hacer recomendaciones a la Unión a este respecto.

2. La Unión tendrá el derecho de enviar representantes para participar, sin derecho de voto, en las deliberaciones de la Asamblea general o de cualquiera de sus comisiones, cuando el presupuesto de la Unión se halle en discusión.

## ARTÍCULO XII

### **Provisión de fondos para servicios especiales**

1. Si como consecuencia de una solicitud de cooperación, de informes especiales o de estudios, presentada por la Organización de Naciones Unidas conforme al artículo VI o a otras disposiciones del presente Acuerdo, la Unión se viere obligada a realizar importantes gastos suplementarios, las partes se consultarán para determinar la forma de hacer frente a estos gastos de la manera más equitativa posible.

2. La Organización de Naciones Unidas y la Unión se consultarán igualmente para adoptar las disposiciones que estimen equitativas para cubrir los gastos de los servicios centrales, administrativos, técnicos o fiscales y de todas las facilidades o ayudas especiales prestadas por la Organización de Naciones Unidas a petición de la Unión.

## ARTÍCULO XIII

### **Salvoconductos de las Naciones Unidas**

Los funcionarios de la Unión tendrán el derecho de utilizar los salvoconductos de las Naciones Unidas de conformidad con los acuerdos especiales que celebren el Secretario General de las Naciones Unidas y las autoridades competentes de la Unión.

## ARTÍCULO XIV

### **Acuerdos entre instituciones**

1. La Unión conviene en informar al Consejo Económico y Social sobre la naturaleza y alcance de todo acuerdo oficial proyectado entre la Unión y cualquier otra institución especializada, organismo intergubernamental u organización internacional no gubernamental, y en comunicarle, asimismo, los detalles de dicho acuerdo, una vez concluido.

2. La Organización de Naciones Unidas conviene en informar a la Unión sobre la naturaleza y alcance de todo acuerdo oficial proyectado por cualesquiera otras instituciones especializadas sobre cuestiones que puedan interesar a la Unión, y en comunicarle, asimismo, los detalles de dicho acuerdo, una vez concluido.

## ARTÍCULO XV

### **Enlace**

1. La Organización de Naciones Unidas y la Unión convienen en las disposiciones anteriores en la convicción de que éstas contribuirán a mantener un enlace efectivo entre ambas organizaciones y afirman su intención de adoptar cuantas medidas puedan ser necesarias a tal fin.

2. Las disposiciones concernientes al enlace previsto por el presente Acuerdo se aplicarán, en la medida apropiada, a las relaciones entre la Unión y la Organización de Naciones Unidas, comprendidas sus oficinas regionales o auxiliares.

## ARTÍCULO XVI

### **Servicios de telecomunicación de las Naciones Unidas**

1. La Unión reconoce la importancia que para la Organización de Naciones Unidas tiene el poder disfrutar de los mismos derechos que los Miembros de la Unión en la explotación de los servicios de telecomunicación.

2. La Organización de Naciones Unidas se compromete a explotar los servicios de telecomunicación que dependen de ella ajustándose a los términos del Convenio Internacional de Telecomunicaciones y del Reglamento anexo al mismo.

3. Las modalidades precisas de aplicación de este artículo serán objeto de arreglos por separado.

## ARTÍCULO XVII

### **Ejecución del Acuerdo**

El Secretario General de las Naciones Unidas y la autoridad competente de la Unión podrán concluir cuantos arreglos complementarios puedan parecer convenientes para la aplicación del presente Acuerdo.

## ARTÍCULO XVIII

### **Revisión**

Este Acuerdo estará sujeto a revisión por concierto entre las Naciones Unidas y la Unión, con un aviso previo de seis meses por una u otra parte.

## ARTÍCULO XIX

### **Entrada en vigor**

1. El presente Acuerdo entrará en vigor provisionalmente después de su aprobación por la Asamblea general de las Naciones Unidas y por la Conferencia de plenipotenciarios de Telecomunicaciones de Atlantic City, 1947.

2. A reserva de la aprobación mencionada en el apartado anterior, el presente Acuerdo entrará en vigor oficialmente al mismo tiempo que el Convenio Internacional de Telecomunicaciones de Atlantic City, 1947, o en una fecha anterior si la Unión así lo decidiese.

**PROTOCOLO FINAL****del****Convenio Internacional de Telecomunicaciones****Ginebra, 1959**

En el acto de proceder a la firma del Convenio Internacional de Telecomunicaciones (Ginebra, 1959), los plenipotenciarios que suscriben toman nota de las declaraciones siguientes que forman parte de las Actas finales de la Conferencia de plenipotenciarios, Ginebra, 1959:

**I***De la República Argentina:*

La Delegación Argentina declara: El Convenio Internacional de Telecomunicaciones (Ginebra, 1959) en el número 4, establece que es Miembro de la Unión todo país o grupo de territorios enumerados en el Anexo 1. Dicho Anexo 1 menciona a ese efecto los Territorios de Ultramar de cuyas relaciones internacionales es responsable el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte.

Como es habitual, el aludido Gobierno incluye dentro de ese conjunto al territorio que denomina «Islas Falkland y Dependencias», acto que encuentra eco en documentos oficiales publicados por la Unión Internacional de Telecomunicaciones. Por tal motivo, la Delegación Argentina deja expresa constancia de que ese hecho en nada afecta la soberanía argentina sobre dichas islas, cuya ocupación detenta el Reino Unido en virtud de un acto de fuerza jamás aceptado por el Gobierno argentino, el cual reafirma los imprescriptibles e inalienables derechos de la República y declara que las islas Malvinas, islas Sandwich del Sur, islas Georgias del Sur y las tierras incluidas dentro del sector antártico argentino no constituyen colonia o posesión de nación alguna, sino que forman parte del territorio argentino y están comprendidas en su dominio y soberanía.

La precedente declaración debe considerarse asimismo válida con relación a cualquier otra mención de la misma índole que se incluya en el Convenio o en sus Anexos.

II

*De Canadá:*

Al firmar este Convenio, Canadá formula la reserva de que no acepta el número 193 del Convenio Internacional de Telecomunicaciones (Ginebra, 1959). Canadá reconoce las obligaciones derivadas del Reglamento de Radiocomunicaciones, del Reglamento Telegráfico y, con una reserva, la del Reglamento Adicional de Radiocomunicaciones, todos ellos anexos a este Convenio, pero no se considera obligado por el Reglamento Telefónico.

III

*De China:*

La Delegación de la República de China en la Conferencia de plenipotenciarios de la Unión Internacional de Telecomunicaciones, Ginebra, 1959, como en Atlantic City y Buenos Aires, es la única representación legítima de China en ella y como tal la ha reconocido la Conferencia. Si alguno de los Miembros de la Unión formula cualquier declaración o reserva relacionada con este Convenio o Anexo a él, que resulte incompatible con la posición de la República de China, tal como se define más arriba, tal declaración o reserva es ilegal y, por tanto, nula e inoperante. Respecto de los Miembros mencionados, la República de China no acepta, al firmar este Convenio, ninguna obligación derivada del Convenio Internacional de Telecomunicaciones (Ginebra, 1959) ni tampoco de los Protocolos con él relacionados.

IV

*Del Congo Belga y Territorio de Ruanda Urundi:*

Al firmar el Convenio Internacional de Telecomunicaciones (Ginebra, 1959), el Congo Belga y el Territorio de Ruanda Urundi declaran formalmente que se reservan el derecho de no respetar el artículo 3 del Reglamento de Radiocomunicaciones (Ginebra, 1959) sino en la medida en que la aplicación de las disposiciones contenidas en este artículo permita atender las necesidades indispensables de sus servicios de radio-difusión interior.

V

*De Costa Rica:*

La Delegación de la República de Costa Rica declara que reserva, para su Gobierno, el derecho a aceptar o no las consecuencias que tengan las reservas formuladas por otros gobiernos participantes en esta Conferencia y que puedan entrañar un aumento en la parte contributiva de Costa Rica a los gastos de la Unión.

## VI

*De Cuba:*

Al firmar el presente Convenio en nombre del Gobierno de la República de Cuba, la Delegación que la representa hace formal reserva de la aceptación del Reglamento Telegráfico, Reglamento Telefónico y Reglamento Adicional de Radiocomunicaciones, mencionados en el artículo 14 del Convenio Internacional de Telecomunicaciones (Ginebra, 1959).

## VII

*De la República de El Salvador:*

## A

El Gobierno de la República de El Salvador se reserva el derecho de adoptar cuantas medidas considere necesarias o útiles para proteger sus intereses, si un Miembro o Miembro asociado no contribuyese al pago de los gastos de la Unión o formulase reservas cuya naturaleza acrecentase la parte alicuota con que contribuye a sufragar el presupuesto de la Unión.

## B

Al firmar el presente Convenio en nombre de la República de El Salvador, la Delegación de este país reserva para su Gobierno el derecho de aceptar o no las obligaciones que se derivan del Reglamento Telefónico y del Reglamento Adicional de Radiocomunicaciones, mencionados en el artículo 14 del Convenio Internacional de Telecomunicaciones (Ginebra, 1959).

## VIII

*De los Estados Unidos de América:*

La firma de este Convenio, por y en nombre de los Estados Unidos de América, es igualmente válida, de acuerdo con sus reglamentos constitucionales, para todos los territorios de los Estados Unidos de América.

Los Estados Unidos de América declaran oficialmente que su país no acepta, mediante la firma de este Convenio en su nombre, obligación alguna respecto del Reglamento Telefónico ni del Reglamento Adicional de Radiocomunicaciones a que se refiere el artículo 14 del Convenio Internacional de Telecomunicaciones (Ginebra, 1959).

## IX

*De Grecia:*

La Delegación helénica declara en nombre de su Gobierno que no acepta ninguna consecuencia de las reservas que impliquen un aumento de su parte contributiva para el pago de los gastos de la Unión.

## X

*De la República de India:*

1. Al firmar las Actas finales de la Conferencia Internacional de Telecomunicaciones, Ginebra, 1959, la República de India no acepta ninguna incidencia financiera a consecuencia de cualquier reserva que se formule en cuestiones de presupuesto de la Unión, por las delegaciones que participan en la actual Conferencia.

2. La Delegación de la República de India declara que la firma del presente Convenio por su país implica también la reserva de aceptar o no determinadas disposiciones de los Reglamentos Telegráfico y Telefónico de Ginebra (1958), mencionadas en el artículo 14 del Convenio.

3. La Delegación de la República de India reserva también para su Gobierno el derecho de adoptar, en caso necesario, las medidas adecuadas para asegurar el adecuado funcionamiento de la Unión y de sus organismos permanentes, así como la aplicación de los Reglamentos enumerados en el artículo 14 del Convenio, en el caso de que cualquier otro país se reserve el derecho de aceptar o no las disposiciones del Convenio y de los Reglamentos mencionados.

## XI

*De la República de Indonesia:*

Habida cuenta de que constitucionalmente Irian Barat (Nueva Guinea Occidental) forma parte integrante de la República de Indonesia, la Delegación de Indonesia en la Conferencia de plenipotenciarios y en la Conferencia Administrativa de Radiocomunicaciones, Ginebra, 1959, declara formalmente que la firma por su parte de este Convenio y del Reglamento de Radiocomunicaciones no implica en modo alguno que acepte la denominación de Irian Barat (Nueva Guinea), seguida del término «Países Bajos», en los documentos de la Unión y en el Reglamento de Radiocomunicaciones (Anexos y/o Apéndices).

## XII

*Del Estado de Israel:*

La Delegación del Estado de Israel no puede aceptar las reservas formuladas por las Delegaciones del Reino de Arabia Saudita, República de Iraq, Reino Hachemita de Jordania, Kuwait, Líbano, Reino Unido de Libia, Reino de Marruecos, República Árabe Unida, República del Sudán y República de Túnez, relativas a Israel, y reserva el derecho de su Gobierno a tomar las medidas adecuadas que estime necesarias para proteger los intereses del Estado de Israel en la aplicación del presente Convenio y de sus Reglamentos anexos, en lo que se refiere a los países Miembros citados anteriormente.

## XIII

*De Japón:*

Japón se reserva el derecho de adoptar las medidas que considere necesarias para la defensa de sus intereses en el caso de que las reservas formuladas por otros países den por resultado un aumento de su contribución para el pago de los gastos de la Unión.

## XIV

*Del Reino de los Países Bajos:*

La Delegación del Reino de los Países Bajos declara que no acepta la declaración formal de la República de Indonesia relativa a la impugnación de la soberanía del Gobierno de los Países Bajos sobre el territorio no autónomo de Nueva Guinea holandesa.

Con respecto a la denominación «Nueva Guinea holandesa», declara que esta denominación es la correcta desde el punto de vista constitucional, y así ha sido oficialmente reconocida y empleada por la Secretaría de las Naciones Unidas.

## XV

*De la República de Filipinas:*

La República de Filipinas declara formalmente al firmar el presente Convenio que no puede aceptar ninguna obligación en la actualidad con respecto a los Reglamentos Telegráficos y Telefónico mencionados en el número 193 del Convenio.

**XVI***Del Reino Unido de Gran Bretaña e Irlanda del Norte:*

La Delegación del Reino Unido de Gran Bretaña e Irlanda del Norte declara que no acepta la declaración hecha por la Delegación argentina por poner en entredicho la soberanía del Gobierno de Su Majestad Británica sobre las islas Falkland y sus Dependencias y desea reservar oficialmente los derechos del Gobierno de Su Majestad sobre esta cuestión. Las islas Falkland y sus Dependencias han sido y siguen siendo parte integrante de los territorios cuyo conjunto constituye el Miembro de la Unión conocido hasta ahora con el nombre de: «Colonias, Protectorados, Territorios de Ultramar y Territorios bajo mandato o tutela del Reino Unido de Gran Bretaña e Irlanda del Norte», en cuyo nombre el Reino Unido de Gran Bretaña e Irlanda del Norte adhirió al Convenio Internacional de Telecomunicaciones (Buenos Aires, 1952) el 16 de noviembre de 1953, y que, en el Convenio Internacional de Telecomunicaciones (Ginebra, 1959) se denomina de la manera siguiente: «Territorios de Ultramar de cuyas relaciones internacionales es responsable el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte».

**XVII***De la República Checoeslovaca:*

La Delegación checoeslovaca declara, en nombre del Gobierno de la República Checoeslovaca, que no acepta ninguna consecuencia de las reservas que tengan como finalidad aumentar su parte contributiva en los gastos de la Unión.

**XVIII***De Turquía:*

La Delegación de Turquía declara que el Gobierno de la República de Turquía no puede aceptar ninguna incidencia financiera que eventualmente pueda derivarse de las reservas formuladas por otros gobiernos participantes en la actual Conferencia.

**XIX***De la Unión Sudafricana y Territorio de África del Sudoeste:*

La Delegación de la Unión Sudafricana y Territorio de África del Sudoeste declara que, al firmar este Convenio, en nombre de la Unión Sudafricana y Territorio de África del Sudoeste, lo hace con la reserva de que la Unión Sudafricana y Territorio de África del

Sudoeste no está de acuerdo en considerarse obligada por el Reglamento Telefónico a que alude el artículo 14 del Convenio Internacional de Telecomunicaciones (Ginebra, 1959).

## XX

*De la República de Venezuela:*

Al firmar este Convenio, la Delegación de la República de Venezuela, en nombre de su Gobierno, declara que mantiene las reservas indicadas en el Reglamento Telegráfico y en el Reglamento Telefónico (Ginebra, 1958), así como también la relativa al Reglamento de Radiocomunicaciones (Ginebra, 1959).

## XXI

*De Afganistán, de la República Argentina, de Bélgica, de la República de Colombia, del Congo Belga y Territorio de Ruanda Urundi, de Dinamarca, de España, de los Estados de Ultramar de la Comunidad y Territorios Franceses de Ultramar, de Francia, de México, de Mónaco, de Noruega, del Paraguay, del Perú, de Portugal, de las Provincias Portuguesas de Ultramar, de la República Federal de Alemania, de la República Federativa Popular de Yugoslavia, de Suecia y de Suiza:*

Las Delegaciones de los países mencionados declaran, en nombre de sus respectivos Gobiernos, que no aceptan consecuencia alguna de las reservas que puedan originar un aumento de sus cuotas contributivas para el pago de los gastos de la Unión.

## XXII

*De la República Popular de Albania, de la República Socialista Soviética de Bielorrusia, de la República Popular de Bulgaria, de la República Popular Húngara, de la República Popular de Polonia, de la República Socialista Soviética de Ucrania, de la República Popular Rumana, de la República de Checoslovaquia y de la Unión de Repúblicas Socialistas Soviéticas:*

Las Delegaciones de los países mencionados declaran por la presente, en nombre de sus Gobiernos respectivos, que la decisión adoptada por la Conferencia de plenipotenciarios, Ginebra, 1959, de la Unión Internacional de Telecomunicaciones de reconocer las credenciales de los representantes de Chiang-Kai-Shek para tomar parte en la Confe-

rencia y firmar las Actas finales en nombre de China, es ilegítima, puesto que los representantes legales de China pueden ser sólo representantes designados por el Gobierno central popular de la República Popular de China.

### XXIII

*De la República Popular de Albania, de la República Popular de Bulgaria, de la República Popular Húngara, de la República Popular de Polonia, de la República Popular Rumana y de la República de Checoeslovaquia:*

Al firmar el Convenio Internacional de Telecomunicaciones (Ginebra, 1959), las Delegaciones de los países siguientes: República Popular de Albania, República Popular de Bulgaria, República Popular Húngara, República Popular de Polonia, República Popular Rumana y República de Checoeslovaquia, declaran que reservan para sus Gobiernos respectivos el derecho de aceptar o no el Reglamento de Radiocomunicaciones en su totalidad o en parte.

### XXIV

*Del Reino de Arabia Saudita, de la República de Irak, del Reino Hachemita de Jordania, de Kuwait, de Líbano, del Reino Unido de Líbia, del Reino de Marruecos, de la República Árabe Unida, de la República del Sudán y de Túnez:*

Las Delegaciones de los países mencionados declaran que la firma y la posible ratificación subsiguiente por sus respectivos Gobiernos del Convenio Internacional de Telecomunicaciones (Ginebra, 1959), carecen de validez con relación al Miembro que figura en el Anexo 1 del mismo con el nombre de Israel y no implican en modo alguno su reconocimiento.

### XXV

*De Austria e Italia:*

Austria e Italia se reservan el derecho de adoptar cuantas medidas estimen necesarias para garantizar sus intereses, en el caso de que algunos Miembros o Miembros asociados no contribuyan al pago de los gastos de la Unión, de acuerdo con las disposiciones del Convenio Internacional de Telecomunicaciones (Ginebra, 1959), y si las reservas de otros países pueden comprometer el funcionamiento de sus servicios de telecomunicación.

## XXVI

*De la República Socialista Soviética de Bielorrusia, de la República Socialista Soviética de Ucrania y de la Unión de Repúblicas Socialistas Soviéticas:*

Las Delegaciones de la República Socialista Soviética de Bielorrusia, de la República Socialista Soviética de Ucrania y de la Unión de Repúblicas Socialistas Soviéticas declaran oficialmente por la presente que, al firmar este Convenio, mantienen las reservas en relación con el Reglamento de Radiocomunicaciones formuladas por sus Gobiernos respectivos al ratificar el Convenio Internacional de Telecomunicaciones (Buenos Aires, 1952).

## XXVII

*De Ghana, de la República de Guinea y de Irán:*

Las Delegaciones de los países mencionados declaran que sus Gobiernos se reservan el derecho de adoptar las medidas que juzguen necesarias para la salvaguardia de sus intereses en el caso de que los Miembros o Miembros asociados dejen de cumplir las disposiciones del Convenio Internacional de Telecomunicaciones (Ginebra, 1959), o de que las reservas por ellos formuladas perjudiquen a sus servicios de telecomunicaciones.

## XXVIII

*Del Reino Hachemita de Jordania y de la República Árabe Unida:*

Las Delegaciones del Reino Hachemita de Jordania y de la República Árabe Unida manifiestan, en nombre de sus Gobiernos respectivos, su desacuerdo con los números 42 y 97 en los que se autoriza al Consejo de Administración a concertar acuerdos con las organizaciones internacionales en nombre de la Unión. Sus Gobiernos no se considerarán obligados por los acuerdos que vayan, a su juicio, en contra de sus intereses.

## XXIX

*De la Federación de Australia, de Nueva Zelanda, de Pakistán, de la República de Filipinas, del Reino Unido de Gran Bretaña e Irlanda del Norte y de la Unión Sudafricana y Territorio de África del Sud-oeste:*

Las Delegaciones de los países mencionados se reservan el derecho de adoptar las medidas que consideren necesarias para proteger sus intereses en el caso de que ciertos Miembros o Miembros asociados no

contribuyan al pago de los gastos de la Unión, o no cumplan las disposiciones del Convenio Internacional de Telecomunicaciones (Ginebra, 1959), o de sus Anexos o Protocolos adjuntos, o cuando las reservas formuladas por otros países perjudiquen a sus servicios de telecomunicaciones.

EN FE DE LO CUAL, los plenipotenciarios respectivos firman el Convenio en cada uno de los idiomas chino, español, francés, inglés y ruso, en la inteligencia de que, en caso de desacuerdo, el texto francés hará fe; este ejemplar quedará depositado en los archivos de la Unión Internacional de Telecomunicaciones, la cual remitirá una copia del mismo a cada uno de los países signatarios.

En Ginebra, a 21 de diciembre 1959.

*Siguen las mismas firmas que para el Convenio*

國際電信公約  
一九五九年，日內瓦

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(公約，第一條)

# 國際電信公約

## 前文

- 一 各締約國政府全權代表，在充分承認每一國家有管制其電信之主權下，為藉有效之電信業務以增進人民間之關係與合作起見，經同意締結下列公約。
- 二 國際電信聯合會由加入本公約之國家與領土羣構成之。

## 第一章

### 電聯會之組成，職掌及機構

## 第一條

### 電聯會之組成

- 三 一、國際電信聯合會應包含會員及仲會員。
- 四 二、電聯會之會員應為：
  - 甲) 本公約附件一所列之任何國家或領土羣，正行或代為簽署及批准，或加入本公約者；
  - 乙) 本公約附件一未列之任何國家而成為聯合國之會員並依照第十八條加入本公約者；
  - 丙) 本公約附件一未列之任何自主國家而非為聯合國之會員申請為電聯會會員，而此項申請並獲得電聯會三分之二會員之認可

(公約，第一條)

後，依照第十八條加入本公約者。

**七 三、電聯會之仲會員應為：**

- 甲 ) 本公約附件二所列之任何國家，領土或領土羣，經自行或代為簽署及批准，或加入本公約者；**
- 八 乙 ) 任何國家依照第四至六各款未經成為電聯會之會員，而其申請為仲會員於獲得電聯會多數會員之認可後，依照第十八條加入本公約者；**
- 九 丙 ) 凡不完全負責處理其國際關係之任何領土或領土羣，其申請為仲會員，由電聯會之一個會員提出，經電聯會多數會員之認可後，由該會員依照第十八或十九條代為簽署及批准或加入本公約者；**
- 一〇 丁 ) 任何託管領土，其申請為仲會員由聯合國提出，並經聯合國依照第二十條代為加入本公約者。**
- 一一 四、倘任何領土或領土羣為構成電聯會會員所屬領土羣之一部份，依照第七與九兩款而成為或已成為電聯會仲會員者，其在本公約下之權利與義務應以屬於仲會員者為限。**
- 一二 五、倘為第六、八與九各款目的，於兩屆全權代表會議之間，申請為會員或仲會員，並循外交途徑經由電聯會會址所在國轉達者，應由秘書長諮詢電聯會會員；倘有會員在徵求其意見後四個月內尚無答復者，應作棄權論。**

(公約，第二至四條)

## 第二 條

### 會員及仲會員之權利與義務

- 一三 一、(一)所有會員應有權參加電聯會之會議並應有被選入其任何機關之資格。
- 一四 (二)每一會員在電聯會一切會議時，在其所參加之國際諮詢委員會集合時，並該會員倘為行政理事會會員而在該理事會各屆會議時，均應有一表決權。
- 一五 (三)每一會員在以通信方式進行一切諮詢時亦應有一表決權。
- 一六 二、電聯會仲會員應具有與會員同等之權利與義務，惟在電聯會之任何會議或其他機關應無權表決或推薦國際頻率登記委員會委員之候選人。仲會員應無被選入行政理事會之資格。

## 第三 條

### 電聯會之會址

- 一七 電聯會之會址應在日內瓦。

## 第四 條

### 電聯會之宗旨

- 一八 一、電聯會之宗旨為：
- 甲)維持及擴展國際合作以求各種電信之改進及合理使用；
- 一九 乙)促進技術設施之發展及其最有效之運用，以期改進電信業務之效率，增進其效用，並盡量可能使其為公眾普遍利用；
- 二〇 丙)調諧各國之行動以達該等共同目的。

(公約，第四至五條)

- 二一** 二、為此，電聯會尤應：
- 甲**) 實施無線電頻譜之分配及無線電頻率指配之登記，以便避免不同國家無線電台間妨礙性干擾；
  - 二二** 乙) 協調各不同國家無線電台間消除妨礙性干擾之努力並改進無線電頻譜之利用；
  - 二三** 丙) 促成會員及仲會員間之合作，以期適合有效業務並顧及在健全基礎上維持電信獨立財政之需要，制訂儘低階準之費率。
  - 二四** 丁) 藉其可用之一切方法，促成新興或在開發中國家之電信設備及網路之創設，發展及改進，尤以其參加聯合國適當計劃為然；
  - 二五** 戊) 促進藉電信業務之合作以保證生命安全措施之採用；
  - 二六** 己) 為所有會員及仲會員之利益，從事關於電信事項之研究，擬具建議書與意見書，並蒐集與刊佈資料。

## 第五條

### 電聯會之機構

- 二七** 電聯會之組織應如下：
- 一、全權代表會議，為電聯會之最高機關；
  - 二八** 二、行政會議；
  - 二九** 三、行政理事會；
  - 三〇** 四、電聯會之常設機關為：
- 甲**) 總秘書處；
  - 三一** 乙) 國際頻率登記委員會（頻登會）；

(公約，第五至六條)

- 三二 丙) 國際無線電話諮詢委員會(無線電話委會)；
- 三三 丁) 國際電報電話諮詢委員會(報話諮詢委會)。

## 第六條

### 全權代表會議

- 三四 一、全權代表會議應：

  - 甲) 決定為達成本公約第四條所規定電聯會宗旨之一般政策；
  - 乙) 審議行政理事會自上屆全權代表會議以後關於其本身及電聯會活動之報告書；
  - 丙) 制訂至下屆全權代表會議為止之電聯會預算基準，並確定電聯會費用之財務限額；
  - 丁) 訂定電聯會所有官員之基本薪給，薪級及津貼與養老金之制度；
  - 戊) 最後核准電聯會之帳目；
  - 己) 選舉在行政理事會任職之電聯會會員；
  - 庚) 選舉秘書長及副秘書長並決定其就職日期；
  - 辛) 倘認為有此必要，修訂本公約；
  - 壬) 於必要時，締結或修訂電聯會與其他國際組織間之協定，審查行政理事會代表電聯會與該等組織所締結之任何臨時協定，並對之採取其所認為適當之措施；
  - 癸) 處理該等或屬必要之其他電信問題。

- 四五 二、全權代表會議之日期與地點通常應由上屆全權代表會議決定之。
- 四五 三、(一)下屆全權代表會議之日期及地點，或兩者之一，得變更之：

( 約，第六至七條 )

- 四六 甲) 當電聯會二十個以上之會員及仲會員經向秘書長個別提議  
變更，或，
- 四七 乙) 經行政理事會之提議。
- 四八 (二)遇有前項情形之一時，新日期或地點，或兩者應經電聯會  
多數會員之同意而確定之。

## 第七條

### 行政會議

- 四九 一、電聯會之行政會議應包含：
- 甲) 選常行政會議；
- 五〇 乙) 非常行政會議；
- 五一 丙) 特別會議，計包括：
- 特別區域性會議；
- 世界性或區域性特別業務會議。
- 五二 二、(一)選常行政會議應：
- 甲) 修訂第一九三款所規定與各該會議分別有關之規則；
- 乙) 處理本公約及一般規則條文範圍內所認為必要之切其他  
事務，及全權代表會議所交付之任何指示。
- 五四 (二)此外，選常無線電行政會議應：
- 甲) 選舉國際頻率登記委員會委員；
- 乙) 對頻登會頒發有關其活動之指示並檢討此等活動。
- 五六 三、(一)選常行政會議之日期與地點之確定應：
- 甲) 由上屆行政會議決定之，倘該會議願作此項決定；或
- 乙) 當電聯會二十個以上之會員及仲會員經向秘書長個別提出  
請求，或
- 五八 丙) 經行政理事會之提議。

## (公約，第七條)

**五九** (二)當第五七或五八款適用時，其日期與地點之確定應經電聯會多數會員之同意。

**六〇** 四、(一)非常行政會議應為審議若干特定電信事項而召開。該項會議僅得討論其議程內所列之項目。

**六一** (二)非常行政會議得修訂與其有關之任何一種行政規則內之若干條文，惟該等條文之修訂須依照第六五款經多數會員之認可列入議程。

**六二** 五、(一)非常行政會議之召開得：

甲)由全權代表會議決定，該會議應確定其議程與日期與其集會之日期及地點；或

**六三** 乙)當電聯會二十個以上之會員及仲會員經個別通知祕書長其應舉行此一會議之願望，以審議其所提出之議程；或

**六四** 丙)經行政理事會之提議。

**六五** (二)遇有第六三及六四兩款所規定之情形時，會議之日期與地點以及其議程應經電聯會多數會員之同意而確定之。

**六六** 六、特別會議應僅為審議其議程內所列事項而召開。在一切情況下，其決定必須符合本公約及行政規則之條款。

**六七** 七、(一)特別會議之召開得：

甲)由全權代表會議或尋常或非常行政會議決定並應確定其議程與其應集合之日期及地點；或

**六八** 乙)如為一世界性特別業務會議，當電聯會二十個以上之會員及仲會員，或如為一區域性特別會議或區域性特別業務會議，經該有關區域四分之一以上之會員及仲會員個別通知

(公約，第七至八條)

祕書長其應舉行此一會議之願望，以審議其所提出之議程；或

- 六九** 丙) 經行政理事會之提議。
- 七〇** (二) 遇有第六八及六九兩款所規定之情形時，會議之日期與地點以及其議程，如其為世界性特別會議應經電聯會多數會員之同意而確定，如其為區域性特別會議或區域性特別業務會議應經該有關區域多數會員之同意而確定之。
- 七一** 八、(一) 零常行政會議，特別行政會議，或世界性特別業務會議之日期及地點，或兩者之一，得變更之：
  - 甲) 當電聯會二十個以上之會員及仲會員經向祕書長個別提議變更；或
  - 乙) 經行政理事會之提議。
- 七三** (二) 遇有前項情形之一時，新日期或地點，或兩者應經電聯會多數會員之同意而確定之。
- 七四** 九、(一) 區域性特別會議或區域性特別業務會議之日期及地點，或兩者之一，得變更之：
  - 甲) 經該有關區域四分之一以上之會員及仲會員之提議；或
  - 乙) 經行政理事會之提議。
- 七六** (二) 遇有前項情形之一時，新日期及地點，或兩者之一應經該有關區域多數會員之同意而確定之。

## 第 八 條

### 會議之議事規則

- 七七** 會議工作之編組及討論之進行，應適用附屬於本公約一般規則內之議事規則。惟每一會議得採用其所認為必需之附加規定。

(公約，第九條)

## 第 九 條

### 行政理事會

#### 甲・組織及工作處理辦法

- 七八** 一、(一)行政理事會應由全權代表會議經適當顧及公勻代表世界各部份之需要而選出電聯會之二十五個會員組成之。選入理事會之電聯會會員應任職至經全權代表會議選出一新理事會之日期為止。會員應有被連選之資格。
- 七九** (二)倘在兩屆全權代表會議間，遇有行政理事會席位出缺時，應由與出缺會員在同一區域而在上次選舉時落選者中得票最多之電聯會會員當然遞補之。
- 八〇** 二、行政理事會每一會員指派在電信業務方面具有資格者一人到理事會任職，並在理事會任期內應儘可能設法避免更換該代表。
- 八一** 三、理事會每一會員應有一表決權。
- 八二** 四、行政理事會應採用其自行制定之議事規則。
- 八三** 五、行政理事會應於每屆年會之始，自行選舉其主席及副主席。主席及副主席應任職至下屆年會開始時為止，並有被連選之資格。副主席應於主席缺席時代理之。
- 八四** 六、(一)理事會應在電聯會會址每年舉行一次年會。
- 八五** (二)理事會在此項年會期內得例外決定舉行額外會議一次。
- 八六** (三)在兩屆常會間，理事會主席經其多數會員之請求時，通常得在電聯會會址召集額外會議。
- 八七** 七、秘書長及副秘書長，國際頻率登記委員會正主席與副主席以及國際諮詢委員會各總幹事，得當然參加行政理事會之審議，惟不得參加

(公約，第九條)

表決。但理事會得舉行限於其會員出席之集會。

八八 八、電聯會祕書長應充任行政理事會祕書。

八九 九、(一)在兩屆全權代表會議間，行政理事會應在全權代表會議所託付之權限以內代行其任務。

九〇 (二)理事會應僅在正式會議時行使職權。

九一 十、行政理事會每一會員之代表，應有權以觀察員資格出席第三一、三二及三三各款所述之電聯會各常設機關之所有集會。

九二 十一、電聯會僅負擔行政理事會每一會員之代表以此資格出席理事會會議時所需之川資及日用費。

#### 乙・任 務

九三 十二、(一)行政理事會應負責採取一切步驟以便利會員及仲會員實施本公約，各規則之規定，全權代表會議之決定，並如屬適當，電聯會其他會議與集會之決定。

九四 (二)行政理事會應保證電聯會工作之有效協調。

九五 十三、行政理事會尤應：

九六 甲) 執行全權代表會議所指定之任何任務；

九七 乙) 在兩屆全權代表會議之間，負責與本公約第二十八及二十九兩條所指之一切國際組織取得協調；並為此目的，

一、代表電聯會與本公約第二十九條所指之國際組織，

## (公約第九條)

以及為適用本公約附件六所含之協定與聯合國締結臨時協定；此等臨時協定應依照第四二款提送下屆全權代表會議；

- |     |   |
|-----|---|
| 九八  | 二、代表電聯會指派代表一人或多參加各該組織之會議，並於必要時參加與該等組織共同設立之協調委員會；                |
| 九九  | 丙)顧及全權代表會議所交付之一般指示，決定電聯會總祕書處及各常設機關專門秘書處職員之人數與等級；                |
| 一〇〇 | 丁)擬定其所認為必要之電聯會行政及財務活動之規則；其行政規程須顧及聯合國及其各專門機構現行實施之薪給、津貼與養老金之共同制度； |
| 一〇一 | 戊)監督電聯會之行政任務；   |
| 一〇二 | 己)審核及核准電聯會之每年預算，以保證儘可能最嚴格之撙節；                                   |
| 一〇三 | 庚)對祕書長所編造電聯會帳目之年度審計予以安排並核准，以便提送下屆全權代表會議；                        |
| 一〇四 | 辛)必要時調整：  |
|     | 一、專業類及主管類職員之基本薪級與聯合國所採用共同制度內同類職員基本薪級之任何調整相符合，但選任職位之薪給除外；        |
| 一〇五 | 二、普通類職員之基本薪級與聯合國組織及其在電聯會會址所在地各專門機構所適用之薪級調整相符合；                  |
| 一〇六 | 三、專業類及以上職位之調整，包括選任職位在內，依  |

( 公約，第九條 )

照聯合國之決定適用於電聯會會址所在地；

- 〇七 四、電聯會所有職員之津貼，依照聯合國共同制度所採之任何變更；
- 〇八 五、電聯會及職員應付聯合國職員聯合養老基金之認擔費用，依照聯合國職員聯合養老金委員會之決定；
- 〇九 壬 ) 依賴本公約第六及七兩條籌備召集電聯會全權代表及行政會議；
- 一〇 癸 ) 對電聯會全權代表會議提供其認為有用之任何建議；
- 一一 子 ) 協調電聯會各常設機關之活動，對於各該機關所提之請求或建議，採取其認為適當之行動，並審核其年報；
- 一二 丑 ) 倘其認為有此需要，臨時設法補充副秘書長空缺；
- 一三 寅 ) 臨時設法補充國際諮詢委員會總幹事空缺；
- 一四 卯 ) 執行本公約對其所規定之其他任務，並在本公約及各類規則範圍內，對電聯會妥善施政認為必要之任何任務；
- 一五 辰 ) 經電聯會多數會員之同意，採取必要步驟，臨時解決不在公約及其附件範圍內而又不及等待下屆專屬會議解決之各項問題；
- 一六 巳 ) 提送關於其本身及電聯會各項活動之報告書備供全權代表會議審議；
- 一七 午 ) 藉其可用之一切方法，促進對新興及在開發中國家予以技術協助之國際合作，尤以透過電聯會參加聯合國之適當計劃為然；並依照電聯會之宗旨，藉一切可能方法以促進電信之發展。

(公約，第十條)

## 第 十 條

### 總 祕 書 處

- 一一八** 一、(一)總祕書處應受祕書長之指揮，由一副祕書長輔助之。
- 一一九** (二)祕書長及副祕書長應自其選舉時所決定之日期就職。通常祕書長及副祕書長應繼續任職至下屆全權代表會議所決定之日期為止，並應有被連選之資格。
- 一二〇** (三)祕書長應對付託予總祕書處之一切任務及電聯會之一切行政及財務業務，對全權代表會議負責，並在兩屆全權代表會議集會之間，對行政理事會負責。副祕書長應對祕書長負責。
- 一二一** (四)倘祕書長之職位出缺，副祕書長應臨時代行其職務。
- 一二二** 二、祕書長應：
- 甲**)透過由其擔任主席及由副祕書長以及各常設機關首長組成之協調委員會以協調電聯會各常設機關之活動；此項協調應適用於行政事項，技術協助，對外關係，公眾報導以及行政理事會所特別規定之任何其他重要事項。
  - 乙**)依照全權代表會議之指示及行政理事會制訂之規則，支配總祕書處之工作並指派該祕書處之職員；
  - 丙**)為電聯會各常設機關之專門祕書處擔任行政安排並會同各常設機關首長指派各該祕書處之職員；該項指派應參照後者之選擇為之，但指派或解職之最後決定應屬於祕書長；

(公約，第十條)

- 一、二五 丁) 將聯合國及各專門機構影響服務條件，津貼及養老金共同制度所作之任何決定，報告行政理事會；
- 一、二六 戊) 保證行政理事會所核准之一切財務及行政規則應用於各專門秘書處；
- 一、二七 己) 僅為行政目的監督該等專門秘書處之職員，該等職員應直接秉承電聯會各常設機關首長之命工作；
- 一、二八 庚) 擔任電聯會會議前後之秘書工作；
- 一、二九 辛) 在適當情形下，與邀請國政府合作籌設電聯會每次會議之秘書處，並如經請求或依附屬於本公約各規則之規定，籌設電聯會各常設機關集會或在其主持下集會之秘書處；秘書長如經請求，亦得基於契約條件籌設其他電信集會之秘書處；
- 一、三〇 壬) 保持自電聯會各常設機關或各主管機關為此目的所供給之資料所編製之各種正式表冊之現時性，惟關於國際頻率登記委員會任務內之統登記表以及其他類似之主要紀錄除外；
- 一、三一 癸) 刊行電聯會各常設機關之建議書及主要報告書；
- 一、三二 甲) 刊行有關當事者所送之國際性及區域性電信協定，並保持此等協定紀錄之現時性；
- 一、三三 乙) 刊行國際頻率登記委員會之技術標準以及頻登會為執行其任務而編製之有關頻率指配及利用之其他類似資料；
- 一、三四 丙) 編製，刊行並保持其現時性，如屬適當，由電聯會其他常設機關協助之：

(公約，第十條)

- 一三五 一、電聯會之組成及機構之紀錄；
- 一三六 二、附屬於本公約各規則所規定之電聯會一般統計及正式業務文件；
- 一三七 三、會議或行政理事會所指示之其他類似文件；
- 一三八 卅) 分配刊行之文件；
- 一三九 廿) 覓集並以適當方式刊行關於全世界各國之國內及國際電信資料；
- 一四〇 己) 與電聯會各常設機關合作彙集並刊行對新興或在開發中國家可能特別有用以助其改進電信網之技術及行政資料。在聯合國主持下各種國際計劃之可能貢獻亦應加以注意；
- 一四一 午) 覓集並刊行將有助於會員及仲會員關於技術方法之發展之資料，以達成電信業務之最有效之運用，而尤以無線電頻率之可能最佳使用以期減少干擾為然；
- 一四二 未) 藉其可用或自行覓集之資料，包括其可能獲自其他國際組織者在內，按期刊行關於電信一般資料及參考文件之期刊。
- 一四三 申) 編造年度概算並提送行政理事會，經該理事會核准後，應分發所有會員及仲會員參考；
- 一四四 西) 編造財務收支報告及帳目按年提送行政理事會，並緊接每屆全權代表會議之前彙編扼要帳目；此等帳目經行政理事會審查並核准後，應通報各會員及仲會員並應提送下屆全權代表會議審查及最後核准；

(公約，第十一條)

- 一四五 成) 編造電聯會活動之年報，經行政理事會核准後，應分發所有會員及仲會員；
- 一四六 壓) 執行電聯會之一切其他祕書職務。
- 一四七 三、副祕書長應輔助祕書長執行其職務，以及祕書長付託其擔任之指定工作。副祕書長應在祕書長缺席時執行後者之職務。
- 一四八 四、祕書長或副祕書長得以諮詢資格參加國際諮詢委員會之全體大會，及電聯會之一切會議；祕書長或其代表得以諮詢資格參加電聯會之所有其他集會。

## 第十一條

### 電聯會之高級官員及職員

- 一四九 一、祕書長，副祕書長及諮詢委員會各總幹事，均應為電聯會會員各不同國家之國民。
- 一五〇 二、(一)祕書長，副祕書長，國際頻率登記委員會委員與諮詢委員會各總幹事以及電聯會之職員，於執行其職務時，不得圖謀或接受任何政府或電聯會以外任何其他當局之指示。該員等應避免與其國際官員身份不相容之任何行為。
- 一五一 (二)每一會員及仲會員應尊重第一五〇款所述官員及電聯會職員之職務專屬國際性，並應避免試圖影響其工作之執行。
- 一五二 三、招僱職員及決定服務條件之首要考慮應為電聯會獲得效率、才能，及忠誠之最高標準。在可能範圍內基於地域上之普及以招僱職員之重要性，必須予以充分注意。

(公約，第十二條)

## 第十二條

### 國際頻率登記委員會

**一五三** 一、國際頻率登記委員會之主要任務應為：

甲) 實施各不同國家所作頻率指配之有規律記錄，俾便依照無線電規則所規定之程序並依照電聯會專屬會議所作之任何決定，確定每一此等頻率指配之日期，目的及技術特性，以保證其國際間之正式承認；

**一五四** 乙) 向會員及仲會員提供意見，以期在波譜內可能發生妨礙性干擾之各該部份運用最大實用數目之無線電頻路；

**一五五** 丙) 執行電聯會某一專屬會議，或行政理事會徵得電聯會多數會員同意為籌備或舉行此會議決議所規定之有關頻率指配及頻率利用之任何附加任務；

**一五六** 丁) 保持有關執行其任務之主要記錄。

**一五七** 二、(一) 國際頻率登記委員會應由依照第一六〇至一六九各款所指定之十一位獨立性委員組成之。

**一五八** (二) 頻登會委員在無線電方面之技術訓練應完全合格，並應對頻率指配與頻率之利用具有實際經驗。

**一五九** (三) 再者，為使根據第一五四款頻登會所面臨之間題更能切實瞭解起見，每一委員應熟諳世界某一特定地區內之地理，經濟與人口統計情況。

**一六〇** 三、(一) 等常無線電會議應在其每屆集會時選舉頻登會之十一位委員。此等委員應自電聯會會員國所提名之候選人中選出之。電聯會每一

## (公約，第十二條)

會員僅得提出應為該國國民之候選人一人。每一候選人應具有第一五八及一五九兩款所規定之資格。

一六一 (二)選舉程序應由該會議自行制訂，須保證為一公勻代表世界各部份之方法。

一六二 (三)每次選舉時頻登會之任何現任委員得由其為該國國民之國家再度提名為候選人。

一六三 (四)頻登會委員應於選出各該委員之尋常無線電行政會議所決定之日期就職。各委員通常應繼續任職至下屆會議所決定之繼任委員就職日期為止。

一六四 (五)倘在兩屆尋常無線電行政會議之間，頻登會之當選委員辭職或無正當理由放棄其職務逾三個月以上時，頻登會主席應即要求其為該國國民之電聯會會員國儘速指定亦為該國國民之替補委員。

一六五 (六)倘電聯會之該有關會員國自此項請求之日起三個月內尚未指定替補委員，該會員國應即對該屆未滿任期喪失指派人員至頻登會任職之權利。

一六六 (七)倘在兩屆尋常無線電行政會議之間，替補委員又辭職或無正當理由放棄職務逾三個月以上時，則其為該國國民之電聯會會員國不得再有指派替補委員之資格。

一六七 (八)在第一六五及一六六兩款所述之情況下，頻登會主席應即請求上次選舉時該有關區域內落選者中得票最多數候選人之電聯會會員國，指派該員至頻登會在該屆未滿任期內任職。倘該員不能就職時，應邀請該有關國家指派亦應為該國國民之替補委員。

一六八 (九)倘在兩屆尋常無線電行政會議之間，當選之頻登會委員或其替補委員死亡，則其為該國國民之電聯會會員國應保有指派亦應為該

(公約，第十二至十三條)

國國民之繼任者之權利。

**一六九** (十)為保障頻登會之工作效率，任何國家有該國之國民已當選為頻登會委員者，應儘可能避免將該員於兩屆尋常無線電行政會議間予以召回。

**一七〇** 四、(一)頻登會之工作處理辦法規定於無線電規則。

**一七一** (二)頻登會應自其委員中選舉主席與副主席各一人，任期一年。此後，每年應由副主席接任主席並應選舉新副主席一人。

**一七二** (三)頻登會應由一專門秘書處輔助之。

**一七三** 五、(一)頻登會委員並非為其本國或一區域之代表，而應以一國際公共付託之保管人身份服務。

**一七四** (二)頻登會委員不得請求或接受任何政府或任何政府官員，或任何公共或私人組織或個人，關於其執行其職務之指示。再者每一會員及仲會員必須尊重頻登會及其委員任務之國際性，並應避免任何圖謀影響任何委員職務之執行。

**一七五** (三)頻登會委員或其職員，除頻登會之工作外，不得以任何形式參加任何電信部門，或對其有任何財務權益。惟“財務權益”一詞，不得解釋為適用於因以往職業或服務而獲得之退休利益之繼續享有。

## 第十三條

### 國際諮詢委員會

**一七六** 一、(一)國際無線電諮詢委員會（無線電諮詢委員會）之任務應為研究特別有關無線電通信之技術與運用問題，並對各該問題刊發建議書。

(公約第十三條)

- 一七七 (二)國際電報電話諮詢委員會(報話諮詢委員會)之任務應為研究關於電報術及電話術之技術，運用及價目問題，並對各該問題刊發建議書。
- 一七八 (三)每一諮詢委員會於執行其任務時，對於直接有關新興及在開發中國家之區域性與國際性電信之創設，發展與改進問題之研究及建議書之擬定方面應予以充份之注意。
- 一七九 (四)經有關各國請求時，每一諮詢委員會亦得對其國內電信問題予以研究並提供意見。
- 一八〇 二、(一)每一國際諮詢委員會所研究及應刊發建議書之問題，應為由全權代表會議，行政會議，行政理事會，另一諮詢委員會，或國際頻率登記委員會所提出者，此外為該諮詢委員會之全體大會所自行決定，或在其兩屆全體大會之間，經電聯會十二個以上之會員或仲會員通信請求或認可者。
- 一八一 (二)國際諮詢委員會全體大會准向行政會議提送直接由其建議書或根據其所研究問題之結果而產生之提案。
- 一八二 三、國際諮詢委員會應有之會員：

  - 甲)所有電聯會會員及仲會員之主管機關均為當然會員；
  - 乙)任何經承認之私營機構，表示願參加此等委員會之工作而經其原承認之會員或仲會員核准者。

- 一八四 四、每一諮詢委員會之工作應經由：

  - 甲)全體大會，通常每三年集會一次。當召集相關之尋常行政會議時，如屬可能，該全體大會至少應於此會議之八個月

(公約，第十三至十四條)

前集會；

- 一八五 乙) 各研究組，應由全體大會設置以處理有待研審之問題；
- 一八六 丙) 總幹事，由全體大會選舉之。其身份應為一永久官員，但其服務條件得另訂之；
- 一八七 丁) 專門秘書處，以輔助總幹事；
- 一八八 戊) 實驗室或技術設備，由電聯會設置。
- 一八九 五、(一) 諮詢委員會，在其適用範圍內，應遵守附屬於本公約之一般規則所含之會議之議事規則。
- 一九〇 (二) 諮詢委員會全體大會得採用與會議之議事規則不相抵觸之附加規定，以利委員會之工作。
- 一九一 六、諮詢委員會之工作處理辦法規定於附屬於本公約之一般規則第二部。

## 第十四條

### 規則

- 一九二 一、除依第八條之規定外，本公約附件五所含之一般規則應與本公約有同等之效力及期限。
- 一九三 二、(一) 本公約之規定由下列各種行政規則充實之，此等規則所有會員及仲會員均應有遵守之義務：  
 電報規則，  
 電話規則，  
 無線電規則，  
 附加無線電規則。
- 一九四 (二) 會員及仲會員應將其對於行政會議對此等規則之任何修訂之核准通知祕書長。祕書長應將接到有關此項核准之通知立即通知會員

(公約第十四至十五條)

及仲會員。

**一九五** 三、如本公約之規定與各規則之規定有所抵觸時，應以本公約為準。

## 第十五條

### 電聯會之財務

**一九六** 一、電聯會之費用應包括之支出為：

甲) 行政理事會，總祕書處，國際頻率登記委員會，國際諮詢委員會之各祕書處，及電聯會之實驗室與技術設備；

**一九七** 乙) 各種會議，依本公約第六及七兩條之規定，經電聯會多數會員之決定或同意而召開者；

**一九八** 丙) 國際諮詢委員會之一切集會；

**一九九** 二、第五一款所指而不包括於第一九七款之特別會議，並經行政理事會查明有關該區域內會員及仲會員之多數意見而確屬區域性質者，其所需費用應由該區域內所有會員及仲會員，以及其他區域之任何會員及仲會員業經參加該項會議者，依照其單位分等負擔之。

**二〇〇** 三、凡不包括於上列第一九七及一九九兩款之其他特別會議，其所需費用應由同意參加或業經參加此項會議之會員及仲會員依照其單位分等負擔之。

**二〇一** 四、行政理事會應顧及全權代表會議所決定之支出限額，審核並核准電聯會之每年預算。

**二〇二** 五、電聯會之費用應與會員及仲會員之認擔費用相配合，每一會員及仲會員繳付一與其自下列等級所選定之認擔費用等級中單位數目成比

(公約，第十五條)

## 例之數額：

三十單位級	八單位級
二十五單位級	五單位級
二十單位級	四單位級
十八單位級	三單位級
十五單位級	二單位級
十三單位級	一單位級
十單位級	半單位級

- 二〇三 六、會員及仲會員應自由選定其支付電聯會費用之認擔費用等級。
- 二〇四 七、(一)每一會員及仲會員至少應於本公約生效前六個月將其選定之認擔費用等級通知祕書長。
- 二〇五 (二)此項決定應由祕書長通知會員及仲會員。
- 二〇六 (三)凡未能在第二〇四款所規定之日期前通知其決定之會員及仲會員，將根據國際電信公約（一九五二年，布諾賽爾）之規定而依照其認擔費用等級認擔之。
- 二〇七 (四)會員及仲會員得隨時選定一較其業經選定等級為高之認擔費用等級。
- 二〇八 (五)依照第二〇四及二〇六兩款所確定之單位分等，在本公約有效期間不得減少。
- 二〇九 八、會員及仲會員應預付其按照行政理事會核准之預算而計算之每年應攤費用。
- 二一〇 九、欠付數額應自電聯會每一財政年度開始之日起計算利息，首六個月為年息三釐（百分之三），自第七個月開始為年息六釐（百分之六）。
- 二一一 十、(一)經承認之私營機構及科學或工業組織，應攤付其所同意參加或業經參加之會議或集會之費用。

(公約，第十五至十六條)

- 二一—** (二)國際組織，除經行政理事會以互惠條件豁免者外，亦應攤付其所准許參加之會議或集會之費用。
- 二一—** (三)此項認擔費用之數額應由行政理事會決定之，並應列為電聯會之收入。此等費用應依照行政理事會制訂之規則負擔利息。
- 二一—** 十一、電聯會之實驗室及技術設備，為個別會員或仲會員，或會員或仲會員羣，或區域性組織或其他單位，辦理測試，試驗，或特種研究所需費用，應由各該會員或仲會員，羣，組織或其他單位負擔之。
- 二一—** 十二、凡售與各主管機關，經承認之私營機構，或個人之文件之售價應由祕書長會同行政理事會決定之，惟須注意文件之出售大致應與印刷與分配之費用相抵。

## 第十六條

### 語文

- 二一—** 一、(一)電聯會之正式語文應為中文，英文，法文，俄文及西班牙文。
- 二一—** (二)電聯會之工作語文應為英文，法文及西班牙文。
- 二一—** (三)遇有爭執時，應以法文本為準。
- 二一—** 二、(一)全權代表及行政會議之最後文件，其最後法案，最後聲明書及附加議定書，決議案，建議書及意見書，應以電聯會之各種正式語文撰具同一體裁及內容之各種語文本。
- 二一—** (二)此等會議之一切其他文件應以電聯會之各種工作語文刊發之。
- 二一—** 三、(一)行政規則所規定之電聯會正式業務文件應以五種正式語文刊行之。

## (公約，第十六條)

二二二 (二)凡由祕書長依其職務所編製而供一般分發之一切其他文件，應以三種工作語文撰具之。

二二三 四、第二一九至二二二各款所指之任何文件得以各該款規定以外之語文刊行，惟請求此項刊行之會員及仲會員須擔任支付其所需翻譯及刊印之全部費用。

二二四 五、(一)在電聯會之會議以及於必要時在其各常設機關與行政理事會之集會中，應藉三種工作語文與俄文間相互翻譯之有效方式以助辯論之進行。

二二五 (二)當一集會之全體參加者同意時，得以少於上述四種語文進行辯論。

二二六 六、(一)在電聯會之會議以及其各常設機關與行政理事會之集會中，亦得使用第二一七至二二四各款所述以外之語文：

二二七 甲)倘經向祕書長或有關常設機關之首長申請增用一種或多種語文以供口述或書面之用時，則因此所需之額外費用應由原申請或贊同之各該會員及仲會員負擔之；

二二八 乙)倘任何代表團自行安排並自備費用，將其本國語文口譯為第二二四款所指語文中之任何一種。

二二九 (二)遇有第二二七款所述情形時，祕書長或有關常設機關之首長應儘可行照申請辦理，但須先獲有關會員或仲會員之允諾將所需費用適時由其付還電聯會；

二三〇 (三)遇有第二二八款所述情形時，有關代表團倘自願時，亦得安排並自備費用將第二二四款所指語文中之一種口譯為其本國語文。

(公約，第十七及十八條)

## 第二章

### 本公約及規則之適用

#### 第十七條

##### 本公約之批准

- 二三一 一、本公約應由每一簽署國政府批准。批准證書應儘速循外交途徑經由電聯會會址所在國政府轉交祕書長收存。祕書長應將收存之每一批准證書通知會員及仲會員。
- 二三二 二、(一)自本公約生效日期起兩年內，一簽署國政府縱或尚未依照第二三一款之規定交存批准證書，仍應享受本公約第十三至十五各款授予電聯會會員之權利。
- 二三三 (二)自本公約生效之日起滿兩年後，一簽署國政府如猶未依照第二三一款之規定交存批准證書，則在電聯會任何會議，或在行政理事會任何屆集會，或在電聯會任何常設機關之任何集會中即無表決權，以迄其交存該項證書時為止。
- 二三四 三、本公約依照第五十二條生效後，每一批准證書應自其交存總祕書處之日起生效。
- 二三五 四、倘一個或多個簽署國政府並未批准本公約時，本公約對於已批准之各國政府之效力，並不因之減少。

#### 第十八條

##### 加入本公約

- 二三六 一、凡非本公約簽署國之政府得遵照第一條之規定，隨時加入本公約。

(公約，第十八至二十一條)

- 二三七** 二、加入證書應循外交途徑經由電聯會會址所在國政府轉送祕書長收存。該證書除另有規定外，應自其交存之日起生效。祕書長當收到每一加入證書時，應通知會員及仲會員並將該證書之簽證副本各分送一份。

## 第十九條

本公約對於由電聯會會員負外交關係責任之國家或領土之適用

- 二三八** 一、電聯會會員得隨時聲明其所接受之本公約適用於由其負外交關係責任之全部或一羣或一個國家或領土。
- 二三九** 二、依照第二三八款所作之聲明應通知電聯會祕書長。祕書長應將每一此項聲明通知會員及仲會員。
- 二四〇** 三、第二三八及二三九兩款之規定，不得認為對於本公約附件一內所列之任何國家，領土或領土羣負有義務。

## 第二十條

本公約對於聯合國託管領土之適用

- 二四一** 聯合國有權代表其依照聯合國憲章第七十五條規定之託管協定所管轄之任何領土或領土羣加入本公約。

## 第二十一條

本公約及規則之履行

- 二四二** 一、會員及仲會員所設立或營運之各電信局及電台之從事國際業務，或對其他國家無線電業務能發生妨礙性干擾者，均有遵守本公約及

(公約第二十一至二十三條)

其附屬規則規定之義務，惟依照本公約第五十條之規定關於免除此等義務之業務除外。

**二四三** 二、此外，會員及仲會員並有採取必要步驟之義務，以責令所有經其准許設立及營運電信之私營機構從事國際業務，或營運電台對於其他國家無線電業務能發生妨礙性干擾者，須遵守本公約及其附屬規則之規定。

## 第二十二條

### 本公約之廢約通知

**二四四** 一、凡業已批准或加入本公約之每一會員及仲會員，應有權廢棄本公約並將廢約通知書循外交途徑經由電聯會會址所在國政府轉送祕書長。祕書長應將此事通知其他會員及仲會員。

**二四五** 二、此項廢約通知應自電聯會祕書長收到通知書之日起屆滿一年時生效。

## 第二十三條

### 本公約對於由電聯會會員為代負外交關係責任之國家或領土之廢約通知

**二四六** 一、凡依照第十九條適用本公約之國家，領土或領土羣得隨時終止適用本公約。此項國家，領土或領土羣，倘其為仲會員時，則於終止適用時停止其仲會員資格。

**二四七** 二、上段所指廢約通知之聲明應符合第二四四款規定之條件通知之；廢約通知應依照第二四五款之規定生效。

(公約，第二十四至二十七條)

## 第二十四條

### 舊公約之廢止

**二四八** 本公約在各締約國政府間之關係上應代替並廢止一九五二年布諾賽爾之國際電信公約。

## 第二十五條

### 現行行政規則之效力

**二四九** 第一九三款所指之行政規則應視為附屬於本公約者，並應在專屬之尋常行政會議，及必要時在非常行政會議所擬訂之新規則生效前繼續有效。

## 第二十六條

### 與非締約國之關係

**二五〇** 一、每一會員及仲會員為其本身及經承認之私營機構保留有權與非本公約締約國決定允許交換電信之條件。

**二五一** 二、倘有電信發自非締約國領土而由會員或仲會員接受時，該項電信必須予以傳遞，並如其循台灣員或仲會員之電信電路傳遞時，本公約及規則內必須遵守之規定與通常資費均應適用於該項電信。

## 第二十七條

### 異議之解決

**二五二** 一、會員及仲會員，得循外交途徑，或依照為解決國際爭執而彼此間締結之雙邊或多邊條約所制訂之程序，或任何互相同意之方法，以解

(公約，第二十七至二十九條)

決彼此間關於應用本公約或第十四條所指規則而引起異議之問題。.

**二五三** 二、倘此等解決方法均不採用時，屬於爭執一方之任何會員或仲會員得將其爭執依照附件四所規定之程序提付仲裁。

### 第三章

#### 與聯合國以及與各國際組織之關係

### 第二十八條

#### 與聯合國之關係

**二五四** 一、聯合國與國際電信聯合會間之關係在協定內闡明，其條文載於本公約附件六。

**二五五** 二、依照上述協定第十六條之規定，聯合國之電信作業單位對本公約及其所屬行政規則應有權享受其權利及負擔其義務。因此，此等單位應有權以諮詢資格出席電聯會議，包括諮詢委員會之集會。

### 第二十九條

#### 與各國際組織之關係

**二五六** 為增進對於影響電信事項之圓滿國際協調起見，電聯會應與在利益上及活動上有關係之各國際組織合作。

(公約，第三十至三十二條)

## 第四章 關於電信之一般規定

### 第三十條

#### 公衆使用國際電信業務之權利

**二五七** 會員及仲會員承認公衆有藉公衆通信之國際業務以資通信之權利。此等業務，資費及保障對於每類通信之所有使用者均應一律並無任何優先或特惠。

### 第三十一條

#### 電信之扣留

**二五八** 一、會員及仲會員對於顯有危及國家安全或違反其法律，或妨礙公衆秩序或有傷風化之任何私務電報，保留有停止其傳遞之權，惟在扣留任何該項電報或扣留其一部份時，應立即通知原發報局，但當此項通知或顯有危及國家安全者除外。

**二五九** 二、會員及仲會員對於顯有危及國家安全或違反其法律，或妨礙公衆秩序，或有傷風化之任何私務電話或電報通信，亦保留有截斷之權。

### 第三十二條

#### 業務之停止

**二六〇** 每一會員及仲會員對於國際電信業務之全部或僅若干部份經及／或對若干種來去或經轉之通信，保留有無定期停止之權，惟此項行動須立

(公約，第三十二至三十五條)

即經由總秘書處通知每一其他會員及仲會員。

### 第三十三條

#### 責 任

**二六一** 會員及仲會員對於國際電信業務之使用者，尤其關於賠償損害之要求，不承諾責任。

### 第三十四條

#### 電信之機密

**二六二** 一、會員及仲會員同意採取適合於所用電信系統之一切可能措施，以保證國際通信之機密。

**二六三** 二、但各會員及仲會員，為保障其國內法律之應用或其所參加之國際公約之履行起見，保留有將該項通信通知有關主管當局之權。

### 第三十五條

#### 電信設備及電路之設立，運用，及保護

**二六四** 一、會員及仲會員應採取或認為必要之步驟，以保證在最佳技術條件下，設立為進行迅速而無間斷之國際電信交換所需之電路與設備。

**二六五** 二、此等電路及設備，在可能範圍內，必須按實際運用所得經驗而發展之最善方法及程序運用並維持於正常作業狀況，且隨科學及技術之進步俱進。

(公約，第三十五至三十九條)

**二六六** 三、會員及仲會員應在其管轄權限內保障此等電路及設備。

**二六七** 四、每一會員及仲會員，除經特別協議另有規定外，應採取必要步驟以保證在其管轄範圍內國際電信電路各該部份之維護。

## 第三十六條

### 違約之通知

**二六八** 為便於適用本公約第二十一條之規定起見，會員及仲會員應將違反本公約及其附屬規則規定之情事互相通知。

## 第三十七條

### 資費及免費業務

**二六九** 關於電信資費以及在各種情況下予以免費業務之規定載於本公約附屬規則內。

## 第三十八條

### 關於生命安全電信之優先權

**二七〇** 國際電信業務對於有關海上，陸上，或空中生命安全之電信，以及世界衛生組織之特急疫情電信必須予以絕對之優先權。

## 第三十九條

### 政務電報及電話之優先權

**二七一** 在本公約第三十八及四十八兩條規定之情形，政務電報如經發報人請求優先權者，應較其他電報享有優先權。政務電話，經特別請求者，並在可行範圍內亦得較其他電話有優先權。

(公約，第四十至四十二條)

## 第 四 十 條

### 密 語

- 二七二** 一、政務電報及公務電報在一切關係上得以密語表示之。
- 二七三** 二、在所有國家間私務電報得准用密語，惟事前經由總祕書處通告不准以此種語文作該類通信者除外。
- 二七四** 三、會員及仲會員不准密語私務電報發自或發往其本國領土者，必須許其過境，惟本公約第三十二條所規定業務之停止情形除外。

## 第 四 十 一 條

### 帳目之造送及結付

- 二七五** 一、會員及仲會員之主管機關及經承認之私營機構營運國際電信業務者，對於其應收與應付之數額應簽致協定。
- 二七六** 二、第二七五款所指之應收與應付帳單，除有關各方已締結特別協議外，應依照附屬於本公約之規則之規定製造之。
- 二七七** 三、國際帳目之結付應視作經常會計事項，有關各國政府對此事項如已締結協議者，並應依照各有關國家所負現行國際義務辦理之。如未經締結此項協議，又未根據本公約第四十三條訂有特別協定者，則此等結付應依照附屬規則辦理之。

## 第 四 十 二 條

### 貨 幣 單 位

- 二七八** 國際電信業務價目之組成與國際帳目之制訂所用之貨幣單位，應為一百生丁之金法郎，其重量為一公分之三十一分之十，而成色為千分之九百。

(公約，第四十三至四十五條)

## 第四十三條

### 特別協定

**二七九** 會員及仲會員為其本身與經其承認之私營機構以及經其正式核准之其他營運機構，保留有訂立不涉及一般會員及仲會員電信事項之特別協定之權。惟此項協定，凡涉及因其應用而可能對其他國家之無線電業務發生妨礙性干擾時，不得與本公約或其附屬規則之條款有所抵觸。

## 第四十四條

### 區域性會議，協定及組織

**二八〇** 會員及仲會員為解決以區域性為基礎而處理之電信問題起見，保留有召集區域性會議，締結區域性協定與成立區域性組織之權。惟此項協定不得與本公約有所抵觸。

## 第五章

### 無線電之特別規定

## 第四十五條

### 頻率及波譜地位之合理使用

**二八一** 各會員及仲會員承認宜將使用之頻率數目及波譜地位限至圓滿供應必要業務之最低需要。

(公約，第四十六至四十七條)

## 第四十六條

### 相互通信

- 二八二 一、在行動業務中辦理無線電之電台，在其正常服務範圍內，不論其採用之無線電系統為何，應負有相互交換無線電通信之義務。
- 二八三 二、但為不致阻礙科學進步起見，第二八二款之規定應不阻止不能與其他不同系統通信之無線電系統之使用，惟此項不能使用須為由於該系統之特殊性質而非由於採用機件專為阻止相互通信為目的之結果。
- 二八四 三、雖有第二八二款之規定，但仍指定電台辦理有限度之國際電信業務，惟須視此項業務之目的，或不與所用系統有關之其他情形而定。

## 第四十七條

### 妨礙性干擾

- 二八五 一、所有電台之設立與運用，不論其目的為何必須不致對其他會員或仲會員或經承認之私營機構之無線電業務或通信，或經正式核准從事無線電業務之其他營運機構且依照無線電規則之規定而運用之無線電業務發生妨礙性干擾。
- 二八六 二、每一會員或仲會員承諾要求經其承認之私營機構及經其為此而正式核准之其他營運機構遵守第二八五款之規定。
- 二八七 三、再者，會員及仲會員承認宜採取一切可行步驟以阻止因運用各種電氣機件與設備而對第二八五款所述之無線電業務或通信發生妨礙性干擾。

(公約，第四十八至五十條)

## 第四十八條

### 遇險呼叫及通信

- 二八八** 無線電台對於遇險呼叫及通信，不問其發自何處，應絕對儘先接收並答復此項通信，並須立即對之採取必要之行動。

## 第四十九條

### 虛偽或欺騙之遇險，安全或識別信號

- 二八九** 會員及仲會員同意採取必要步驟，以防止虛偽或欺騙之遇險，安全或識別信號之傳送或傳佈，並合作測定及鑑定自本國發送此項信號之電台。

## 第五十條

### 國防通信業務之設備

- 二九〇** 一、會員及仲會員對於其陸海空軍之軍用無線電設備保留其完全自由。
- 二九一** 二、但此等設備依照其辦理業務之性質，必須儘可能遵守有關協助遇險及防止妨礙性干擾須採取步驟之法定規定，以及無線電規則中有關使用發射方式及頻率之規定。
- 二九二** 三、再者，此等設備在參加附屬於本公約之規則所規定之公衆通信業務或其他業務時，通常必須符合處理此等業務之監理條文。

(公約，第五十一至五十二條)

## 第六章

### 定義

#### 第五十一條

##### 定義

二九三 在本公約內，除非上下文義別有解釋外，

甲)名詞之由本公約附件三所闡釋者，應具有該附件所指定之意義；

二九四 乙)其他名詞之由第十四條所述各規則內闡釋者，應具有各該規則所指定之意義。

## 第七章

### 最後條款

#### 第五十二條

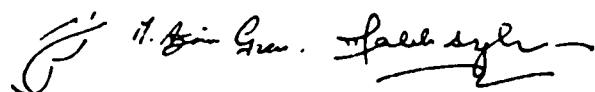
##### 本公約生效日期

二九五 本公約應自一千九百六十一年一月一日起，在業已於該日前交存批准證書或加入證書之各國，領土或領土羣間生效。

為此，各全權代表在訂成一冊之中文，英文，法文，俄文及西班牙文約本上分別簽署以昭信守，如有爭執，應以法文本為準，該項約本應存於國際電信聯合會檔案，並將其副本分送每一簽署國一份。

一九五九年十二月二十一日訂於日內瓦。

阿富汗：



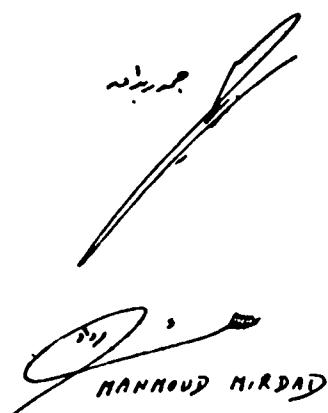
M.A. GRAN M.M. ASGHAR

阿爾巴尼亞：



D. LAMANI

沙烏地阿拉伯王國：



A. ZAIDAN  
M. MIRDAD

阿根廷共和國：

L. M. Pico  
O.N. Carli  
J.A. Autfulli  
P.E. Comino  
A.J. Senestrari  
M.E. Iturrioz

M.R. PICO  
O.N. CARLI  
J.A. AUTFULLI  
P.E. COMINO  
A.J. SENESTRARI  
M.E. ITURRIOZ

澳大利亞聯邦：

J. L. Skerrett

J.L. SKERRETT

奥地利：

N. WENINGER  
M. KRASSER

比利時：

R. VANDENHOOVE  
J. ETIENNE

白俄羅斯：

P.V. AFANASIEV

緬甸聯邦：

K. WIN  
M. LWIN

玻利維亞：

J. CUADROS QUIROGA

巴西：

L.O. DE MIRANDA

保加利亞：

I.M. TRIFONOV  
L. PETROV

加拿大：

M.H. WERSHOF

錫蘭：

D.P. JAYASEKARA  
C.A.R. ANKETELL

中華民國。

于俊志 Yu Junszhi  
 林光遠 Lin Kehshun  
 陈树人 Chen Shuyun  
 莫超鳳 Mo Tsao-wong

T. YU  
 K. LIU  
 S. CHEN  
 T. MIAO

牧廷

A. Stefani  
 J. de Riedmatten

A. STEFANI  
 J. DE RIEDMATTEN

哥倫比亞共和國：

Santiago Quipans  
Robles  
L. Ramirez Arana  
T. L. T. cap.  
J. Albornoz Plata  
V. Jimenez Suarez

S. QUIJANO C.  
R. ARCINIEGAS  
L. RAMIREZ ARANA  
M.G. VEGA  
S. ALBORNOZ PLATA  
V. JIMENEZ SUAREZ

比屬剛果及盧安達烏隆的領土：

1967  
J. Etienne

S. SEGALL  
J. ETIENNE

大韓民國：

이승희 Yeo-yo-hui Kim

李勝熙 Nam Soo Lim

鄭道彥 Cho Dow Kyung

Y.S. KIM  
N.S. LIM  
C.W. PAK

哥斯大黎加：

A. P. DONNADIEU

古巴：

Miguel Ruiz Bofälle Aguilar:

Pedro Estrada Castro

Mauricio González Longoria

M.R. BOFILLI AGUILAR  
C. ESTRADA CASTRO  
M. GONZALEZ LONGORIA

：丹麥：

Gunnar Pedersen  
Borg Nielsen  
C.B. Nielsen

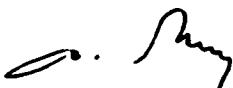
C. PEDERSEN  
B. NIELSEN  
C.B. NIELSEN

多明尼加共和國：



S.E. PARADAS

薩爾瓦多共和國：



A. AMY

西班牙：

J. Llera  
J. Garrido.

L.G. LLERA  
J. GARRIDO

法蘭西邦協海外各會員國及法蘭西海外領土。

A series of handwritten signatures in cursive script, likely representing the names of French overseas members and territories. The signatures include:

- tunay
- Chyp
- Pape
- 
- tiny
- foray
- C. ramantra
- 
- H. Bouquin

H. FARAT  
J. MEYER  
E. SKINAZI  
M. NTSIBA  
J. AGOH  
G. RAMANTRA  
M. BOUQUIN

美國

A series of handwritten signatures in cursive script, likely representing the names of US officials. The signatures include:

- Thomas Colt de Wolf
- Ruel H. Hyde

P. COLT DE WOLF  
R.H. HYDE

衣索比亞：

Mechtseen Gabriel Yidnes

Athachew Bellmassie

G. TEDROS  
B. ADMASSIE

芬蘭：

J. J. Ahola  
L. Talvitie  
E. Heino

S.J. AHOLA  
U.A. TALVITIE  
E. HEINO

法國：

Thevenet

G. Terras

Nauze

J.P. Gasset

A. DKFVET  
G. TERRAS  
I.A. LAMOITIER  
J.P. GASCUEL

迦納：

Z.M. KORAM

希臘：

A. LELAKIS  
A. MARANGOUDAKIS

匈牙利：

J. IVANYI

印度共和國：

M.B. SARWATE  
M.K. BASU

印度尼西亞共和國：

A. SUBARDJO DJOYOADISURYO

伊朗：

H. SAMIY

伊拉克共和國：

M.A. BAGHDADI  
L. ELWALI

愛爾蘭：

J.A. SCANNELL  
G.E. ENRIGHT  
T.P. SEOIGHE

冰島：

G. Brifm  
S. Thorkelsson

G. BRIFM  
S. THORKELSSON

以色列：

M. Ben-Ari  
D. Hareven  
C. Kahany

M. E. BFRMAN  
D. HAREVEN  
M. KAHANY

義大利：

A. Berio  
F. Nicotera

A. BERIO  
F. NICOTERA

日本：

奥村博彦 K. Okumura  
松田英一 H. Matsuda  
八藤東吾 Jaku Hachifji

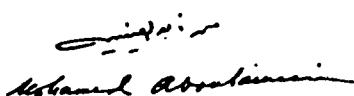
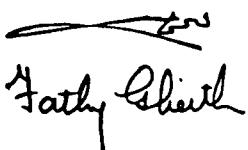
K. OKUMURA  
H. MATSUDA  
T. HACHIFUJI

約旦哈什米王國：



A.M. MORTADA

科威特：



K.A. RAZZAQ  
F. CHEITH  
M.A. ABUALAINAIN

TIAS 4892

寮國王國：

T. CHANTHARANGSI  
G.H. SENGIER

黎巴嫩：

H. OSSEIRAN

利比亞聯合王國：

K. EL ATRASH

盧森堡：

E. RAUS

馬來亞聯邦：

Sardon Jubir

W. Stubbs.

Lee Chye Wat

B.H. JUBIR SARDON  
W. STUBBS  
C.W. LEE

摩洛哥王國：

AOUAD Mohamed

HADJ NASSER MOHAMED

BERRADA Abderrazak

BENKIRANE Abdellah

M. AOUAD  
M.H. NASSER  
A. BERRADA  
A. BENKIRANE

墨西哥：

Carlos Nunez A.

C. NUNEZ A.

摩納哥：

*C. Solamito*  
*R. BICKERT*

C. SOLAMITO  
R. BICKERT

尼泊爾：

J.N. SINGHA

尼加拉瓜：

A.A. MULLHAUPT

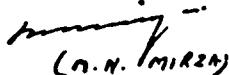
威斯哥：

Sv. RYNNING-TØNNESSEN  
L. LARSEN  
A. STRAND

紐西蘭：

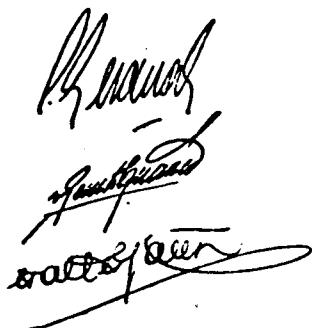
J.B. DARNELL  
E.S. DOAK

巴基斯坦：

  
(M.N. MIRZA)

M.N. MIRZA

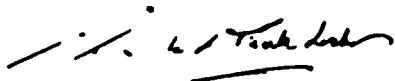
巴拉圭：

  
S. GUANES  
B. GUANES  
W. GARCIA

荷蘭王國：

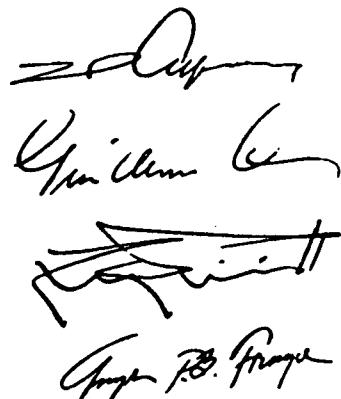
  
J.D.H. VAN DER TOORN  
A.J. EHNLÉ  
H.J. SCHIPPERS

秘魯：



M. DE LA FUENTE LOCKER

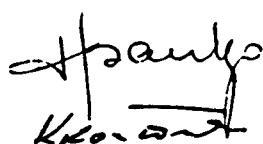
菲律賓共和國：



The image shows four distinct handwritten signatures stacked vertically. The top signature is a stylized 'J.S. Alfonso'. Below it is a signature that appears to be 'G. Canon'. The third signature is a horizontal line with a small 'F' at the end, followed by the word 'Trinidad'. The bottom signature is 'A.P.B. Frago'.

J.S. ALFONSO  
G. CANON  
F. TRINIDAD  
A.P.B. FRAGO

波蘭：



The image shows two handwritten signatures. The first signature is 'H. Baczko' and the second is 'K. Kozlowski', written below it.

H. BACZKO  
K. KOZLOWSKI

葡萄牙：

Fernandes e Melo  
Maria da Conceição  
Camara  
António de Loureiro  
Afonso Baptista  
Luís Goucha

H.M. PEREIRA  
M.A. VIEIRA  
F. ELOY  
A. DE SOUSA  
A. OLIVEIRA BAPTISTA  
L. GOIS FIGUEIRA

葡萄牙海外省：

João Magro  
José Gonçalves Quintino  
António Co. dos Santos

A.J. MAGRO  
J.A. ROGADO QUINTINO  
A.A. DOS SANTOS

阿拉伯聯合共和國：

M. M. Riad  
M. M. Riad  
 G.M. Mehrez  
G.M. Mehrez  
 A. El Bardai  
A. El Bardai  
 A.S. Safwat  
A.S. Safwat

M.M. RIAD  
 G.M. MEHREZ  
 A. EL BARDAI  
 A.S. SAFWAT

德意志聯邦共和國：

R. Thierfelder  
R. Thierfelder  
 O. Kirchner  
O. Kirchner

R. THIERFELDER  
 O. KIRCHNER

南斯拉夫：

Simbolium

V. SENK

烏克蘭：

Simvol

I.P. LIKSO

羅馬尼亞：

Mirig

Mir

P. Postelnicu

M. GRIGORE  
B. IONITA  
P. POSTELNICU

大不列顛及北愛爾蘭聯合王國：

T.C. Rapp  
W.A. Wolverson  
H.A. Daniels  
Elizabeth M. Perry

T.C. RAPP  
W.A. WOLVERSON  
H.A. DANIELS  
ELIZABETH M. PERRY

蘇丹共和國：

السودان  
مكتبة  
John Anthony  
Beshir  
H.I. Beshir

S. HOSSEIN  
H.I. BESHIR

瑞典：

Hakan Sterky  
S. Olters  
Simeon Hultare

H. STERKY  
S. OLTERS  
S. HULTARE

瑞士邦聯：

Weber  
Müller.  
Langenberger  
Walter  
Ch. Chappuis

E. WEBER  
A. WETTSTEIN  
A. LANGENBERGER  
F. LOCHER  
C. CHAPPUIS

捷克：

Manek  
Vodnansky  
Bachauer

J. MANEK  
G. VODNANSKY

大不列顛及北愛爾蘭聯合王國  
政府負責國際關係之海外領土：

*A.H. Sheffield*

*J. Bourn*

*L.W. Dudley*

A.H. SHEFFIELD  
J. BOURN  
L.W. DUDLEY

泰國：

*Mongkol Chullakorn (M. Chullakorn)*

*M.L.O. Sirivongs*

M. CHULLAKORN  
M.L.O. SIRIVONGS

突尼西亞：

*محمد العلوي*

M. MILI

土耳其：

  
G. YENAL  
I. BILGIC  
A. RIZA HIZAI.

南非聯邦及西南非洲領土：

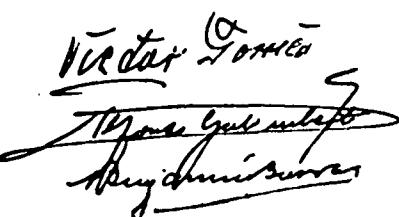
  
J.E. MELLON

蘇俄：



I. KLOKOV

烏拉圭東方共和國：



V. POMES  
A. GALIMBERTI  
B. BARREIRO

委內瑞拉共和國：



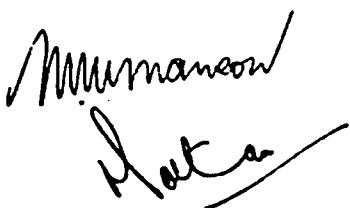
J.A. LOPEZ

越南共和國：



NGUYEN-KHAC-THAM  
NGUYEN-QUANG-TUAN

英屬東非：



M.W. MANSON  
B. BOLTON

(附件一)

## 附 件 一

(參閱第四款)

阿富汗	幾內亞(共和國)
阿爾巴尼亞	海地(共和國)
沙烏地阿拉伯(王國)	宏都拉斯(共和國)
阿根廷共和國	匈牙利
澳大利亞(聯邦)	印度(共和國)
奧地利	印度尼西亞(共和國)
比利時	伊朗
白俄羅斯	伊拉克(共和國)
緬甸(聯邦)	愛爾蘭
玻利維亞	冰島
巴西	以色列(國)
保加利亞	義大利
柬埔寨(王國)	日本
加拿大	約旦(哈什米王國)
錫蘭	科威特
智利	寮國(王國)
中華民國	黎巴嫩
敘利亞	賴比瑞亞
哥倫比亞(共和國)	利比亞(聯合王國)
比屬剛果及盧安達烏隆的領土	盧森堡
大韓民國	馬來亞(聯邦)
哥斯大黎加	摩洛哥(王國)
古巴	墨西哥
丹麥	摩納哥
多明尼加共和國	尼泊爾
薩爾瓦多(共和國)	尼加拉瓜
厄瓜多	挪威
西班牙	紐西蘭
法蘭西邦協海外各會員國及法蘭西 海外領土	巴基斯坦
美國	巴拿馬
衣索比亞	巴拉圭
芬蘭	荷蘭(王國)
法國	秘魯
迦納	菲律賓(共和國)
希臘	波蘭
瓜地馬拉	葡萄牙
	西班牙非洲省
	葡萄牙海外省

(附件一)

(附件二)

阿拉伯聯合共和國  
 德意志聯邦共和國  
 南斯拉夫  
 烏克蘭  
 羅得西亞及尼亞薩蘭（聯邦）  
 羅馬尼亞  
 大不列顛及北愛爾蘭聯合王國  
 蘇丹（共和國）  
 瑞典  
 瑞士（邦聯）  
 捷克  
 美國領土

大不列顛及北愛爾蘭聯合王國政府負責  
 國際關係之海外領土  
 泰國  
 突尼西亞  
 土耳其  
 南非聯邦及西南非洲領土  
 蘇俄  
 烏拉圭（東方共和國）  
 委內瑞拉（共和國）  
 越南（共和國）  
 也門

## 附 件 二

(參閱第七款)

英屬西非  
 英屬東非  
 百慕達－英屬加勒比羣

新加坡－英屬婆羅羣  
 義大利管轄下索馬利蘭託管領土

(附件三)

## 附 件 三

(參閱第五十一條)

### 國際電信公約及其附件內所用名詞之定義

- 三〇〇 主管機關：任何政府部門或業務機關負責履行國際電信公約及其附屬規則之義務者。
- 三〇一 私營機構：政府機關或機構以外之任何個人或公司團體，運用電信設備旨在從事國際電信業務或對此一業務能發生妨礙性干擾者。
- 三〇二 經承認之私營機構：上述之任何私營機構營運公衆通信或廣播業務，並經該機構之總辦事處所在地領土之會員或仲會員責令其遵行第二十一條所規定之義務者，或經會員或仲會員核准此機構在其領土內建立並營運電信業務者。
- 三〇三 政府代表：電聯會會員或仲會員之政府所派出席全權代表會議之人員，或代表電聯會會員或仲會員之政府或主管機關出席行政會議，或國際諮詢委員會集會之人員。
- 三〇四 私營機構代表：經承認之私營機構所派出席行政會議，或國際諮詢委員會集會之人員。
- 三〇五 專家：全國性科學或工業組織所派而經其本國政府或主管機關核准

(附件三)

出席國際諮詢委員會各研究組集會之人員。

三〇六 觀察員：人員之由：

- 聯合國依照本公約第二十八條所派遣者；
- 國際組織之一依照一般規則之規定而邀請或准許參加會議工作所派遣者；
- 電聯會會員或仲會員之政府所派遣以無表決權資格而參加依據本公約第七條所舉行之區域性特別會議者。

三〇七 代表團：同一國家所派之政府代表，並遇必要時任何私營機構代表，隨員或譯員等之全體。

每一會員或仲會員，應隨其願望自由組成其代表團。在其代表團內得特別包括屬於其所承認之私營機構之人員或屬於與電信方面有關之其他私營企業之人員，以政府代表或顧問資格參加。

三〇八 電信：利用有線電，無線電，光學或其他電磁系統以發送，發射或接收符號，信號，文字，影像及聲音或任何性質之信息。

三〇九 電報術：一種利用任何方法備供書寫或印刷品或固定影像等文件予以傳遞並在遠處重現，或在遠處使此種方式之任何性質消息予以重現之電信系統。惟在無線電規則內，除另有規定外，電報術應指“使用信號電碼傳遞書寫文件之電信系統”。

三一〇 電話術：傳遞語言，有時或為其他聲音而設之電信系統。

三一一 無線電通信：利用無線電波之電信。

(附件三)

- 三一二 無線電：**適用於利用無線電波之通稱。
- 三一三 妨礙性干擾：**任何發射，輻射或感應危及無線電助航業務或其他安全部業務<sup>1)</sup>之效用，或嚴重貶劣妨礙或一再阻斷依照無線電規則工作之無線電通信業務者。
- 三一四 國際業務：**在不同國家或隸屬於不同國家之任何性質之電信局或電台間之電信業務。
- 三一五 行動業務：**行動與陸地電台間，或行動電台間之無線電通信業務。
- 三一六 廣播業務：**供一般公眾可直接接收而發送之無線電通信業務。此項業務可包括聲音發送，電視發送或其他方式之發送。
- 三一七 公衆通信：**為公衆服務之電局及電台所必須接受而發送之任何電信。
- 三一八 電報：**利用電報術發送以交付收報人之書寫文字。此項名詞，除另有規定外，無線電報亦包括在內。
- 三一九 政務電報及政務電話：**電報或電話由下列任何當局所發者：

——一國之元首；

——政府之首揆及政府各部首長；

——會員或仲會員之領土首長或領土羣之首長；

<sup>1)</sup> 為保障人類生命及財產而永久或臨時使用之任何無線電通信業務。

(附件三)

——聯合國或會員或仲會員之託管或委任統治下之領土首長；

——陸，海或空軍武裝部隊總司令；

——外交官或領事官；

——聯合國秘書長；聯合國各主要機關首長；

——海牙國際法院。

**三二〇** 上列政務電報之覆電亦應視為政務電報。

**三二一** 私務電報：公務及政務電報以外之各種電報。

**三二二** 公務電報：電報之交換於：

甲) 主管機關間；

乙) 經承認之私營機構間；

丙) 主管機關與經承認之私營機構間；

丁) 一方為主管機關及經承認之私營機構，而另一方為秘書長之間，

並關於公衆國際電信者。

(附件四)

## 附 件 四

(參照第二十七條)

### 仲 裁

- 四〇〇** 一、訴請仲裁之一方應將爭執提付仲裁之通知書傳達爭執之對方以作仲裁程序之開始。
- 四〇一** 二、爭執各方應協商決定是否將此項仲裁委託個人，主管機關或政府。倘爭執通知書提出後一個月內，各方對於此點未能獲致協議時，應委託政府仲裁之。
- 四〇二** 三、倘仲裁為委託個人時，則仲裁人既不得屬於爭執各方之國民，且不得寓居爭執各方之國內，亦不得為爭執各方所任用。
- 四〇三** 四、倘由於協定之應用引起爭執而委託政府或其主管機關仲裁時，則該仲裁人必須擇自不屬於爭執各方之會員或仲會員，但須為該協定之參與者。
- 四〇四** 五、自收到爭執提付仲裁之通知日起三個月內，爭執雙方之每一方應各指定一仲裁人。
- 四〇五** 六、倘爭執涉及兩方以上時，則爭執中共同立場之兩組之每一方應依照第四〇三及四〇四兩款規定之程序，各指定一仲裁人。
- 四〇六** 七、依此指定之兩仲裁人應擇定一第三仲裁人，倘前兩仲裁人為個人而非為政府或主管機關時，則第三仲裁人必須符合第四〇二款所載之條件，且不得與其他兩仲裁人中任何一人之國籍相同。該兩仲裁人間對於第三仲裁人之擇定不能獲致同意時，則該兩仲裁人應各提出與爭執毫無關係之第三仲裁人一人。電聯會秘書長應即抽籤以便選定第三仲裁人。

## (附件四)

- 四〇七 八、爭執各方得同意由協商而指定一單獨仲裁人以解決其爭執；或得另由每方提出一仲裁人，並請求電聯會祕書長於所提人選中抽籤決定一人充任單獨仲裁人。
- 四〇八 九、仲裁人或各仲裁人應自由決定所循之程序。
- 四〇九 十、單獨仲裁人之決定應為最後決定而爭執各方均應受其約束。倘仲裁委託一個以上之仲裁人時，則仲裁人多數表決所作之決定應為最後決定而爭執各方均應受其約束。
- 四一〇 十一、每方應負擔其調查及提出仲裁所需之費用。仲裁費用除爭執各方自用者外，應由爭執各方間平均分擔之。
- 四一一 十二、電聯會應供給仲裁人或各仲裁人以所需之有關爭執之一切資料。

(一般規則，第一章)

## 附 件 五

### 附屬於國際電信公約之一般規則

#### 第 一 部

##### 關於各種會議之一般規定

###### 第 一 章

###### 有邀請國政府時之邀請及准許參加全權代表會議

- 五〇〇 一、邀請國政府經商得行政理事會同意後，應訂定會議之確定日期及確實地點。
- 五〇一 二、(一)邀請國政府應於該日期一年以前將請柬分送電聯會每一會員國政府及電聯會每一仲會員。
- 五〇二 (二)此等請柬得直接分送，或經由祕書長或經由另一國政府轉送。
- 五〇三 三、祕書長應照本公約第二十八條將請柬送聯合國。
- 五〇四 四、邀請國政府經商得行政理事會同意或依據其提議，得邀請與聯合國有關係而曾以互惠條件准許電聯會出席其會議之該等專門機構派遣觀察員以顧問資格參與會議。
- 五〇五 五、會員及仲會員之答覆必須於該會議開幕日期一個月以前到達邀請國政府，並於可能時應包括關於該代表團組成之完整資料。

(一般規則，第一至二章)

五〇六 六、電聯會之任何常設機關，遇有討論其主管事項之會議時，應有權以顧問資格列席該會議。遇有必要，該會議得邀請自認為毋須參加之機關列席。

五〇七 七、以下所列應准許參加全體代表會議：

甲) 本公約附件三第三〇七款所規定之代表團；

五〇八 乙) 聯合國之觀察員；

五〇九 丙) 符合第五〇四款之專門機構之觀察員。

## 第二章

### 有邀請國政府時之邀請及准許參加行政會議

五一〇 一、(一)上列第五〇〇至五〇五各款之規定應適用於行政會議。

五一一 (二)惟對於非常行政會議及特別會議，其請柬發出之時限得減為六個月。

五一二 (三)電聯會之會員及仲會員於其收到請柬後，得通知其所承認之私營機構。

五一三 二、(一)邀請國政府經商得行政理事會同意或依據其提議，得通知有關之國際組織派遣觀察員以顧問資格參與會議之工作。

五一四 (二)有關國際組織應於通知之日起兩個月內，將准許參加申請書提交邀請國政府。

五一五 (三)邀請國政府應彙集該項請求而由該會議自行決定應否准許各該有關組織參加。

五一六 三、(一)以下所列應准許參加各行政會議：

甲) 本公約附件三第三〇七款所規定之代表團；

(一般規則，第二至四章)

- 五一七 乙)聯合國之觀察員；
- 五一八 丙)符合第五〇四款之專門機構之觀察員；
- 五一九 丁)依照第五一三至五一五各款所准許參加之國際組織之觀察員；
- 五二〇 戊)經承認之私營機構之代表而為其所隸之會員國所正式核准者；
- 五二一 己)根據第五〇六款所述條件之電聯會之常設機關。
- 五二二 (二)再者，不屬於有關區域內之會員及仲會員之觀察員應准許參加區域性質之特別會議。

### 第三章

#### 無邀請國政府時會議集會之特別規定

- 五二三 當一會議之舉行並無邀請國政府時可適用第一及二兩章之規定。祕書長經商得瑞士邦聯政府同意後應採取必要步驟在電聯會會址召集並組織之。

### 第四章

#### 向會議提出提案之時限及其提送條件

- 五二四 一、緊接請求發出後，祕書長應請會員及仲會員於四個月內將其對會議工作之提案送祕書長。

(一般規則，第四至五章)

- 五二五** 二、凡提出之一切提案，其採納如將涉及本公約或規則條文之修訂者，必須將所需修訂條文各該部份之章、條或段之數目加以引證。在每一情形下，提案必須附以儘量簡單之理由。
- 五二六** 三、秘書長應將收到各主管機關及國際諮詢委員會之提案加以彙集及整理，並至少應於會議開幕前三個月將其通知所有會員及仲會員。

## 第五章

### 會議之權證

- 五二七** 一、(一)電聯會會員派遣參與會議之代表團必須經正式授命以行使表決權，並必須具備簽署最後法案之必要權力。
- 五二八** (二)電聯會仲會員派遣參與會議之代表團必須經正式授命依照第一六款參加會議。
- 五二九** 二、對全權代表會議：
- (一)甲)代表團應由一國元首或政府首揆或外交部長簽署之證書授命；
- 五三〇** 乙)惟代表團，得由其派駐舉行該會議國家政府之外交使館首長臨時授命；
- 五三一** 丙)凡代表託管領土之任何代表團，而該託管領土業經聯合國依照第二十條加入本公約者，應由聯合國秘書長授命。
- 五三二** (二)為簽署會議之最後法案，代表團必須具備第五二九款所述當局所簽署之全權證書。電報通知之授權不予以接受。

(一般規則，第五章)

**五三三 三、對行政會議：**

(一)適用第五二九至五三二各款之規定。

**五三四** (二)除上列第五二九款所述之當局外，會議期內負責處理該問題之部長，得授命一代表團並授權其參加工作及簽署最後法案。

**五三五** 四、每一代表國之權證應付託一特別委員會驗證；此委員會應在全體大會指定之期限內獲得其結論。

**五三六** 五、(一)電聯會會員之代表團應自參與會議工作之時起行使表決權。

**五三七** (二)惟一代表團自全體大會決定其權證不合規定之時起不得再有表決權，以迄此種狀態業經改正為止。

**五三八** 六、一般而言，會員國應盡力派遣其本國代表團參加電聯會之會議。惟倘因特殊理由，會員不能派遣其本國代表團時，得授命電聯會另一會員之代表團，並予此代表團代其執行及簽署之權力。

**五三九** 七、正式授命之代表團在其不能出席之一次或多次會議中，得委託另一正式授命之代表團代其行使表決權。在此情形時，該代表團必須通知會議之主席。

**五四〇** 八、一代表團在第五三八及五三九兩款所指之任何情形下不得行使多於一個之代理表決權。

(一般規則，第六章)

## 第六章

### 經電聯會會員請求或經行政理事會提議 所召集之非常行政會議之程序

- 五四一** 一、電聯會之任何會員意欲召開非常行政會議時，應據以通知祕書長並指明所提議會議之議程，地點與日期。
- 五四二** 二、祕書長於收到二十個類似之請求時，應以電報通知所有會員及仲會員，請各會員在六個星期內表示其是否同意該項提議。
- 五四三** 三、倘多數會員同意該提議之全部，亦即多數會員接受所提議之集會之議程，日期及地點時，祕書長應即據以通電通知電聯會會員及仲會員。
- 五四四** 四、(一)倘該經接受之提議，為一在電聯會會址以外另一地點之會議時，祕書長應向請有關國家政府是否同意擔任邀請國政府。
- 四五五** (二)倘其答覆為肯定，並經該有關政府贊同後，祕書長應採取必要步驟召集該項會議。
- 五六六** (三)倘其答覆為否定時，祕書長應請請求意欲召集該次會議之會員另行建議會議之地點。
- 五四七** 五、倘該經接受之提議為一在電聯會會址之會議時，應適用第三章之規定。
- 五四八** 六、(一)倘該提議之全部（議程，時間及地點）不為多數會員所接受時，祕書長應通知曾收到其答覆之電聯會會員及仲會員，請各會員對爭執中之一點或各點作最後答覆。

(一般規則，第六至八章)

**五四九** (二)該項爭執點，當其經多數會員認可後，應即視為通過。

**五五〇** 七、上述程序亦應適用於由行政理事會所發起召開之非常行政會議。

## 第七章

經電聯會各會員請求或經行政理事會提議

所召開之特別行政會議之程序

**五一** 一、第六章之規定應全部適用於世界性性質之特別會議。

**五五二** 二、如為區域性性質之特別會議，則第六章所述之程序應僅適用於該有關區域之會員。倘會議為該區域之會員所發起召開者，秘書長收到該區域全體會員四分之一一致請求即足。

## 第八章

一切會議之共同規定

會議時間或地點之變更

**五五三** 一、當會議時間或地點之變更為電聯會會員所請求或為行政理事會所提議時，亦應比照適用上述第六及七兩章之規定。惟此項變更應經有關之多數會員表示贊成後方得為之。

**五五四** 二、任何會員或仲會員提議變更會議之時間或地點時，應負責獲得必要數目之其他會員及仲會員支持其提議。

(一般規則，第八至九章)

**五五五** 三、如發生爭論，秘書長應在第五四二款所指之通知內說明時間或地點變更後財務上之可能結果，例如，最初擇定會議地點已支付之籌備費用。

## 第九章 會議之議事規則

### 第一條

#### 席位之順序

**五六六** 在會議集會時，各代表團應按出席國家之法文名稱之字母順序就座。

### 第二條

#### 會議之開幕

**五五七** 一、(一)會議之開幕典禮前應先由各代表團之首席代表集會準備第一次全體大會之議程。

**五五八** (二)各代表團首席代表集會之主席應依照第五五九及五六〇兩款之規定指派之。

**五五九** 二、(一)會議應由邀請國政府所指派之人員主持開幕。

**五六〇** (二)如無邀請國政府時，應由代表團之最年長首席代表主持開幕。

**五六一** 三、(一)在全體大會第一次集會時，應選舉會議之主席；通常主席應為邀請國政府所指派之人員。

**五六二** (二)倘無邀請國政府時，主席之選擇應顧及第五五七款所述各代表團首席代表集會所作之提議。

**五六三** 四、第一次全體大會亦應：

甲) 選舉會議之副主席；

**五六四** 乙) 設置會議之各種委員會並選舉其各別之主席與副主席。

(一般規則，第九章)

- 五六五 丙) 組織會議之秘書處，由電聯會總秘書處之職員，並於必要時，與邀請國政府主管機關所供給之職員組成之。

### 第 三 條

#### 會議主席之職權

五六六 一、主席除根據本議事規則所賦予其執行之任何其他職務外，應主持全體大會集會之開幕及閉幕，指導其審議，保證本議事規則之應用，予發言者發言權，將問題提付表決，並宣告所採納之決議。

五六七 二、主席應對會議之一切工作作一般指導，並保證全體大會集會秩序之維持。主席對秩序動議及秩序問題應予以裁決，並特別應有權提議延緩或終止問題之討論，或停止或延期集會。主席如其認為必要亦得決定延緩全體大會或集會之召集。

五六八 三、主席應有保障每一代表團對於有爭論之問題有自由及充分發表其意見之權利之職責。

五六九 四、主席應保證討論限於爭論問題範圍以內，並得阻止任何發言者超出範圍，並請其限制其意見於討論問題以內。

### 第 四 條

#### 委員會之指設

五七〇 一、全體大會得指設各類委員會以審議交付該會議之案件，此等委員會得再指設分委員會。委員會及分委員會得成立工作組。

(一般規則，第九章)

- 五七一** 二、惟委員會及分委員會僅當有絕對需要時方得指設分委員會及工作組。

## 第五條

### 預算控制委員會

- 五七二** 一、在每一會議或集會開始時，全體大會應指設一預算控制委員會以確定可供代表利用之組織與設備，並審查及核准整個會議或集會期間所需支出之報目。除代表團團員之願參加者外，此委員會應包括秘書長之代表一人，並如有邀請國政府時，該國之代表一人。

- 五七三** 二、在經行政理事會所核定之會議或集會之預算用罄前，預算控制委員會應會同會議或集會之秘書處向全體大會提出已支之所需費用臨時報表。全體大會應根據此報表考慮其進度是否足以證明在核定預算用罄之日起延長會議或集會之問題。

- 五七四** 三、每一會議或集會結束時，預算控制委員會應向全體大會提出一個可能準確之報告書以顯示在會議或集會結束時估計之全部支出。

- 五七五** 四、此項報告書，經全體大會審議並核准後連同全體大會之接語，應交秘書長提送行政理事會之下屆年會。

## 第六條

### 委員會之組成

- 五七六** 一、全權代表會議：

委員會應由會員及仲會員之代表以及第五〇八及五〇九兩款所指而據以請求或經全體大會指定之觀察員組成之。

(一般規則，第九章)

**五七七 二、行政會議：**

委員會應由會員及仲會員之代表以及第五一七至五二〇各款所指而據以請求或經全體大會指定之觀察員及私營機構代表組成之。

**第七條**

**記錄。分委員會之主席及副主席**

**五七八** 每一委員會主席應向其委員會推薦記錄，並如設立分委員會時並作選定其主席，副主席及記錄之提議。

**第八條**

**集會之召集**

**五七九** 全體大會、委員會、分委員會及工作組之集會應在會議之集會地點及時公佈。

**第九條**

**會議開幕前所提出之提案**

**五八〇** 會議開幕前所提出之提案應由全體大會分交依照本議事規則第四條所指設之適當委員會。但全體大會應有權直接自行處理任何提案。

**第十條**

**會議期間所提出之提案或修正案**

**五八一 一、會議開幕後提出之提案或修正案，必須視情形送交會議之主席**

## (一般規則，第九章)

或適當委員會之主席。提案或修正案亦得提交會議之祕書處作為會議文件刊印並分發之。

**五八二** 二、書面提案或修正案非經有關代表團之首席代表或其代理人簽署不得提出。

**五八三** 三、會議或委員會之主席得隨時提出或能加速辯論之提案。

**五八四** 四、每一提案或修正案應將其所須審議之本文以確切之辭句表明之。

**五八五** 五、(一)會議之主席或適當委員會之主席，應逐案決定是否將集會期間提出之提案或修正案應以口頭或依照第五八一款以書面刊印並分發提出之。

**五八六** (二)一般而言，須在全體大會集會中交付表決者之所有重要提案之本文，應以會議之工作語文及時印發，以便在其討論前加以研究。

**五八七** (三)此外，會議之主席於收到第五八一款所指之提案或修正案時，應視情形將其交付適當之委員會或全體大會。

**五八八** 六、任何經核准之人員得在全體大會集會時宣讀或請其宣讀其在會議期間提出之任何提案或修正案，且應允許其闡明其理由。

## 第十一條

### 討論及表決任何提案或修正案所需之條件

**五八九** 一、會議開幕前，或由一代表團在會議期間所提出之提案或修正案，於交付審議前，除非至少由另一代表團附議不得予以討論。

**五九〇** 二、每一經正式附議之提案或修正案應在討論後提付表決。

(一般規則，第九章)

## 第十二條

### 懸置或延緩之提案或修正案

**五九一** 當提案或修正案業已懸置或其審查業已延緩時，原提出之代表團應負責設法使該案日後再行審議。

## 第十三條

### 全體大會之辯論規則

**五九二** 一、法定人數

在全體大會之集會中舉行之有效表決，必須有超過半數授命參加會議並有表決權之代表團出席或代為出席該集會者。

**五九三** 二、辯論之順序

(一)凡欲發言者必須先得主席之許可。一般而言，發言者應先聲明其以何種資格發言。

**五九四** (二)任何人發言必須緩慢清晰以表達其意見，將其語句分成段落加以必要之頓挫，俾使人人得以瞭解其意義。

**五九五** 三、秩序動議及秩序問題。

(一)在辯論時，任何代表團當其認為適當時，得提出秩序動議或秩序問題，主席對此應立即依照議事規則處理。任何代表團得對主席之裁決提出申訴，惟此項裁決非經出席並參加表決之代表團多數反對應仍有效。

**五九六** (二)提出秩序動議之代表團，在發言時不得討論有關問題之本質。

**五九七** 四、秩序動議及秩序問題之優先順序

上述第五九五及五九六兩款之秩序動議及秩序問題應以下列順序處理之：

甲) 關於本議事規則適用上之任何程序問題；

## (一般規則，第九章)

- 五九八** 乙)集會之停止；
- 五九九** 丙)集會之延期；
- 六〇〇** 丁)討論中案件辯論之延緩；
- 六〇一** 戊)討論中案件辯論之終止；
- 六〇二** 己)其他任何可能提出之秩序動議或秩序問題，在此情形下，則其應予考慮之相關順序應由主席決定之。
- 六〇三** 五、集會之停止或延期之動議

在討論問題時，代表團得動議將該集會予以停止或延期，並說明其提議之理由。倘該提議有附議時，則應予兩位發言者以反對停止或延期之發言權並以此目的為限，嗣後該動議應提付表決。

**六〇四** 六、辯論之延緩之動議

在討論任何問題時，代表團得提議將辯論延緩一個指定時期。此項提議一經提出，任何討論應以不超過三位發言者為限，提出提議者不計在內；贊成動議者一，反對者二。

**六〇五** 七、辯論之終止之動議

代表團得隨時提議終止對於爭論中問題之討論。在此情形下，於該提議舉行表決前，得予不超過兩位發言者以反對該動議之發言權。

**六〇六** 八、發言之限制

(一)全體大會，倘屬必要，得決定任一代表團對任一特定問題得以發言之次數及其時限。

**六〇七** (二)惟關於程序之問題，主席應限制每次許可發言之時間至多為五分鐘。**六〇八** (三)當發言者已超過所許可之時間時，主席應通告大會並請發言者作簡短結束。

(一般規則，第九章)

六〇九 九、發言者名單之結束

(一)在辯論時，主席得裁定意欲取得發言權之發言者名單予以宣讀。主席應將表示意欲發言之其他代表團名稱加入，然後經大會許可後得裁定結束該名單。惟倘主席認為適當時，即使在發言者名單結束後，得裁定對於任何先前之陳述得作答覆，視為一種例外之措施。

六一〇 (二)照發言者名單發言完畢後，主席應宣告對本問題終止討論。

六一一 十、權限問題

凡在討論中可能發生之任何權限問題，應在案件之本質舉行表決前予以解決。

六一二 十一、動議之撤回及重議

動議者得於未付表決前撤回其動議。業經自辯論中撤回之任何動議，不論其是否經過修正，得由修正案之動議者或由另一代表團重提或提出之。

## 第十四條

### 表決權

六一三 一、在會議之一切集會中，凡經電聯會會員正式授命參加會議工作之代表團，依照本公約第二條應享有一表決權。

六一四 二、電聯會會員之代表團應根據本一般規則第五章所述之條件行使表決權。

## 第十五條

### 表 決

六一五 一、多數之定義

(一)多數應由超過半數以上出席並參加表決之代表團組成之。

## (一般規則，第九章)

**六一六** (二)在計算多數時，棄權之代表團不應計算。

**六一七** (三)如同數時，提案或修正案應視作否決。

**六一八** (四)就本議事規則言，“出席並表決之代表團”應為對提案表決贊成或反對之代表團。

**六一九 二、不參加表決**

出席而並未 參加某一次 表決或經明白 聲明不願參加 該表決之代表團，就第五九二款之規定以確定法定人數時應不作為缺席論，又就第六二〇款言亦不作為棄權論。

**六二〇 三、特別多數**

在准許加入 為電聯會 會員之情形，應適用本公約第一條所述之多數。

**六二一 四、棄權超過百分之五十**

當棄權數超過投票數一半時（贊成，反對，棄權），則在討論中之案件應延緩至下次集會考慮，彼時棄權不應計算。

**六二二 五、表決程序**

(一)除第六二五款規定之情形下外，應採用下列表決程序：

**甲** )通常用舉手法；

**六二三** 乙 )倘上述程序未能明確顯示多數，或倘經至少兩個代表團之請求時用唱名法。

**六二四** (二)唱名表決應按照出席會員法文名稱之字母順序為之。

**六二五 六、秘密投票**

當用秘密投票表決時，應至少經五個出席並享有表決權之代表團之請求。在此情形下，祕書處應立即採取步驟以保證表決之機密性。

(一般規則，第九章)

六二六 七、表決時阻擾之禁止

表決一經開始，除非對於正在舉行之表決方式提出秩序問題，任何代表團不得阻擾。

六二七 八、表決之理由

表決舉行後，主席應准任何代表團之請求以說明其表決之理由。

六二八 九、提案之部分表決

(一)當提案經提案者請求，或當大會認為適當，或經主席商得提案者同意後提議時，該提案應可予劃分並將其各部份分別提付表決。該提案經通過之部份應整個再提付表決。

六二九 (二)倘提案之所有部份被否決時，該提案應視作全部被否決。

六三〇 十、併發提案之表決順序

(一)當對任一條件有兩個或以上之提案時，除非大會作相反之決定，應按照其提出之順序提付表決。

六三一 (二)在每一提案表決後，大會應決定是否應將次一提案予以表決。

六三二 十一、修正案

(一)任何更改之提案，僅屬原提案之部份刪除，增加或變更者，應視作修正案。

六三三 (二)提案之任何修正案經提出該提案之代表團接受後應即併入原提案。

六三四 (三)任何更改之提案，倘大會認為其與原提案不一致時不得視為修正案。

六三五 十二、修正案之表決

(一)當對一提案提出修正案時，則應先對修正案舉行表決。

六三六 (二)當對一提案提出兩個或以上之修正案時，應將與原題相關

## (一般規則，第九章)

最遠之修正案先行提付表決；餘者應再將其與原題相距最遠者提付表決，並應依照同樣程序進行以迄提出之所有修正案均經考慮為止。

- 六三七** (三)倘一個或多個修正案經通過後，應即將經修正之提案提付表決。
- 六三八** (四)倘並無修正案通過，應將原提案提付表決。

**第十六條****委員會及分委員會。****辯論規則及表決程序**

- 六三九** 一、所有委員會及分委員會之主席應有第三條所賦予會議主席之同樣職權。
- 六四〇** 二、第十三條對於全體大會處理辯論所述之規定，除法定人數一項外，亦應適用於委員會及分委員會之討論。
- 六四一** 三、第十五條所述之規定，除關於第六二〇款者外，亦應適用於委員會及分委員會中所舉行之表決。

**第十七條****保 留**

- 六四二** 一、一般而言，任何代表國之意見不為其餘代表國所贊同時，應儘可能勉從多數之意見。
- 六四三** 二、惟如有任何決議案對某一代表團有礙其政府批准本公約或核准各種規則之修訂時，該代表團得對此決議作最後或臨時之保留。

**第十八條****全體大會之議事錄**

- 六四四** 一、全體大會之議事錄，應由會議之秘書處擬具之，該秘書處應盡

(一般規則，第九章)

力保證在其審議之日期以前儘早分發各代表團。

**六四五** 二、議事錄經分發後，代表團得將其認為理應更正者以書面送交大會秘書處；此項更正應在可能之最短時間內為之。此項更正應不妨礙其在核准議事錄之集會中提出口頭修正。

**六四六** 三、(一)一般而言，議事錄應包含提案及結論，連同其主要辯論而儘可能以簡潔之辭句記載之。

**六四七** (二)惟任何代表團應有權要求將其在辯論時所作之任何陳述摘要或全部列入議事錄。在此情形下，通常代表團在其陳述前應先聲明以利記錄之工作，並必須於該集會完畢後兩小時內由代表團將發言內容送交會議之秘書處。

**六四八** 四、第六四七款特關於賦予將陳述列入議事錄之權利應在所有情形下審慎使用之。

## 第十九條

### 委員會及分委員會之簡要紀錄及報告書

**六四九** 一、(一)委員會及分委員會逐次集會之辯論應摘要記載於簡要紀錄，其中應載明討論之要點及應予注意之各項意見，連同任何提案及其整個辯論中所得之結論。

**六五〇** (二)但任何代表團應有權援用第六四七款。

**六五一** (三)以上所指之權利應在所有情況下審慎使用之。

**六五二** 二、委員會及分委員會於其認為必要時，得準備任何臨時報告書，倘情況許可，此等委員會並得於其工作完畢後提出最後報告，以簡潔之辭句彙編各項提案及付託其研究所得之結論。

(一般規則)第九章)

## 第二十條

### 議事錄，簡要紀錄及報告書之核准

- 六五三** 一、(一)通常在全體大會，委員會，或分委員會每次集會之始，主席應詢問對於上次集會之議事錄，或如為委員會或分委員會，則對上次集會之簡要記錄，有無任何意見。倘無修正送交祕書處又無口頭異議時，則此等文件應視作核准。否則視情形應在議事錄或簡要記錄內作適當之修正。
- 六五四** (二)任何臨時或最後報告書，必須經有關委員會或分委員會核准。
- 六五五** 二、(一)最後一次全體大會之議事錄應由大會主席審查並核准之。
- 五六六** (二)每一委員會或分委員會之最後一次集會之簡要紀錄應由該委員會或分委員會之主席審查並核准之。

## 第二十一條

### 編輯委員會

- 六五七** 一、本公約，各種規則及會議之其他最後法案之本文，應由各委員會根據已發表之意見，儘實際可行以其一定之體裁藉具後，應送交編輯委員會負責使其體裁完全一致而不變更其意義，並將其與原未經變動之各該部份本文合併之。
- 六五八** 二、編輯委員會應將本文提送會議之全體大會，全體大會應將其核准或將其發還適當委員會作進一步審查。

## 第二十二條

### 編 輯

- 六五九** 一、凡須修訂之本文之章，條及段之數目，應保留至全體大會初讀

(一般規則，第九章)

時為止。增加之各節應暫照原文最末一段之數目附以附加之“甲”，“乙”等等。

六六〇 二、章，條及段之確定編號應於其初讀通過後交付編輯委員會。

## 第二十三條

### 最 級 標 準

六六一 本公約，各種規則及其他最後法案之本文，當其經全體大會二讀通過後，應視作最後決定。

## 第二十四條

### 簽 署

六六二 經會議通過之最後本文應提交具有一般規則第五章所規定之全權代表，依照其國家法文名稱之字母順序簽署之。

## 第二十五條

### 新 聞 發 佈

六六三 關於會議工作對新聞界之正式披露，應經會議之主席或副主席之核准方得發佈。

## 第二十六條

### 免 費 權 櫄

六六四 在會議期間，代表團之團員，行政理事會之會員，電聯會各常設機關之高級人員，及調赴會議服務之電聯會秘書處職員，應在舉行該項會議所在國政府與其他有關政府及經承認之私營機構所治定安排之範圍內享有郵政，電報與電話之免費特權。

(一般規則，第十至十一章)

## 第二部

### 國際諮詢委員會

## 第十章

### 一般規定

**六六五** 一、一般規則第二部之規定乃補充本公約第十三條以闡明國際諮詢委員會之任務及機構。

**六六六** 二、(一)諮詢委員會亦應遵守一般規則第一部內所含可適用之會議之議事規則。

**六六七** (二)為便利諮詢委員會之工作起見，全體大會得採用附加規定，倘該附加規定並不與會議之議事規則相抵觸。此等附加規定應在有關全體大會之文件內以決議案形式刊行之。

## 第十一章

### 參加條件

**六六八** 一、(一)國際諮詢委員會應有之會員：

甲)所有電聯會會員及仲會員之主管機關均為當然會員；

**六六九** 乙)任何經承認之私營機構，表示願參加此等委員會之工作，而經其原承認會員或仲會員之核准，並遵照下列規定程序辦理者。

**六七〇** (二)經承認之私營機構，初次請求參加諮詢委員會工作者應向祕書長申請，祕書長應通知所有會員與仲會員及有關諮詢委員會之總幹

(一般規則，第十一至十二章)

事。經承認之私營機構之請求必須獲得承認該機構之會員或仲會員之核准。

**六七一** 二、(一)國際組織之與國際電信聯合會協調其工作並有相關之活動者，得准以顧問資格參加諮詢委員會之工作。

**六七二** (二)國際組織 初次請求 參加諮詢委員會 工作者應向秘書長申請，秘書長應以電報通知所有會員及仲會員並請會員表示是否應准許此項請求；倘在一個月內所收到會員之答覆多數贊同時，該項請求應予准許。秘書長應將此項諮詢之結果通知所有會員與仲會員以及有關諮詢委員會之總幹事。

**六七三** 三、(一)科學或工業組織之從事研究電信問題或設計或製造為電信業務所用之設備者，得准以顧問資格參加諮詢委員會研究組之集會，惟其參加須獲得有關國家之主管機關之核准。

**六七四** (二)科學或工業組織初次請求參加諮詢委員會研究組之集會應向諮詢委員會之總幹事申請；此項請求必須經有關國家之主管機關之核准。

## 第十二章

### 全體大會之任務

**六七五** 全體大會應：

甲)審議研究組之報告書，並核准，修正，或不接受載於此等報告書中之建議書草案；

## (一般規則，第十二至十三章)

- 六七六       乙) 符合第一八〇款之規定以決定應行研究之新問題；倘有需要時，並制定研究計劃；
- 六七七       丙) 視需要情形，維持現有研究組並設置新研究組；
- 六七八       丁) 將應行研究之問題分配予各研究組；
- 六七九       戊) 審議並核准總幹事對於自上屆全體大會以後委員會活動之報告書；
- 六八〇       己) 核准委員會至下屆全體大會為止之財務需要報告書，以便提送行政理事會；
- 六八一       庚) 審議本公約第十三條及一般規則第二部規定以內之任何其他認為必要之事項。

## 第十三章

## 全體大會之集會

- 六八二       一、全體大會通常每三年應於上屆全體大會所訂定之時間與地點集會。
- 六八三       二、全體大會之集會日期，經電聯會之曾經參加上屆全體大會或雖未參加但經通知秘書長其願意積極參加有關諮詢委員會工作者之多數會員核准後得變更之。
- 六八四       三、在每屆此等集會時，全體大會應由集會所在國代表團之首席代表擔任主席，或如在電聯會會址舉行集會時，則由全體大會自行選舉一

(一般規則，第十三至十五章)

人擔任主席；主席應由全體大會選舉之副主席輔助之。

**六八五** 四、諮詢委員會全體大會之祕書處應由該委員會之專門祕書處，倘有必要，並由邀請國政府主管機關及總祕書處之人員協助組成之。

## 第十四章

### 全體大會之語文及表決方法

**六八六** 一、(一)全體大會應使用本公約第十六條所規定之語文。

**六八七** (二)研究組之預備文件，全體大會之文件與議事錄以及大會結束後由國際諮詢委員會所刊印之文件，應以電聯會之三種工作語文刊行之。

**六八八** 二、在諮詢委員會全體大會之集會中有表決權者，為第十四及二三二兩款所指之會員。惟當電聯會會員國主管機關未經派代表出席時，則該國之各經承認之私營機構代表，不論其數目多寡，應全體享有一單獨表決權。

## 第十五章

### 研究組之組成

**六八九** 一、全體大會應設立必要之研究組以處理應行研究之問題。各主管機關，經承認之私營機構及依照第六七一及六七二兩款願意參加研究組之工作而經准許之國際組織，應在全體大會集會時，或在日後向有關諮詢委員會之總幹事報名。

(一般規則，第十五至十六章)

**六九〇** 二、此外，在遵照第六七三及六七四兩款之規定下，科學或工業組織之專家得准以顧問資格參加任何研究組之任何集會。

**六九一** 三、全體大會應指派每一研究組之主席及副主席。倘在全體大會兩屆集會期間，研究組主席不能執行其任務時，應由副主席遞補，並應由有關研究組在其下次集會時就其會員中選舉新副主席。在此時期，如副主席自認不再能執行其任務時，該研究組亦應選舉一新副主席。

## 第十六章

### 研究組事務之處理

**六九二** 一、研究組通常應以通信方法處理其工作。

**六九三** 二、(一)惟全體大會得對於召開研究組任何集會頒發指示以處理認為必要之大宗問題。

**六九四** (二)再者，倘在全體大會以後，研究組主席認為需要在全體大會規定其研究組之集會外，另舉行一次或多次之集會，以便口頭討論不能用通信方法以解決之間題時，該主席經其主管機關核准並與有關總幹事以及其研究組會員諮詢後，得建議在適當地點集會，惟須注意將費用限至最小之需要。

**六九五** 三、惟為避免不必要的旅行及長時期之離職計，諮詢委員會總幹事應與各有關研究組主席協議擬定各研究組聯合集會之通盤計劃，俾各研究組在同一時期於相同地點集會。

**六九六** 四、總幹事應將研究組最後報告書分送各參加諮詢委員會之主管機關及經承認之私營機構，並遇有必要時，分送曾經參加之各該國際組

(一般規則，第十六至十七章)

職。此等報告書應儘速發出，並無論如何至遲須在下屆全體大會集會日前一個月到達。當研究組集會為緊接全體大會集會以前舉行者，則此項規定得免適用。如此提供之報告書中，凡未成為主題之間題不應載於全體大會集會之議程上。

## 第十七章

### 總幹事之職務。專門秘書處

**六九七** 一、(一)諮詢委員會之總幹事應協調全體大會及研究組之工作，並應負責諮詢委員會工作之編組。

**六九八** (二)總幹事應對諮詢委員會之文件負責。

**六九九** (三)總幹事應由在其指揮下工作之專門職員所組成之秘書處輔助之，並助其辦理該委員會工作之編組。

**七〇〇** (四)諮詢委員會之專門秘書處，實驗室與技術設備之職員應受秘書長之行政節制。

**七〇一** 二、總幹事應在全權代表會議或行政理事會所核准之預算範圍內選用秘書處之技術及行政人員。技術及行政人員之指派，由秘書長經總幹事同意後辦理之。指派或解職之最後決定權屬秘書長。

**七〇二** 三、總幹事應有權但以顧問資格參加全體大會及研究組之集會。總幹事對於全體大會及研究組之集會應作一切必要之準備。

(一般規則，第十七至第十八章)

七〇三 四、總幹事應將自上屆全體大會後諮詢委員會活動之報告書提送全體大會。此項報告書，經核准後，應送交祕書長以便提送行政理事會。

七〇四 五、總幹事應向行政理事會在其年會時，將該委員會上年之活動情形提出報告書，以備理事會暨電聯會會員及仲會員參考。

七〇五 六、總幹事應將諮詢委員會截至下屆全體大會時止之財務需要報告書，提請全體大會核准；此項報告書經全體大會核准後，應送交祕書長以便提送行政理事會。

七〇六 七、總幹事應根據全體大會所核准之該委員會財務需要報告書，準備一項對於該委員會下年費用之估計，以供祕書長將其列入電聯會之年度預算內。

七〇七 八、總幹事應在本公約範圍內視需要參加電聯會之技術協助活動。

## 第十八章

### 對行政會議之提案

七〇八 一、依附第一八一款，諮詢委員會得提出修改第一九三款所述規則之提案。

七〇九 二、該等提案應及時送交祕書長以便按照第五二六款彙集，整理及通知。

(一般規則，第十九章)

## 第十九章

### 諮詢委員會相互間及與其他 國際組織之關係

- 七一〇 一、(一)諮詢委員會全體大會得設置聯合研究組以研究有共同關係之問題並作建議。
- 七一一 (二)諮詢委員會之總幹事得與研究組主席會同組織兩個諮詢委員會研究組之聯合集會，以研究及擬具有共同關係問題之建議書草案。該項建議書草案應提交每一諮詢委員會之下屆全體大會。
- 七一二 二、一諮詢委員會之全體大會或總幹事得邀請此委員會代表一人以顧問資格出席另一諮詢委員會或其他國際組織所邀請該諮詢委員會參加之集會。
- 七一三 三、祕書長，副祕書長，國際頻率登記委員會主席，及另一諮詢委員會之總幹事，或彼等之代表，得以顧問資格出席一諮詢委員會之集會。在有必要時，一諮詢委員會得邀請電聯會自認為毋庸出席之任何機關之代表以顧問資格出席其集會。

(附件六)

## 附 件 六

(參閱第二十八條)

### 聯合國與國際電信 聯合會間之協定

#### 前 文

鑑於聯合國憲章第五十七條及一九四七年大西洋城國際電信聯合會公約第二十六條之規定，聯合國及國際電信聯合會爰同意如次：

#### 第 一 條

聯合國承認國際電信聯合會（以下簡稱電聯會）為根據其基本法規，負責採取其認為適當行動以達成該法規所述之目的之專門機構。

#### 第 二 條

##### 互 派 代 表

一、聯合國應被邀請派遣代表參加電聯會所有全權代表及行政會議之審議，惟無表決權。聯合國經適當諮詢後，亦應被邀請派遣代表出席國際諮詢委員會或電聯會召集之任何其他集會而有權參加討論與聯合國有關之事項，惟無表決權。

二、電聯會應被邀請派遣代表出席聯合國大會之集會，以便諮詢電信之間題。

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三、電聯會應被邀請派遺代表出席聯合國經濟及社會理事會，暨託管理事會以及其各大小委員會之集會，而參與議程上有關電聯會事項之審議，惟無表決權。

四、電聯會應被邀請派遺代表出席聯合國大會之各主要委員會之集會，俾當討論專屬電聯會事項時參加此等討論，惟無表決權。

五、電聯會所提出之書面文件應由聯合國秘書處酌量分送大會，經濟及社會理事會及其委員會，暨託管理事會會員。同樣，聯合國所提出之書面文件，應由電聯會分送其會員。

### 第三條

#### 議程項目之提案

電聯會經必要之初步諮詢後，應將聯合國向其所提出之事項列入全權代表或行政會議，以及電聯會其他機關之集會之議程。同樣，經濟及社會理事會及其委員會暨託管理事會，亦應將電聯會之會議，或其他機關所提議之事項列入其議程。

### 第四條

#### 聯合國之建議書

一、電聯會鑑於聯合國負有促進憲章第五十五條所述目的之義務，以及根據憲章第六十二條所規定經濟及社會理事會之職掌與職權，須從事或發動關於國際經濟，社會，文化，教育，衛生及有關事項之研究與報告，並對此等事項向有關專門機構提出建議書，又鑑於根據憲章第五十八及六十三兩條聯合國之責任；對

## (附件六)

於此等專門機構政策及活動之協調提出建議書，爰同意儘速設法將聯合國所作之一切正式建議書分送其有關機關，以採取其認為適當之行動。

二、電聯會經聯合國請求時，同意與聯合國諮詢此項建議書，並在適當時期內將電聯會或其會員實施此等建議書之行動或其考慮所得之其他結果向聯合國報告。

三、電聯會應合作採取任何進一步之必要措施，使各專門機構及聯合國之活動充分有效協調。電聯會對於經濟及社會理事會為便於此項協調為目的而設之任何團體，尤須同意與之合作，並供給為實現此項目的所需之資料。

## 第五條

## 資料與文件之交換

一、除機要資料之防護或需另作安排外，聯合國與電聯會間應儘量並儘速交換適當之資料及文件，以應每方之需求。

二、在不抵觸上段之一般規定下：

(甲)電聯會應向聯合國提送其活動年報；

(乙)電聯會對於聯合國任何所請供給之特別報告，研究結果或資料，應儘可行遵照辦理；

(丙)聯合國祕書長經請求時，應諮詢電聯會之適當當局俾可對電聯會供

(附件六)

給與其有特別關係之資料。

## 第六條

### 對聯合國之協助

依照聯合國憲章及國際電信公約，並充分顧及非為聯合國會員之電聯會各別會員之特殊地位，電聯會同意與聯合國，其主要及附屬機關合作。並盡一切可能予以協助。

## 第七條

### 與國際法院之關係

一、電聯會同意供給國際法院可能按照該院規章第三十四條請求之任何資料。

二、聯合國大會授權電聯會就其職權範圍內發生之法律問題請求國際法院之諮詢意見，惟電聯會與聯合國或其他專門機構間相互關係之問題不在此例。

三、此項請求得由全權代表會議或行政理事會秉承全權代表會議之命向國際法院提出。

四、當請國際法院發表諮詢意見時，電聯會應將該項請求通知經濟及社會理事會。

## 第八條

### 人事協議

一、聯合國及電聯會同意盡可行發展共同人事標準，方法與協議，旨在避免任用期限與條件之重大差別，人員招雇之競爭，並便利人員之任何必要互調，以

(附件六)

期自其服務獲致最高利益。

二、聯合國及電聯會，為達成此等目的，同意儘可能充分合作。

## 第九條

### 統計業務

一、聯合國及電聯會同意力求高度合作，消除彼此間一切不必要之重複，並最有效利用其技術人員以各自蒐集，分析，刊行，標準化，改進及散佈其統計資料。雙方同意協力獲致統計資料之最大可能效用及利用，並使或將蒐集此項資料之各國政府及其他組織之擔負減至最低。

二、電聯會承認聯合國為蒐集，分析，刊行，標準化，改進及散佈統計資料以供給各國際組織一般用途之中心機構。

三、聯合國承認電聯會在其特殊範圍內為負責蒐集，分析，刊行，標準化，改進及散佈統計資料之中心機構，惟不妨礙關於聯合國本身為其自用或改進全世界統計或屬必要之統計資料之權。關於編製其業務文件之格式之一切決定由電聯會負責。

四、為建立一統計資料之集中蒐集以供一般用途起見，爰同意凡供給電聯會編入而其基本統計系列或特別報告之資料，經聯合國請求時，應儘可行供給之。

五、茲同意凡供給聯合國而編入其基本統計系列或特別報告內之資料，經電

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聯會請求時，應儘可行並適當供給之。

## 第 十 條

### 行政及技術業務

一、聯合國及電聯會為謀人力及資源之最有效利用起見，承認在可能時宜避免發生業務上之競爭或重複，並於必要時，雙方進行諮詢以達到此等目的。

二、聯合國與電聯會間應對有關正式文件之登記及存檔達成協議。

## 第 十 一 條

### 預算及財務協議

一、電聯會預算或概算，應於將該項預算送交電聯會會員時，同時送交聯合國，而聯合國大會對之得向電聯會提出建議。

二、凡當聯合國大會或其任何委員會審議電聯會預算時，電聯會應有權派遣代表參加審議，惟無表決權。

## 第 十 二 條

### 特別業務之財務擔負

一、電聯會如遇聯合國依照本協定第六條或任何其他規定請求辦理任何特別報告，研究或協助所需之巨額特別費用時，應舉行諮詢以決定應擔負此項費用之最公允辦法。

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二、聯合國與電聯會間應舉行同樣諮詢以期對於由電聯會請求而由聯合國供給之集中行政，技術或會計業務，或設施或其他特別協助所需費用達成公允之協議。

## 第十三條

### 聯合國通行證

電聯會官員應有權依照聯合國秘書長與電聯會主管當局間所商訂之特別協議使用聯合國通行證。

## 第十四條

### 各機關間之協定

一、電聯會同意將電聯會與任何其他專門機構或其他政府間組織，或國際非政府間組織，所擬締結之任何正式協定之性質及範圍，通知經濟及社會理事會，並於任何該項協定締結後，進一步將其詳細內容通知經濟及社會理事會。

二、聯合國同意將任何其他專門機構所擬締結有關電聯會事務之正式協定之性質及範圍通知電聯會，並於任何該項協定締結後，進一步將其詳細內容通知電聯會。

## 第十五條

### 聯絡

一、聯合國及電聯會同意上列規定深信有助於維持兩組織間之有效聯絡。雙方確認彼等有採取任何或極必要之措施以達到此項目的之意向。

(附件六)

二、本協定內所規定之聯絡協議，如屬適當，應適用於電聯會與聯合國間之關係上，包括其分支及區域性辦事處在內。

## 第十六條

### 聯合國電信業務

一、電聯會對於聯合國辦理電信業務應與電聯會會員享受同等之權益一事認為重要。

二、聯合國允諾依照國際電信公約及其附屬規則之條款辦理在其管轄下之電信業務。

三、本條之實施細則應另行辦理。

## 第十七條

### 協定之實施

聯合國祕書長及電聯會適當當局得訂立為實施本協定或屬需要之補充協議。

## 第十八條

### 修訂

本協定經任何一方於六個月前提出通知後，應由聯合國及電聯會協商修訂之。

(附件六)

## 第十九條

## 生 效

一、本協定經聯合國大會及一九四七年大西洋城電信全權代表會議核准後臨時生效。

二、經上述核准後本協定應與一九四七年在大西洋城締結之國際電信公約同時正式生效，或得由電聯會安排而決定於某一較早日期生效。

(最後聲明書)

## 國際電信公約

### 最後聲明書

一九五九年，日內瓦

在簽署國際電信公約（一九五九年，日內瓦）時，以下署名各全權代表，注意及下列聲明書，成為一九五九年日內瓦全權代表會議最後法案之一部份：

—

關於阿根廷共和國者：

阿根廷代表團聲明：

國際電信公約（一九五九年，日內瓦）第四款規定凡列於附件一內之任何國家或領土羣均為電聯會會員。為此附件一內列有「大不列顛及北愛爾蘭聯合王國政府負責國際關係之海外領土」。

由於該有關政府在本質上慣以將其所稱「福克蘭羣島及附屬地」之領土地包括在內，並常見諸國際電信聯合會刊行之正式文件中，阿根廷代表團茲正式聲明，此種慣例並不損及阿根廷政府對於此等為聯合王國以武力佔據結果，而從未為阿根廷政府所接受之亞島之主權，阿根廷政府茲重申其共和國主權之不可動搖，並聲明馬文納斯羣島，南三明治羣島，南喬共亞羣島，以及阿根廷南極部份並非任何其他國家之殖民地或屬地，而為阿根廷國土之一部份，並受阿根廷之統治與管轄。

本聲明對於可能包括在本公約或其附件內任何其他同類陳述，亦屬完全有效。

( 最後聲明書 )

二

關於加拿大者：

加拿大之簽署國際電信公約（一九五九年，日內瓦），在保留加拿大並不接受本公約第一九三款之條件下為之。加拿大同意受本公約所附之無線電規則及電話規則之約束，並在有保留條件下受附加無線電規則之約束，但並不同意受電話規則之約束。

三

關於中華民國者：

出席一九五九年日內瓦國際電信聯合會全權代表會議之中華民國代表團，與在大西洋城及布諾賽爾時相同，為中華民國在該會議中唯一之合法代表，而為會議所公認。電聯會任何會員所作關於本公約或附於本公約之任何聲明或保留，凡與上述中華民國立場背馳者實屬非法，故均無效。對電聯會此等會員，中華民國不因簽署本公約而接受因國際電信公約（一九五九年，日內瓦）或其所附之任何聲明書發生之任何義務。

四

關於比屬剛果及盧安達烏隆的領土者：

在簽署國際電信公約（一九五九年，日內瓦）時，比屬剛果及盧安達烏隆的領土正式聲明保留有權不受無線電規則（一九五九年，日內瓦）第三條之約束，惟該條之應用能容許符合其國內廣播不可或缺之需求時除外。

五

關於哥斯大黎加者：

哥斯大黎加共和國代表團為其政府保留對於出席本屆會議其他政府所作任何保留之結果有接受或不接受之權，設此等保留將使哥斯大黎加對電聯會財務認擔蒙受任何增加者。

(最後聲明書)

六

關於古巴者：

古巴代表團於代表古巴共和國政府簽署本公約時，正式保留其對於國際電信公約（一九五九年，日內瓦）第十四條所述之電報規則，電話規則及附加無線電規則之立場。

七

關於薩爾瓦多共和國者：

甲

薩爾瓦多共和國政府對遇有電聯會任何會員或仲會員不攤付電聯會費用或所作之保留以致增加薩爾瓦多攤付電聯會費用時，保留有權採取或認必要之行動以維護其利益。

乙

在代表薩爾瓦多共和國簽署本公約時，本人茲為薩爾瓦多政府保留對於國際電信公約（一九五九年，日內瓦）第十四條所述之電話規則及附加無線電規則所負義務有接受或不接受之權。

八

關於美國者：

依照美國之憲法程序，代表該國並以該國名義在本公約上之簽署，亦構成代表美國一切領土之簽署。

美國茲正式聲明，美國不因其代表之簽署本公約而接受關於國際電信公約（一九五九年，日內瓦）第十四條所指之電話規則或附加無線電規則之任何義務。

(最後聲明書)

## 九

關於希臘者：

希臘代表團茲代表其政府聲明，不接受其後果可能導致增加其攤付電聯會費用之保留。

## 十

關於印度共和國者：

一、在簽署一九五九年日內瓦國際電信會議最後法案時，印度共和國不接受參加本屆會議任何代表團可能對於電聯會預算事項所作任何保留而導致之任何財務牽連。

二、印度共和國代表團聲明，本代表團之簽署本公約並保留在印度共和國對於本公約第十四條所指電報及電話規則（一九五八年，日內瓦）之若干規定可接受或不可接受之立場下為之。

三、印度共和國代表團進一步為其政府保留有權採取必要之適當步驟，以保證電聯會及其常設機關正常行使職掌，以及本公約第十四條所列各規則之實施，設有任何國家保留及／或不接受上述公約及規則之規定者。

## 十一

關於印度尼西亞共和國者：

由於愛林巴拉（西部新幾內亞）在憲法上為印度尼西亞共和國之一完整部份，出席一九五九年日內瓦全權代表會議暨無線電行政會議之印度尼西亞代表團正式聲明，其簽署本公約及無線電規則並不含有接受電聯會文件及無線電規則（附件及／或附錄）內述及愛林巴拉（新幾內亞）時冠以「荷蘭」字樣之意。

(最後聲明書)

## 十二

關於以色列國者：

以色列國代表團不能接受沙烏地阿拉伯王國，伊拉克共和國，約旦哈什米王國，科威特，黎巴嫩，利比亞聯合王國，摩洛哥王國，阿拉伯聯合共和國，蘇丹共和國以及突尼西亞等代表團所作關於以色列國之保留，對上列有關各會員國言，在應用本公約及其附屬規則時，為其政府保留有權採取其認為或屬必要之適當措施以保障以色列國之利益。

## 十三

關於日本者：

如因其他國家之保留導致其增加撥付電聯會費用之負擔時，日本保留有權採取其認為或屬必要之行動以保障其利益。

## 十四

關於荷蘭王國者：

荷蘭王國代表團聲明不接受印度尼西亞代表團在其正式聲明之宣言，此項宣言妨礙及荷蘭政府對荷屬新幾內亞非自治領土之主權。

關於「荷屬新幾內亞」之名稱，本代表團聲明此為符合憲法之正確名稱，而為聯合國祕書處所正式承認並應用者。

## 十五

關於菲律賓共和國者：

菲律賓共和國在簽署本公約時正式聲明其目前不能接受本公約第一九三款所述電報及電話規則之任何義務。

(最後聲明書)

## 十六

關於大不列顛及北愛爾蘭聯合王國者：

大不列顛及北愛爾蘭聯合王國代表團聲明：

本代表團不接受阿根廷代表團之聲明中宣言，此項宣言妨礙及聯合王國皇家政府對福克蘭羣島及福克蘭羣島附屬地之主權，並願正式保留其皇家政府對本問題之權利。福克蘭羣島及福克蘭羣島附屬地現正並將繼續為構成會員全部領土中之一完整部份，其會員名稱向為：大不列顛及北愛爾蘭聯合王國之殖民地，保護地，海外領土以及統治或託管領土，大不列顛及北愛爾蘭聯合王國代表上述領土於一九五三年十一月十六日加入國際電信公約（一九五二年，布諾賽爾），在國際電信公約（一九五九年，日內瓦）中則稱為：由大不列顛及北愛爾蘭聯合王國政府負責國際關係之海外領土。

## 十七

關於捷克者：

捷克代表團代表捷克政府聲明其不受旨在提高攤付電聯會費用負擔之保留而引起任何後果之約束。

## 十八

關於土耳其者：

土耳其代表團聲明土耳其共和國政府不能接受參加一九五九年日內瓦全權代表會議之其他政府所作保留而可能產生之任何財務後果。

## 十九

關於南非聯邦及西南非洲領土者：

南非聯邦及西南非洲領土代表團聲明，南非聯邦及西南非洲領土之簽署本公約，在保留南非聯邦及西南非洲領土並不同意受國際電信公約（一九五九年，日

(最後聲明書)

內瓦)第十四條所述電話規則之約束下為之。

## 二十

關於委內瑞拉者：

在簽署本公約時，委內瑞拉共和國代表團，代表其政府重申維持其對電報規則及電話規則(一九五八年，日內瓦)並對無線電規則(一九五九年，日內瓦)所作之保留。

## 二十一

關於阿富汗，阿根廷共和國，比利時，哥倫比亞共和國，比屬剛果及盧安達烏隆的領土，丹麥，西班牙，法蘭西邦協海外各會員國及法蘭西海外領土，法國，墨西哥，摩納哥，挪威，巴拉圭，秘魯，葡萄牙，葡屬海外省，德意志聯邦共和國，南斯拉夫，瑞典及瑞士者：

上述國家之代表團代表其政府聲明不接受任何可能增加撥付電聯會費用負擔之保留而引起之任何後果。

## 二十二

關於阿爾巴尼亞，白俄羅斯，保加利亞，匈牙利，波蘭，烏克蘭，羅馬尼亞，捷克及蘇俄者：

此等代表團茲代表其政府聲明，對於國際電信聯合會一九五九年日內瓦全權代表會議所作之決定，承認蔣介石之代表代表中國參加本屆會議並簽署最後法案

## (最後聲明書)

之權證，係屬非法，蓋中國之合法代表僅能為中華人民共和國中央人民政府所指派之代表。

## 二十三

關於阿爾巴尼亞，保加利亞，匈牙利，波蘭，羅馬尼亞及捷克者：

在簽署國際電信公約（一九五九年，日內瓦）時，阿爾巴尼亞，保加利亞，匈牙利，波蘭，羅馬尼亞及捷克代表團為其政府保留有權接受或不接受無線電規則之全部或一部份。

## 二十四

關於沙烏地阿拉伯王國，伊拉克共和國，約但哈什米王國，科威特，黎巴嫩，利比亞聯合王國，摩洛哥王國，阿拉伯聯合共和國，蘇丹共和國及突尼西亞者：

上述代表團聲明，各該國政府之簽署暨嗣後之可能批准國際電信公約（一九五九年，日內瓦），對於本公約附件一所載以色列之名稱不具效力，並絕不含有承認其為會員之意。

## 二十五

關於奧地利與義大利者：

如會員或仲會員不根據國際電信公約（一九五九年，日內瓦）之規定攤付電聯會之費用，以及如其他國家之保留阻礙彼等電信業務時，奧地利與義大利保留有權採取其認為或認為必要之行動以保障其利益之權利。

(最後聲明書)

## 二十六

關於白俄羅斯，烏克蘭及蘇俄者：

白俄羅斯，烏克蘭及蘇俄代表團茲正式聲明，在簽署本公約時，仍維持彼等政府於批准國際電信公約（一九五二年，布諾賽爾）時對無線電規則所作之保留。

## 二十七

關於迦納，幾內亞共和國及伊朗者：

上述國家代表團聲明，彼等各為其政府對於如任何會員或仲會員有任何不遵守國際電信公約（一九五九年，日內瓦）條件，或有其他國家之保留以致阻礙彼等電信業務時，保留有權採取其認為必要之任何行動以保障其利益。

## 二十八

關於約但哈什米王國及阿拉伯聯合共和國者：

約旦哈什米王國及阿拉伯聯合共和國代表團茲代表其政府聲明，不同意第四十二及九十七兩款授權行政理事會代表電聯會與其他國際組織締結協定。凡認為損及其利益之任何此等協定應不受其約束。

## 二十九

關於澳大利亞聯邦，紐西蘭，巴基斯坦，菲律賓共和國，大不列顛及北愛爾蘭聯合王國暨南非聯邦及西南非洲領土者：

上述國家代表團茲代表各該政府對於如有若干會員或仲會員不繳付電聯會費

## (最後聲明書)

用，或有任何不遵守國際電信公約（一九五九年，日內瓦）或其附件或其所附議定書之條件，或其他國家之保留阻礙彼等之電信業務時，保留有權採取其認為或屬必要之行動以保障其利益。

爲此，各全權代表在訂成一冊之中文，英文，法文，俄文及西班牙文之最後聲明書上分別簽署，以資信守，該項聲明書，應存於國際電信聯合會檔庫，並將其副本分送每一簽署國一份。

一九五九年十二月二十一日訂於日內瓦

最後聲明書後之簽署與本公約後之簽署相同

## О ГЛАВЛЕНИЕ

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## МЕЖДУНАРОДНАЯ КОНВЕНЦИЯ ЭЛЕКТРОСВЯЗИ

### ПРЕАМБУЛА

- 1 Полнотью признавая за каждой страной суверенное право регламентировать свои электросвязи, полномочные представители Договаривающихся Правительств согласились заключить настоящую Конвенцию с целью облегчения связи и сотрудничества между народами путем эффективного функционирования электросвязей.
- 2 Страны и группы территорий, которые являются участниками настоящей Конвенции, составляют Международный союз электросвязи.

## ГЛАВА I

### Состав, цели и структура Союза

#### СТАТЬЯ I

##### Состав Союза

- 3 1. Международный союз электросвязи состоит из Членов и Сочленов.
- 4 2. Членом Союза является:
  - a) любая страна или группа территорий из перечисленных в Приложении I после подписания и ратификации Конвенции или после присоединения к ней непосредственно или от ее имени;
  - b) любая страна, не указанная в Приложении I, которая становится Членом Организации Объединенных Наций и которая присоединится к настоящей Конвенции в соответствии с постановлениями статьи 18;
  - c) любая суверенная страна, не указанная в Приложении I и не являющаяся Членом Организации Объединенных Наций, которая присоединится к Конвенции в соответствии с постановлениями статьи 18,

после того как ее просьба о принятии в качестве Члена Союза будет одобрена двумя третями Членов Союза.

7. Сочленом Союза является:

- a) любая страна, территория или группа территорий, которая указана в Приложении 2, после подписания и ратификации Конвенции или присоединения к ней непосредственно или от ее имени;
  - 8 b) любая страна, не являющаяся Членом Союза согласно пп. 4—6, просьба которой о принятии в Союз в качестве Сочлена одобрена большинством Членов Союза и которая присоединится к Конвенции в соответствии с постановлениями статьи 18;
  - 9 c) любая территория или группа территорий, не являющаяся полностью ответственной за свои международные отношения, от имени которой какой-либо Член Союза подписал и ратифицировал настоящую Конвенцию или присоединился к ней в соответствии с постановлениями статьи 18 или 19, если ее просьба о принятии в качестве Сочлена, представленная несущим за нее ответственность Членом Союза, была одобрена большинством Членов Союза;
  - 10 d) любая территория, находящаяся под опекой, просьба которой о принятии в качестве Сочлена представлена Организацией Объединенных Наций и от имени которой Организация Объединенных Наций присоединилась к Конвенции в соответствии с постановлениями статьи 20.
11. 4. Если какая-либо территория или группа территорий, составляющая в свою очередь часть какой-либо группы территорий, являющейся Членом Союза, сама становится или стала Сочленом Союза согласно вышеуказанным пп. 7 и 9, ее права и обязанности, предусмотренные настоящей Конвенцией, ограничиваются правами и обязанностями Сочлена.
12. 5. Если какая-либо просьба о присоединении в качестве Члена или Сочлена представляется дипломатическим путем и через посредство страны, где установлено местопребывание Союза, в период между двумя полномочными конференциями, то во исполнение постановлений пп. 6, 8 и 9 Генеральный секретарь проводит опрос среди Членов Союза. Член будет рассматриваться как воздержавшийся, если он не ответит в течение четырех месяцев со дня запроса его мнения.

## СТАТЬЯ 2

### Права и обязанности Членов и Сочленов Союза

- 13 1. (1) Все Члены имеют право участвовать в конференциях Союза и могут быть избраны во все его органы.
- 14 (2) Каждый Член имеет право на один голос на всех конференциях Союза, на всех собраниях Международных консультативных комитетов, в которых он участвует, и если он является Членом Административного совета, то на всех сессиях этого Совета.
- 15 (3) Каждый Член имеет также право на один голос при всех опросах, проводимых путем переписки.
- 16 2. Сочлены имеют те же права и обязанности, что и Члены Союза. Однако они не имеют права голосовать на конференциях или в других органах Союза и представлять кандидатуры в Международный комитет регистрации частот. Они не могут быть избраны в Административный совет.

## СТАТЬЯ 3

### Местопребывание Союза

- 17 Местопребывание Союза установлено в Женеве.

## СТАТЬЯ 4

### Цели Союза

- 18 1. Целями Союза являются:
- a) поддерживать и расширять международное сотрудничество для улучшения и рационального использования всех видов электросвязи;
- 19 b) способствовать развитию технических средств и их наиболее эффективной эксплуатации с целью повысить производительность служб электросвязи, расширить их применение и увеличить как можно большее их использование населением;
- 20 c) согласовывать деятельность стран, направленную на достижение вышеуказанных общих целей.

21 2. Для этого Союз, в частности:

- a) осуществляет распределение радиочастотного спектра и регистрацию присвоений радиочастот таким образом, чтобы избегать вредных помех между радиостанциями различных стран;
- b) координирует деятельность, направленную на устранение вредных помех между станциями радиосвязи различных стран и на улучшение использования спектра;
- c) поощряет сотрудничество между своими Членами и Сочленами с целью установления наиболее низких тарифов, совместимых с высоким качеством службы и независимым, построенным на здоровой основе финансовым управлением электросвязями;
- d) поощряет создание, развитие и усовершенствование установок и сетей электросвязи в новых или развивающихся странах всеми имеющимися в его распоряжении средствами, в частности путем своего участия в осуществлении соответствующих программ Организации Объединенных Наций;
- e) способствует принятию мер для обеспечения безопасности человеческой жизни путем сотрудничества между службами электросвязи;
- f) проводит изучение, составляет рекомендации и желания, подбирает и опубликовывает информацию по вопросам электросвязи в интересах всех Членов и Сочленов Союза.

## СТАТЬЯ 5

### Структура Союза

27 Структура Союза является следующей:

1. Полномочная конференция — верховный орган Союза;
2. Административные конференции;
3. Административный совет;
4. Постоянные органы, перечисленные ниже:
  - a) Генеральный секретариат;

- 31        b) Международный комитет регистрации частот (МКРЧ);  
32        c) Международный консультативный комитет по радио (МККР);  
33        d) Международный консультативный комитет по телеграфии и телефонии (МККТТ).

## СТАТЬЯ 6

### Полномочная конференция

- 34        I. Полномочная конференция:
- a) определяет общие принципы, которым Союз должен следовать для достижения целей, указанных в статье 4 настоящей Конвенции;
  - b) рассматривает отчет Административного совета о его деятельности и деятельности Союза со времени последней Полномочной конференции;
  - c) устанавливает основы бюджета Союза, а также предел расходов Союза на период до очередной Полномочной конференции;
  - d) устанавливает основные оклады, основную шкалу окладов и систему пособий и пенсий для всех служащих Союза;
  - e) окончательно утверждает счета Союза;
  - f) избирает Членов Союза в состав Административного совета;
  - g) избирает Генерального секретаря и заместителя Генерального секретаря и устанавливает дату, с которой они приступают к выполнению своих обязанностей;
  - h) пересматривает Конвенцию, если находит это необходимым;
  - i) заключает или пересматривает, в случае необходимости, соглашения между Союзом и другими международными организациями, рассматривает все временные соглашения, заключенные от имени Союза Административным советом с этими международны-

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ми организациями, и принимает по ним все необходимые по ее мнению меры;

43        j) рассматривает все вопросы, касающиеся электросвязи, которые она считает необходимым рассмотреть.

44        2. Полномочная конференция обычно созывается в месте и во время, устанавливаемые предыдущей Полномочной конференцией.

45        3. (1) Дата и место созыва очередной Полномочной конференции или только одно из них могут быть изменены:

46        a) по просьбе не менее двадцати Членов и Сочленов Союза, направленной Генеральному секретарю в индивидуальном порядке, или

47        b) по предложению Административного совета.

48        (2) В обоих случаях новая дата и новое место или только одно из них устанавливается с согласия большинства Членов Союза.

## СТАТЬЯ 7

### Административные конференции

49        1. Административные конференции Союза подразделяются на:

50        a) обычные административные конференции;

51        b) чрезвычайные административные конференции;

51        c) специальные конференции, которые в свою очередь подразделяются на:

— специальные региональные конференции;

— специальные служебные конференции всемирного или регионального характера.

52        2. (1) Обычные административные конференции:

53        a) пересматривают каждая в своей области Регламенты, указанные в пункте 193;

53        b) рассматривают в рамках Конвенции и Общего регламента и в соответствии с директивами, данными Полномочной конференцией, все другие необходимые вопросы.

54 (2) Кроме того, обычная административная конференция радиосвязи:

- a) избирает членов Международного комитета регистрации частот;
- b) дает этому Комитету инструкции и производит оценку его деятельности.

55 3. (1) Дата и место созыва обычной административной конференции определяются:

- a) предыдущей административной конференцией, если она находит это целесообразным, или
- b) по просьбе не менее двадцати Членов и Сочленов Союза, направленной Генеральному секретарю в индивидуальном порядке, или
- c) по предложению Административного совета.

56 (2) В случаях, указанных в пп. 57 или 58, дата и место устанавливаются с согласия большинства Членов Союза.

57 4. (1) Чрезвычайные административные конференции созываются для рассмотрения отдельных вопросов электросвязи. На этих конференциях могут обсуждаться только вопросы, предусмотренные в их повестке дня.

58 (2) Они могут, каждая в своей соответствующей области, пересматривать отдельные постановления какого-либо административного регламента при условии, что пересмотр этих постановлений предусмотрен в повестке дня, одобренной большинством Членов Союза в соответствии с постановлениями пункта 65.

59 5. (1) Чрезвычайная административная конференция может быть созвана:

- a) по решению Полномочной конференции, которая устанавливает ее повестку дня, а также дату и место созыва, или
- b) если не менее двадцати Членов и Сочленов Союза сообщат Генеральному секретарю в индивидуальном порядке о своем желании, чтобы была созвана такая конференция для рассмотрения предложенной ими повестки дня, или
- c) по предложению Административного совета.

2\*

65       (2) В случаях, предусмотренных в пп. 63 и 64, дата и место созыва конференции, а также ее повестка дня устанавливаются с согласия большинства Членов Союза.

66       6. Специальные конференции созываются для рассмотрения вопросов, включенных в их повестку дня. Их решения во всех случаях должны соответствовать постановлениям Конвенции и административных регламентов.

67       7. (1) Специальная конференция может быть созвана:

а) по решению Полномочной конференции или обычной или чрезвычайной административной конференции, которая должна определить ее повестку дня, а также дату и место созыва;

68       б) если не менее двадцати Членов и Сочленов Союза (в случае созыва специальной служебной конференции всемирного характера) или одна четверть Членов и Сочленов данного района (в случае созыва специальной региональной конференции или специальной служебной конференции регионального характера) сообщат Генеральному секретарю в индивидуальном порядке о своем желании, чтобы была созвана такая конференция для рассмотрения предложенной ими повестки дня, или

69       с) по предложению Административного совета.

70       (2) В случаях, предусмотренных в пп. 68 и 69, дата и место созыва конференции, а также ее повестка дня устанавливаются с согласия большинства Членов Союза для специальных служебных конференций всемирного характера и большинства Членов данного района для специальных региональных конференций или специальных служебных конференций регионального характера.

71       8. (1) Дата и место созыва обычной административной конференции, чрезвычайной административной конференции, специальной служебной конференции всемирного характера или только одно из них могут быть изменены:

а) по просьбе не менее двадцати Членов и Сочленов Союза, направленной Генеральному секретарю в индивидуальном порядке, или

72       б) по предложению Административного совета.

73       (2) В обоих случаях новая дата и новое место или только одно из них устанавливаются с согласия большинства Членов Союза.

74 9. (1) Дата и место специальных региональных конференций или специальных служебных конференций регионального характера или только одно из них могут быть изменены:

а) по просьбе не менее одной четверти Членов и Сочленов данного района, или

75 б) по предложению Административного совета.

76 (2) В обоих случаях новая дата и новое место или только одно из них устанавливаются с согласия большинства Членов Союза данного района.

## СТАТЬЯ 8

### Внутренний регламент конференций

77 Для организации своей работы и для проведения прений конференции применяют внутренний регламент, который включен в Общий регламент, приложенный к Конвенции. Однако каждая конференция может принять необходимые дополнительные постановления.

## СТАТЬЯ 9

### Административный совет

#### A. Организация и порядок работы

78 1. (1) Административный совет состоит из двадцати пяти Членов Союза, избираемых Полномочной конференцией с учетом необходимости справедливого представительства всех частей мира. Члены Союза, избранные в Совет, выполняют свои обязанности до тех пор, пока Полномочная конференция не изберет новый состав Совета. Они могут быть вновь избраны.

79 (2) Если в период между двумя полномочными конференциями в Административном совете освобождается место, то оно по праву переходит к тому Члену Союза, который на предыдущих выборах получил наибольшее число голосов из числа неизбранных Членов Союза, принадлежащих к тому же району.

- 80      2. Каждый из Членов Административного совета назначает для участия в Совете лицо, квалифицированное в силу его опыта работы в службах электросвязи, и будет по мере возможности стараться избегать его замены в течение срока полномочий Совета.
- 81      3. Каждый Член Совета располагает одним голосом.
- 82      4. Административный совет устанавливает свой собственный внутренний регламент.
- 83      5. В начале каждой ежегодной сессии Административный совет избирает председателя и заместителя председателя. Они исполняют свои обязанности до открытия следующей ежегодной сессии и могут быть вновь избраны. В отсутствие председателя его заменяет заместитель председателя.
- 84      6. (1) Совет собирается на ежегодную сессию в месте пребывания Союза.  
      (2) В ходе этой сессии он может решить созвать в виде исключения дополнительную сессию.  
      (3) В период между обычными сессиями он может быть созван председателем, как правило, в месте пребывания Союза по требованию большинства его Членов.
- 85      7. Генеральный секретарь и заместитель Генерального секретаря, председатель и заместитель председателя Международного комитета по регистрации частот и директора международных консультативных комитетов участвуют по праву в прениях Административного совета, но не принимают участия в голосовании. Однако Совет может проводить заседания с участием только его членов.
- 86      8. Генеральный секретарь Союза исполняет обязанности секретаря Административного совета.
- 87      9. (1) В период между полномочными конференциями Административный совет действует от имени Полномочной конференции в пределах прав, предоставленных ему последней.  
      (2) Совет выполняет свою работу только на официальных сессиях.
- 88      10. Представитель каждого из Членов Административного совета имеет право присутствовать в качестве наблюдателя

на всех заседаниях постоянных органов Союза, перечисленных в пп. 31, 32 и 33.

- 92 11. Союз оплачивает только проездные и суточные расходы представителя каждого Члена Административного совета при исполнении им своих обязанностей на сессиях Совета.

### **В. Обязанности**

- 93 12. (1) Административному совету поручается принятие всех мер для облегчения выполнения Членами и Сочленами постановлений Конвенции, Регламентов, решений Полномочной конференции и, в соответствующих случаях, решений других конференций и собраний Союза.

- 94 (2) Он обеспечивает эффективную координацию деятельности Союза.

- 95 13. В частности, Административный совет:

a) выполняет все задачи, возложенные на него Полномочной конференцией;

- 96 b) в период между полномочными конференциями обеспечивает координацию работы со всеми международными организациями, указанными в статьях 28 и 29 настоящей Конвенции;

для этого Совет:

- 97 1. Заключает от имени Союза временные соглашения с международными организациями, указанными в статье 29 Конвенции и с Организацией Объединенных Наций, в соответствии с Соглашением, содержащимся в Приложении 6 к Конвенции; эти временные соглашения должны представляться очередной Полномочной конференцией в соответствии с постановлениями пункта 42;

- 98 2. Назначает от имени Союза одного или нескольких представителей для участия в конференциях этих организаций, а в случае необходимости, и в конференциях по координации, созываемых по договоренности с этими организациями;

- 99 c) устанавливает численность и должностные категории персонала Генерального секретариата и специализированных секретариатов постоянных органов Союза,

с учетом общих директив, даваемых Полномочной конференцией;

- 100        d) составляет все регламенты, которые он считает необходимыми для административной и финансовой деятельности Союза, а также административные уставы, которые должны учитывать текущую практику Организации Объединенных Наций и специализированных учреждений, применяющих общую систему окладов, пособий и пенсий;
- 101        e) контролирует административную деятельность Союза;
- 102        f) рассматривает и утверждает годовой бюджет Союза, осуществляя при этом возможную экономию средств;
- 103        g) принимает все необходимые меры для ежегодной проверки счетов Союза, составляемых Генеральным секретарем, и утверждает их для представления следующей Полномочной конференции;
- 104        h) согласовывает, если необходимо,
1. Основную шкалу окладов персонала категории специалистов и категории директоров, за исключением окладов, присвоенных должностям, которые замещаются путем выборов, с тем, чтобы приравнять их к основной шкале окладов, установленной Организацией Объединенных Наций для соответствующих категорий общей системы;
  2. Основные оклады персонала категории общих служб, с тем, чтобы приравнять их к окладам, применяемым Организацией Объединенных Наций и специализированными учреждениями в месте пребывания Союза;
  3. Должностные надбавки персоналу категории специалистов и высших категорий, включая должности, замещаемые путем выборов, в соответствии с решениями Организации Объединенных Наций, действующими в месте пребывания Союза;
  4. Надбавки для всего персонала Союза в соответствии со всеми изменениями, принятыми в общей системе Организации Объединенных Наций;
  5. Взносы Союза и персонала в общий Пенсионный фонд персонала Организации Объединенных Наций;

ций в соответствии с решениями объединенного комитета этого Фонда;

- 109 i) принимает необходимые меры для созыва полномочных и административных конференций Союза в соответствии со статьями 6 и 7;
- 110 j) представляет Полномочной конференции Союза рекомендации, которые он считает полезными;
- 111 k) координирует деятельность постоянных органов Союза, принимает необходимые меры по представляемым этими органами запросам или рекомендациям и рассматривает их ежегодные отчеты;
- 112 l) производит, если считает это целесообразным, временное назначение на вакантную должность заместителя Генерального секретаря;
- 113 m) производит временные назначения на вакантные должности директоров Международных консультативных комитетов;
- 114 n) исполняет другие обязанности, предусмотренные настоящей Конвенцией, и, в рамках Конвенции и Регламентов, все обязанности, которые он считает необходимыми для надлежащего управления Союзом;
- 115 o) принимает, с согласия большинства Членов Союза, меры, необходимые для временного разрешения вопросов, не предусмотренных Конвенцией и приложениями к ней, разрешение которых не может быть отложено до следующей соответствующей конференции;
- 116 p) представляет на рассмотрение Полномочной конференции доклад о своей деятельности и о деятельности Союза;
- 117 q) содействует международному сотрудничеству для оказания технической помощи новым или развивающимся странам всеми имеющимися в его распоряжении средствами, и в особенности путем участия Союза в соответствующих программах Организации Объединенных Наций, в соответствии с целью Союза, заключающейся в поощрении развития электросвязи всеми возможными способами.

## СТАТЬЯ 10

## Генеральный секретариат

- 118 1. (1) Генеральным секретариатом руководит Генеральный секретарь, которому помогает заместитель Генерального секретаря.
- 119 (2) Генеральный секретарь и заместитель Генерального секретаря приступают к исполнению своих обязанностей в срок, устанавливаемый при их избрании. Они обычно выполняют свои обязанности до даты, устанавливаемой следующей Полномочной конференцией, и могут быть вновь избраны.
- 120 (3) Генеральный секретарь несет ответственность перед Полномочной конференцией, а в период между полномочными конференциями перед Административным советом за исполнение всех возложенных на Генеральный секретариат обязанностей, а также за все административные и финансовые службы Союза. Заместитель Генерального секретаря ответствен перед Генеральным секретарем.
- 121 (4) Если должность Генерального секретаря становится вакантной, то временное исполнение его обязанностей возлагается на заместителя Генерального секретаря.
- 122 2. Генеральный секретарь:
- a) обеспечивает согласованную деятельность постоянных органов Союза при помощи координационного комитета, председателем которого он является, и состоящего из заместителя Генерального секретаря и глав постоянных органов; эта координация охватывает административные вопросы, техническую помощь, внешние сношения, общественную информацию и все другие вопросы, конкретно поставленные Административным советом;
  - b) организует работу Генерального секретариата и назначает сотрудников этого секретариата в соответствии с указаниями Полномочной конференции и регламентами, принятыми Административным советом;
  - c) принимает административные меры по организации специализированных секретариатов постоянных органов и назначает персонал этих секретариатов по согласованию с главой каждого постоянного органа и на основе выбора последнего, причем окон-

чательное решение о назначении или увольнении принадлежит Генеральному секретарю;

- 125        d) доводит до сведения Административного совета о всех принятых Организацией Объединенных Наций и специализированными учреждениями решениях, касающихся условий службы, пособий и пенсий общей системы;
- 126        e) следит за применением в специализированных секре-  
тариатах административных и финансовых регла-  
ментов, принятых Административным советом;
- 127        f) осуществляет исключительно административное наблюдение за персоналом специализированных секретариатов, работающим под непосредственным руководством глав постоянных органов Союза;
- 128        g) обеспечивает работу секретариата по подготовке конференций Союза и после их окончания;
- 129        h) обеспечивает, в соответствующих случаях, в сотруд-  
ничестве с приглашающим правительством секрета-  
риат всех конференций Союза и при наличии на то запроса или указаний, приложенных к Конвенции Регламентов, секретариат собраний постоянных органов Союза или собраний, созываемых в рамках Союза; он может также при наличии на то запроса обеспечивать на договорной основе секретариат всех других собраний по электросвязи;
- 130        i) поддерживает в порядке официальные номенклату-  
ры, составляемые на основе данных, представляемых для этой цели постоянными органами Союза или администрациями, за исключением Основного ре-  
гистра частот и другого необходимого делопроиз-  
водства, связанного с обязанностями Международ-  
ного комитета регистрации частот;
- 131        j) опубликовывает рекомендации и основные отчеты постоянных органов Союза;
- 132        k) опубликовывает международные и региональные соглашения по электросвязи, получаемые от догово-  
ривающихся сторон, а также поддерживает в поряд-  
ке относящиеся к этим соглашениям документы;
- 133        l) опубликовывает технические нормы Международно-  
го комитета регистрации частот, а также всю другую документацию, касающуюся присвоения и исполь-

зования частот в том виде, как она подготовлена Международным комитетом регистрации частот вследствие им своих обязанностей;

- 134 м) составляет, опубликовывает и поддерживает в порядке, прибегая в случае необходимости к помощи других постоянных органов Союза:
- 135 1. Документацию, относящуюся к составу и структуре Союза;
  - 136 2. Общую статистику и официальные служебные документы Союза, предусмотренные в приложенных к Конвенции Регламентах;
  - 137 3. Все другие документы, составление которых поручено конференциями и Административным советом;
- 138 п) рассыпает опубликованные документы;
- 139 о) собирает и опубликовывает в соответствующей форме сведения национального и международного характера, касающиеся электросвязи во всем мире;
- 140 р) собирает и опубликовывает в сотрудничестве с другими постоянными органами Союза информацию технического или административного характера, которая могла бы быть особенно полезна для новых или развивающихся стран с целью оказания им помощи в улучшении их сетей радиосвязи. Внимание этих стран будет также обращено на возможности, предоставляемые международными программами технической помощи в рамках Организации Объединенных Наций;
- 141 q) собирает и опубликовывает все сведения, которые могут быть полезными для Членов и Сочленов, относительно применения технических средств для достижения наибольшей эффективности служб электросвязи, и в особенности наилучшего возможного использования радиочастот с целью уменьшения помех;
- 142 р) публикует периодически журнал общей информации и документации по вопросам электросвязи на основе собираемых им или предоставляемых в его распоряжение сведений, включая те, которые он может получать от других международных организаций;

- 143        s) подготавливает и представляет Административному совету проект годового бюджета, который после утверждения его Советом рассыпается для сведения всем Членам и Сочленам;
- 144        t) составляет для ежегодного представления Административному совету финансовый отчет, а непосредственно перед каждой Полномочной конференцией — сводный отчет; после проверки и утверждения Административным советом эти отчеты рассыпаются Членам и Сочленам и представляются на рассмотрение и окончательное утверждение очередной Полномочной конференции;
- 145        u) составляет годовой отчет о деятельности Союза, который после утверждения Административным советом направляется всем Членам и Сочленам;
- 146        v) обеспечивает выполнение всех других обязанностей секретариата Союза.
- 147        3. Заместитель Генерального секретаря помогает Генеральному секретарю в исполнении им его обязанностей и выполняет отдельные задания, которые ему поручает Генеральный секретарь. Он исполняет обязанности Генерального секретаря в отсутствие последнего.
- 148        4. Генеральный секретарь или заместитель Генерального секретаря может присутствовать с правом совещательного голоса на пленарных собраниях Международных консультативных комитетов и на всех конференциях Союза; Генеральный секретарь или его представитель может участвовать с правом совещательного голоса во всех других собраниях Союза.

## СТАТЬЯ 11

### Должностные лица и персонал Союза

- 149        1. Генеральный секретарь, заместитель Генерального секретаря и директора Международных консультативных комитетов должны быть подданными различных стран — Членов Союза.
- 150        2. (1) При исполнении своих обязанностей Генеральный секретарь, заместитель Генерального секретаря, члены Международного комитета регистрации частот и директора Международных консультативных комитетов, а также и пер-

сонал Союза не должны запрашивать или получать указаний от какого бы то ни было правительства или каких бы то ни было властей вне Союза. Они должны воздерживаться от всяких действий, не совместимых с их положением международных должностных лиц.

151 (2) Каждый Член и Сочлен должен уважать исключительно международный характер обязанностей должностных лиц, перечисленных в пункте 150, и персонала Союза и не пытаться оказывать на них влияния при выполнении ими возложенных на них задач.

152 3. Главным соображением при наборе персонала и определении условий его работы должна быть необходимость обеспечить Союзу кадры в высшей степени квалифицированных, работоспособных и честных служащих. Следует должным образом учитывать важность найма персонала на самой широкой географической основе.

## СТАТЬЯ 12

### Международный комитет регистрации частот

153 1. Основные задачи Международного комитета регистрации частот заключаются в следующем:

a) производить методическую запись частотных присвоений, сделанных различными странами, с тем, чтобы установить в соответствии с порядком, предусмотренным в Регламенте радиосвязи и в надлежащем случае в решениях компетентных конференций Союза, дату, назначение и технические характеристики каждого из этих присвоений с целью обеспечения их официального международного признания;

154 b) давать Членам и Сочленам рекомендации с целью эксплуатации возможно большего числа радиоканалов в тех участках частотного спектра, в которых могут возникать вредные помехи;

155 c) выполнять все дополнительные задачи относительно присвоения и использования частот, предписанные какой-либо компетентной конференцией Союза или Административным советом с согласия большинства Членов Союза, с целью подготовки такой конференции или во исполнение ее решений;

- 156 d) поддерживать в порядке необходимое делопроизводство, связанное с исполнением его обязанностей.
- 157 2. (1) Международный комитет регистрации частот является органом, состоящим из 11 независимых членов, назначенных в соответствии с постановлениями пп. 160—169.
- 158 (2) Члены Комитета должны иметь высокую техническую квалификацию в области радиосвязи и практический опыт в деле присвоения и использования частот.
- 159 (3) Кроме того, в целях лучшего понимания проблем, рассматриваемых Комитетом согласно пункту 154, каждый Член должен быть знаком с географическими, экономическими и демографическими условиями какого-либо определенного района мира.
- 160 3. (1) На каждой обычной административной конференции радиосвязи проводятся выборы 11 членов Комитета. Эти члены избираются из числа кандидатов, предложенных странами—Членами Союза. Каждый Член Союза может выдвинуть только одного кандидата, подданного своей страны. Каждый кандидат должен обладать квалификацией, указанной в пп. 158 и 159.
- 161 (2) Порядок этих выборов устанавливается самой конференцией таким образом, чтобы обеспечить справедливое представительство различных районов мира.
- 162 (3) При очередных выборах каждый член Комитета может быть вновь предложен в качестве кандидата страной, подданным которой он является.
- 163 (4) Члены Комитета приступают к исполнению своих обязанностей со дня, установленного избравшей их обычной административной конференцией радиосвязи; они выполняют свои обязанности до даты начала службы их преемников, установленной следующей конференцией.
- 164 (5) Если в период между двумя обычными административными конференциями радиосвязи избранный член Комитета подает в отставку или не выполняет без уважительных причин в течение более трех месяцев своих обязанностей, то председатель Комитета обращается к стране — Члену Союза, подданным которой является это лицо, с просьбой назначить как можно быстрее преемника из числа подданных той же страны.
- 165 (6) Если данная страна — Член Союза не назначает преемника в течение трех месяцев с момента этого запроса,

то она теряет право назначения лица для занятия места в Комитете на оставшийся период его полномочий.

- 166 (7) Если в период между двумя обычными административными конференциями радиосвязи преемник в свою очередь подает в отставку или не выполняет без уважительных причин своих обязанностей в течение более трех месяцев, то страна — Член Союза, подданным которой он является, не имеет права назначить второго преемника.
- 167 (8) В случаях, предусмотренных в пп. 165 и 166, председатель Комитета просит страну — Члена Союза, кандидат которой получил на предыдущих выборах наибольшее число голосов среди неизбранных кандидатов данного района, назначить этого кандидата для занятия места в Комитете на оставшийся период его деятельности. Если это лицо не свободно, то данной стране предлагается назначить преемника, подданного этой же страны.
- 168 (9) Если в период между двумя обычными административными конференциями радиосвязи избранный член Комитета или его преемник умирает, то страна — Член Союза, подданным которой он являлся, сохраняет право назначить преемника, подданного той же страны.
- 169 (10) Чтобы обеспечить эффективную работу Комитета, каждая страна, подданный которой был избран членом Комитета, должна, насколько это возможно, воздерживаться от его отзыва в период между двумя обычными административными конференциями радиосвязи.
- 170 4. (1) Методы работы Комитета определены в Регламенте радиосвязи.
- 171 (2) Члены Комитета избирают из своей среды председателя и заместителя председателя, которые исполняют свои обязанности в течение года; в следующем году заместитель вступает в должность председателя и избирается новый заместитель председателя.
- 172 (3) Комитет имеет в своем распоряжении специализированный секретариат.
- 173 5. (1) Члены Комитета исполняют свои обязанности не как представители своих стран или района, а как беспристрастные должностные лица, облеченные международным мандатом.
- 174 (2) Ни один член Комитета не должен ни запрашивать, ни получать инструкций относительно выполнения им своих

обязанностей от какого-либо правительства или члена какого-либо правительства, или от какой-либо общественной или частной организации или лица. Кроме того, каждый Член или Сочлен обязан уважать международный характер Комитета и деятельности его членов и ни в коем случае не должен пытаться оказывать влияние на какого-либо члена при исполнении им его обязанностей.

- 175** (3) При выполнении своих обязанностей ни один член Комитета или сотрудник его персонала не должен принимать деятельного участия или иметь какие-либо финансовые интересы в предприятиях, связанных с электросвязью. Однако термин «финансовые интересы» не должен пониматься как находящийся в противоречии с продолжением получения пенсий, связанных с уходом в отставку с предыдущего места работы.

### СТАТЬЯ 13

#### Международные консультативные комитеты

- 176** 1. (1) На Международный консультативный комитет по радио (МККР) возлагаются обязанности по проведению исследований и представлению рекомендаций по техническим и эксплуатационным вопросам, относящимся к радиосвязи.
- 177** (2) На Международный консультативный комитет по телеграфии и телефонии (МККТТ) возлагаются обязанности по проведению исследований и представлению рекомендаций по техническим, эксплуатационным и тарифным вопросам, относящимся к телеграфии и телефонии.
- 178** (3) При выполнении своих задач каждый Консультативный комитет должен уделять надлежащее внимание изучению вопросов и составлению рекомендаций, непосредственно связанных с созданием, развитием и усовершенствованием электросвязи в новых или развивающихся странах как в региональном, так и в международном масштабе.
- 179** (4) По просьбе заинтересованных стран каждый Консультативный комитет может также проводить исследования и давать советы по проблемам, касающимся национальных электросвязей этих стран.
- 180** 2. (1) Вопросы, изучаемые каждым Международным консультативным комитетом, по которым он должен составлять рекомендации, передаются ему Полномочной конференцией, Административной конференцией, Административным советом, другим Консультативным комитетом или Международ-

#### 3 Международная конвенция электросвязи

ным комитетом регистрации частот в дополнение к тем вопросам, которые пленарное собрание Консультативного комитета само решило поставить на изучение, или к вопросам, изучение которых было запрошено или одобрено путем переписки в период между пленарными собраниями не менее чем двенадцатью Членами или Сочленами Союза.

- 181       (2) Пленарные собрания Международных консультативных комитетов имеют право представлять административным конференциям предложения, непосредственно вытекающие из их рекомендаций или заключений, по проводимым ими исследованиям.
- 182       3. Членами Международных консультативных комитетов являются:
- a) по праву — администрации всех Членов и Сочленов Союза;
- 183       b) любая признанная частная эксплуатационная организация, которая с одобрения признавшего ее Члена или Сочлена представляет просьбу о своем участии в работе этих комитетов.
- 184       4. Деятельность каждого Международного консультативного комитета осуществляется:
- a) пленарным собранием, которое обычно собирается раз в три года. Когда созывается соответствующая обычная административная конференция, пленарное собрание Комитета проводится, по возможности, не менее чем за восемь месяцев до этой конференции;
  - b) исследовательскими комиссиями, созданными пленарным собранием для рассмотрения подлежащих изучению вопросов;
  - c) директором, избранным пленарным собранием. Он пользуется правами постоянного служащего Союза, но условия его работы могут регламентироваться специальными постановлениями;
  - d) специализированным секретариатом для помощи директору;
  - e) с помощью лабораторий или технических установок, созданных Союзом.
- 189       5. (1) Консультативные комитеты соблюдают в той степени, в какой они к ним применимы, постановления внутрен-

него регламента конференций, который является частью Общего регламента, приложенного к настоящей Конвенции.

190 (2) Для облегчения работы Консультативных комитетов пленарные собрания могут принять дополнительные постановления, если они не противоречат постановлениям внутреннего регламента конференций.

191 6. Методы работы Консультативных комитетов определены во второй части Общего регламента, приложенного к настоящей Конвенции.

## СТАТЬЯ 14

### Регламенты

192 1. Общий регламент, содержащийся в Приложении 5 к настоящей Конвенции, имеет ту же силу и ту же продолжительность действия, что и Конвенция, с учетом постановлений статьи 8.

193 2. (1) Постановления Конвенции дополняются нижеследующими административными регламентами, которые являются обязательными для всех Членов и Сочленов:

Телеграфным регламентом,  
Телефонным регламентом,  
Регламентом радиосвязи,  
Дополнительным регламентом радиосвязи.

194 (2) Члены и Сочлены должны ставить в известность Генерального секретаря об одобрении ими любого из этих регламентов, пересмотренных административными конференциями. По мере получения извещений об одобрении Генеральный секретарь сообщает о них Членам и Сочленам.

195 3. В случае противоречия между постановлениями Конвенции и какого-либо регламента Конвенция имеет большую силу.

## СТАТЬЯ 15

### Финансы Союза

196 1. Расходы Союза состоят из расходов:

а) Административного совета, Генерального секретариата Международного комитета регистрации ча-

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стот, Международных консультативных комитетов, на содержание лабораторий и технических установок, созданных Союзом;

197 б) конференций, проводимых согласно постановлениям статей 6 и 7 Конвенции и созываемых по решению или с согласия большинства Членов Союза;

198 в) всех собраний Международных консультативных комитетов.

199 2. Расходы специальных конференций, указанных в пункте 51, не подпадающие под пункт 197, региональный характер которых был определен Административным советом после получения предварительного согласия большинства Членов и Сочленов заинтересованного района, распределяются между всеми Членами и Сочленами этого района соответственно классу их участия в расходах Союза и на тех же условиях между Членами и Сочленами из других районов, принимавшими участие в таких конференциях.

200 3. Расходы специальных конференций, не предусмотренных в пп. 197 и 199, распределяются согласно классу участия в расходах Союза между Членами и Сочленами, которые согласились участвовать или участвовали в таких конференциях.

201 4. Административный совет рассматривает и утверждает годовой бюджет Союза с учетом установленного Полномочной конференцией предела расходов.

202 5. Расходы Союза покрываются взносами Членов и Сочленов, установленными в зависимости от числа единиц, соответствующих классу взносов, выбранному каждым Членом или Сочленом в соответствии со следующей таблицей:

Класс	30 единиц	Класс	8 единиц
>	25 >	>	5 >
>	20 >	>	4 >
>	18 >	>	3 >
>	15 >	>	2 >
>	13 >	>	1 >
>	10 >	>	1/2 >

203 6. Члены и Сочлены свободно выбирают класс взносов, по которому они желают участвовать в расходах Союза.

- 204 7. (1) Каждый Член или Сочлен сообщает Генеральному секретарю выбранный им класс взносов не менее чем за шесть месяцев до вступления Конвенции в силу.
- 205 (2) Это решение сообщается Генеральным секретарем Членам и Сочленам.
- 206 (3) Члены и Сочлены, которые не сообщают о принятом ими решении до срока, указанного в пункте 204, будут обязаны участвовать в расходах по классу взносов, выбранному ими в период действия Международной конвенции электросвязи (Буэнос-Айрес, 1952 г.).
- 207 (4) Члены и Сочлены могут в любое время выбрать класс взносов выше того, который был выбран ими ранее.
- 208 (5) В течение срока действия Конвенции количество единиц взносов, установленное в соответствии с пунктами 204—206, не может быть уменьшено.
- 209 8. Члены и Сочлены платят вперед свою долю ежегодных взносов, исчисленную на основе бюджета, принятого Административным советом.
- 210 9. На сумму задолженности начисляются проценты с начала каждого финансового года Союза. Эти проценты устанавливаются в размере 3% (три процента) годовых в течение первых шести месяцев и в размере 6% (шесть процентов) годовых, начиная с седьмого месяца.
- 211 10. (1) Признанные частные эксплуатационные организации и научные или промышленные организации несут расходы конференций или собраний, в которых они согласились участвовать или участвовали.
- 212 (2) Международные организации также несут расходы по конференциям или собраниям, к участию в которых они были допущены, если только они не были от этого освобождены Административным советом на условиях взаимности.
- 213 (3) Сумма их взносов определяется Административным советом и рассматривается как доход Союза. На эту сумму начисляются проценты согласно положениям, принятым Административным советом.
- 214 11. Расходы на измерения, опыты или специальные исследования, проведенные лабораториями или техническими установками Союза за счет некоторых Членов или Сочленов, групп Членов или Сочленов, региональных или иных организаций, оплачиваются этими Членами или Сочленами, группами, организациями и т. п.

**215** 12. Цена документов, продаваемых администрациям, признанным частным эксплуатационным организациям или частным лицам, устанавливается Генеральным секретарем по согласованию с Административным советом, руководствуясь, как общее правило, целью покрыть расходы по их изданию и рассылке путем продажи документов.

## СТАТЬЯ 16

### Языки

**216** 1. (1) Официальными языками Союза являются английский, китайский, испанский, французский и русский языки.

**217** (2) Рабочими языками Союза являются английский, испанский и французский языки.

**218** (3) В случае расхождения имеет силу французский текст.

**219** 2. (1) Окончательные документы полномочных и административных конференций, их заключительные акты, протоколы и резолюции, рекомендации и пожелания составляются на официальных языках Союза в одинаковой по форме и содержанию редакции.

**220** (2) Все другие документы этих конференций составляются на рабочих языках Союза.

**221** 3. (1) Официальные служебные документы Союза, предусмотренные в административных регламентах, опубликовываются на пяти официальных языках.

**222** (2) Все другие документы, общее распределение которых должен обеспечить Генеральный секретарь в соответствии с его обязанностями, составляются на трех рабочих языках.

**223** 4. Все документы, указанные в пп. 219—222, могут опубликовываться также и на других языках при условии, что Члены Сочлены, которые требуют такого издания, обязуются взять на себя все произведенные расходы по переводу и опубликованию.

**224** 5. (1) В ходе прений на конференциях Союза, а в случае необходимости и на заседаниях его Административного совета и постоянных органов, должна применяться эффективная система взаимного перевода на три рабочих языка и на русский язык.

- 225 (2) В случае согласия всех участников с этой процедурой прения могут проходить на языках, число которых будет менее четырех вышеуказанных языков.
- 226 6. (1) На конференциях Союза и на заседаниях его Административного совета и постоянных органов могут применяться другие языки, кроме указанных в пунктах 217 и 224:
- 227 a) если Генеральному секретарю или главе соответствующего постоянного органа будет представлено требование обеспечить применение одного или нескольких дополнительных языков для устных или письменных переводов при условии, что вытекающие отсюда дополнительные расходы будут нести Члены и Сочлены, которые представили такое требование или которые его поддержали;
- 228 b) если какая-либо делегация сама примет все меры по обеспечению за свой собственный счет устного перевода со своего языка на какой-либо из языков, указанных в пункте 224.
- 229 (2) В случае, предусмотренном в пункте 227, Генеральный секретарь или глава соответствующего постоянного органа, получив предварительно от заинтересованных Членов и Сочленов обязательство о том, что произведенные расходы будут ими должным образом возмещены Союзу по мере возможности, сообразуются с этим требованием.
- 230 (3) В случае, предусмотренном в пункте 228, заинтересованная делегация при желании может, кроме того, обеспечить за свой собственный счет устный перевод на свой язык с одного из языков, указанных в пункте 224.

## ГЛАВА II

### Применение Конвенции и Регламентов

#### СТАТЬЯ 17

##### Ратификация Конвенции

- 231 1. Настоящая Конвенция будет ратифицирована каждым из подписавших ее правительств. Ратификационные грамоты будут в наикратчайший срок направлены дипломатическим путем и через посредство правительства страны, где Союз имеет свое местопребывание, Генеральному секретарю, который известит об этом Членов и Сочленов.

- 232** 2. (1) В течение двух лет со дня вступления в силу настоящей Конвенции любое подписавшее ее правительство пользуется правами, предоставляемыми Членам и Сочленам в пунктах 13—15, даже если оно и не депонирует ратификационную грамоту согласно условиям, предусмотренным в пункте 231.
- 233** (2) По истечении двух лет со дня вступления в силу настоящей Конвенции любое подписавшее ее правительство, не депонировавшее ратификационную грамоту согласно условиям, предусмотренным в пункте 231, не будет больше иметь права голосовать на конференциях Союза, на сессиях Административного совета, на собраниях постоянных органов Союза до тех пор, пока не будет депонирована ратификационная грамота.
- 234** 3. После вступления в силу настоящей Конвенции в соответствии со статьей 52 каждая ратификационная грамота вступает в силу со дня ее депонирования в Генеральный секретариат.
- 235** 4. Если одно или несколько подписавших Конвенцию правительства не ратифицирует ее, последняя остается действующей для ратифицировавших ее правительств.

## СТАТЬЯ 18

### Присоединение к Конвенции

- 236** 1. Правительство какой-либо страны, которое не подписало настоящую Конвенцию, может в любое время присоединиться к ней в соответствии с постановлениями статьи 1.
- 237** 2. Акт о присоединении направляется дипломатическим путем и через посредство правительства страны, где Союз имеет свое местопребывание, Генеральному секретарию, который извещает Членов и Сочленов об этом присоединении и посыпает каждому из них заверенную копию этого Акта. Присоединение вступает в силу со дня депонирования Акта, если только не будет обусловлено иначе.

## СТАТЬЯ 19

### Применение Конвенции к странам или территориям, внешние сношения которых обеспечиваются Членами Союза

- 238** 1. Члены Союза могут в любое время заявить о том, что настоящая Конвенция применяется ко всем или группе или

одной из тех стран или территорий, внешние сношения которых они обеспечивают.

- 239 2. Всякое заявление, сделанное соответственно постановлениям пункта 238, направляется Генеральному секретарю Союза, который доводит его до сведения Членов и Сочленов.
- 240 3. Постановления пп. 238 и 239 не являются обязательными для стран, территорий или групп территорий, перечисленных в Приложении I к настоящей Конвенции.

## СТАТЬЯ 20

### Применение Конвенции к территориям, находящимся под опекой Организации Объединенных Наций

- 241 Организация Объединенных Наций имеет право присоединиться к настоящей Конвенции от имени любой территории или группы территорий, доверенных ее управлению, на основании соглашения об опеке в соответствии со статьей 75 Устава Организации Объединенных Наций.

## СТАТЬЯ 21

### Выполнение Конвенции и Регламентов

- 242 1. Члены и Сочлены обязуются соблюдать постановления настоящей Конвенции и приложенных к ней Регламентов на всех предприятиях и на всех станциях электросвязи, установленных или эксплуатируемых ими, осуществляющих международную службу или способных причинять вредные помехи службам радиосвязи других стран, за исключением тех служб, которые освобождены от таких обязательств согласно постановлениям статьи 50 настоящей Конвенции.
- 243 2. Они должны, кроме того, принимать необходимые меры к тому, чтобы обязать организации, имеющие право устанавливать и эксплуатировать электросвязь, которые обеспечивают международные службы или эксплуатируют станции, способные причинять вредные помехи службам радиосвязи других стран, соблюдать положения настоящей Конвенции и приложенных к ней Регламентов.

**СТАТЬЯ 22****Денонсация Конвенции**

- 244** 1. Каждый Член или Сочлен, ратифицировавший настоящую Конвенцию или присоединившийся к ней, имеет право денонсировать ее путем извещения, адресуемого Генеральному секретарю Союза дипломатическим путем через посредство правительства страны, где Союз имеет местопребывание. Генеральный секретарь извещает об этом других Членов и Сочленов.
- 245** 2. Эта денонсация вступает в силу по истечении одного года со дня получения извещения Генеральным секретарем.

**СТАТЬЯ 23****Денонсация Конвенции странами или территориями, внешние сношения которых обеспечиваются Членами Союза**

- 246** 1. Применение настоящей Конвенции в соответствии с положениями статьи 19 по отношению к стране, территории или группе территорий может быть прекращено в любое время. Если данная страна, территория или группа территорий являются Сочленами, то с этого времени они перестают считаться таковыми.
- 247** 2. Заявления о денонсации, предусмотренные в предыдущем параграфе, доводятся до сведения согласно условиям, определенным в пункте 244; они вступают в силу на условиях, предусмотренных в пункте 245.

**СТАТЬЯ 24****Отмена предыдущей Конвенции**

- 248** Настоящая Конвенция отменяет и заменяет собой в отношениях между договаривающимися правительствами Международную конвенцию электросвязи, заключенную в Буэнос-Айресе в 1952 году.

**СТАТЬЯ 25****Действие находящихся в силе административных регламентов**

- 249** Упомянутые в пункте 193 административные регламенты рассматриваются как приложения к настоящей Конвенции и

остаются в действии до вступления в силу новых регламентов, выработанных соответствующими обычными административными конференциями, а в случае необходимости — чрезвычайными административными конференциями.

## СТАТЬЯ 26

### **Отношения с недоговаривающимися государствами**

- 250** 1. Все Члены и Сочлены сохраняют за собой и за признанными ими частными эксплуатационными организациями право определять условия, на которых они согласны допустить обмен сообщениями электросвязи с государством, не являющимся участником настоящей Конвенции.
- 251** 2. Если сообщение, передаваемое по электросвязи, исходящее от такого недоговаривающегося государства, принимается Членами или Сочленами, то оно должно быть передано и, поскольку используются пути электросвязи Члена или Сочлена, к этому сообщению должны применяться обязательные постановления Конвенции и Регламентов, а также обычные тарифы.

## СТАТЬЯ 27

### **Разрешение споров**

- 252** 1. Члены и Сочлены могут разрешать свои споры по вопросам, относящимся к применению настоящей Конвенции или Регламентов, предусмотренных в статье 14, дипломатическим путем или в соответствии с порядком, установленным двусторонними или многосторонними договорами, заключенными между ними для разрешения международных споров, или любым другим способом, взаимно согласованным между ними.
- 253** 2. В случае, когда ни один из этих методов разрешения спора не будет принят, любой Член или Сочлен, участвующий в споре, может прибегнуть к арбитражу в соответствии с порядком, определенным в Приложении 4.

## ГЛАВА III

### Отношения с Организацией Объединенных Наций и международными организациями

#### СТАТЬЯ 28

##### Отношения с Организацией Объединенных Наций

- 254** 1. Отношения между Организацией Объединенных Наций и Международным союзом электросвязи определены в Соглашении, текст которого приводится в Приложении 6 к настоящей Конвенции.
- 255** 2. Согласно постановлениям статьи XVI вышеупомянутого Соглашения службы Организации Объединенных Наций, эксплуатирующие электросвязь, пользуются правами и должны соблюдать обязательства настоящей Конвенции и приложений к ней Регламентов. Соответственно они имеют право присутствовать с правом совещательного голоса на всех конференциях Союза, включая заседания Международных консультативных комитетов.

#### СТАТЬЯ 29

##### Отношения с международными организациями

- 256** Для проведения полной международной координации в вопросах электросвязи Союз сотрудничает с международными организациями, имеющими связанные с ним интересы и деятельность.

## ГЛАВА IV

### Общие постановления, касающиеся электросвязи

#### СТАТЬЯ 30

##### Право населения пользоваться международной службой электросвязи

- 257** Члены и Сочлены признают за населением право сообщаться между собой при помощи международной службы

общественной корреспонденции. Обслуживание, тарифы и гарантии устанавливаются одинаковые для всех клиентов по каждой категории корреспонденции без предоставления какого-либо приоритета или преимущества.

## СТАТЬЯ 31

### **Задержание сообщений, передаваемых по электросвязи**

- 258 1. Члены и Сочлены сохраняют за собой право задержать передачу любой частной телеграммы, которая может казаться опасной с точки зрения безопасности государства или противоречащей его законам, общественному порядку или добрым нравам, при условии немедленного извещения станции отправления о прекращении передачи всей телеграммы или части ее, если только такое извещение не может повредить безопасности государства.
- 259 2. Члены и Сочлены также сохраняют за собой право прервать любое частное телефонное или телеграфное сообщение, которое может казаться опасным с точки зрения безопасности государства или противоречащим его законам, общественному порядку или добрым нравам.

## СТАТЬЯ 32

### **Приостановка службы**

- 260 Каждый Член или Сочлен сохраняет за собой право прервать службу международной электросвязи на неопределенное время или вообще, или только в отношении некоторых линий и/или для определенного рода корреспонденции входящей, исходящей или транзитной, при условии немедленного извещения об этом других Членов и Сочленов через Генеральный секретариат.

## СТАТЬЯ 33

### **Ответственность**

- 261 Члены и Сочлены не принимают на себя никакой ответственности по отношению к клиентам международной службы электросвязи и, в частности, в отношении претензий о возмещении убытков.

**СТАТЬЯ 34****Тайна корреспонденции**

- 262** 1. Члены и Сочлены обязуются принимать все возможные, совместимые с применяемой системой электросвязи меры, с целью обеспечения тайны международной корреспонденции.
- 263** 2. Тем не менее они сохраняют за собой право передавать такую корреспонденцию компетентным властям, чтобы обеспечить соблюдение своего внутреннего законодательства или выполнение международных конвенций, участниками которых они являются.

**СТАТЬЯ 35****Оборудование, эксплуатация и защита установок и линий электросвязи**

- 264** 1. Члены и Сочлены принимают необходимые меры с целью установления отвечающих наилучшим техническим условиям линий и установок, необходимых для осуществления быстрого и непрерывного обмена международными сообщениями электросвязи.
- 265** 2. Насколько возможно эти линии и установки должны эксплуатироваться по наилучшим методам и правилам, разработанным в результате практического эксплуатационного опыта, а также поддерживаться в надлежащем рабочем состоянии и на уровне современного технического и научного прогресса.
- 266** 3. Члены и Сочлены должны обеспечить защиту этих линий и установок, находящихся в пределах их юрисдикции.
- 267** 4. При отсутствии отдельных соглашений, предусматривающих другие условия, все Члены и Сочлены принимают необходимые меры, чтобы обеспечить обслуживание участков международных сетей электросвязи, находящихся в их ведении.

**СТАТЬЯ 36****Извещения о нарушениях**

- 268** С целью облегчения применения положений статьи 21 настоящей Конвенции Члены и Сочлены обязуются извещать друг друга о нарушениях положений Конвенции и приложенных к ней Регламентов.

## СТАТЬЯ 37

### Таксы и освобождение от уплаты сборов

- 269 Постановления, относящиеся к налогам, применяемым в электросвязи, и различные случаи освобождения от уплаты сборов установлены в Регламентах, приложенных к настоящей Конвенции.

## СТАТЬЯ 38

### Приоритет сообщений электросвязи, относящихся к безопасности человеческой жизни

- 270 Международные службы электросвязи должны представлять абсолютный приоритет сообщениям электросвязи, относящимся к безопасности человеческой жизни на море, на земле и в воздухе, а также исключительной срочности эпидемиологическим сообщениям Всемирной организации здравоохранения.

## СТАТЬЯ 39

### Приоритет правительственные телеграмм, телефонных вызовов и разговоров

- 271 При условии соблюдения положений статей 38 и 48 настоящей Конвенции правительственные телеграммы пользуются правом приоритета перед другими телеграммами, если этот приоритет требуется отправителем. Равным образом правительственные телефонные вызовы и разговоры могут, по особому требованию и по мере возможности, пользоваться правом приоритета в отношении других телефонных вызовов и разговоров.

## СТАТЬЯ 40

### Засекреченные сообщения

- 272 1. Правительственные телеграммы и служебные телеграммы могут составляться в засекреченном виде на всех связях.
- 273 2. Частные телеграммы в засекреченном виде могут быть допущены между всеми странами, за исключением тех, которые предварительно заявят через посредство Генерального секретариата, что они не допускают засекреченных сообщений для данных категорий корреспонденции.

- 274** 3. Члены и Сочлены, которые не допускают частных телеграмм в засекреченном виде как исходящих с их территории, так и поступающих на их территорию, должны пропускать их транзитом, за исключением случая приостановки службы, указанного в статье 32.

## СТАТЬЯ 41

### Составление и предъявление счетов

- 275** 1. Администрации Членов и Сочленов и признанные частные эксплуатационные организации, которые эксплуатируют международные службы электросвязи, должны согласовывать сумму их кредита и дебета.
- 276** 2. Дебетовые и кредитовые счета, о которых упоминается в пункте 275, составляются в соответствии с постановлениями Регламентов, приложенных к настоящей Конвенции, если только между заинтересованными сторонами нет отдельных соглашений.
- 277** 3. Расчеты по международным счетам рассматриваются как текущие операции и должны производиться в соответствии с текущими международными обязательствами заинтересованных стран в тех случаях, когда их правительства заключили соглашения по этому вопросу. При отсутствии таких соглашений или отдельных соглашений, заключенных на условиях, предусмотренных в статье 43 настоящей Конвенции, эти расчеты должны производиться в соответствии с Регламентами.

## СТАТЬЯ 42

### Денежная единица

- 278** Денежной единицей, применяемой при составлении тарифов на международные электросвязи и при составлении международных счетов, является золотой франк в 100 сантимов, весом в 10/31 грамма, 0,900 пробы.

## СТАТЬЯ 43

### Особые соглашения

- 279** Члены и Сочлены сохраняют за собой, за частными эксплуатационными организациями, признанными ими, и за дру-

гими, соответствующим образом уполномоченными на это организациями, право заключать отдельные соглашения по вопросам электросвязи, которые не касаются совокупности Членов и Сочленов. Такие соглашения, однако, не должны противоречить условиям настоящей Конвенции или приложенных к ней Регламентов в отношении вредных помех, которые могут быть причинены службам электросвязи других стран при выполнении этих соглашений.

## СТАТЬЯ 44

### Региональные конференции, соглашения и организации

- 280 Члены и Сочлены сохраняют за собой право созывать региональные конференции, заключать региональные соглашения и создавать региональные организации с целью регулирования вопросов, касающихся электросвязи, которые могут быть разрешены на региональной основе. Однако такие соглашения не должны противоречить настоящей Конвенции.

## ГЛАВА V

### Особые постановления, касающиеся радиосвязи

## СТАТЬЯ 45

### Рациональное использование частот и спектра

- 281 Члены и Сочлены признают желательным ограничить количество используемых частот и пространство спектра до минимума, обеспечивающего удовлетворительную работу необходимых служб.

## СТАТЬЯ 46

### Взаимная связь

- 282 1. Станции, осуществляющие радиосвязь в подвижной службе, обязаны в пределах их обычного назначения обмениваться радиосообщениями независимо от применяемой ими радиосистемы.

#### 4 Международная конвенция электросвязи

TIAS 4892

- 283      2. Однако для того, чтобы не задерживать научного прогресса, постановления пункта 282 не должны мешать применению радиосистемы, не приспособленной вести связь с другими системами, при условии, что это вызвано особым характером такой системы, а не является результатом применения аппаратуры исключительно с целью помешать взаимной связи.
- 284      3. Несмотря на постановления пункта 282, определенная станция может быть предназначена для выполнения ограниченной международной службы электросвязи, определяемой целью данной электросвязи или другими обстоятельствами, не зависящими от применяемой системы.

## СТАТЬЯ 47

### Вредные помехи

- 285      1. Все станции, независимо от их назначения, должны устанавливаться и эксплуатироваться таким образом, чтобы не причинять вредных помех радиосвязи или радиослужбам других Членов или Сочленов, признанных частных эксплуатационных организаций или других эксплуатационных организаций, имеющих соответствующие права по обеспечению службы радиосвязи и работающих в соответствии с постановлениями Регламента радиосвязи.
- 286      2. Каждый Член или Сочлен обязуется требовать от признанных им частных эксплуатационных организаций или от других должным образом разрешенных эксплуатационных организаций соблюдения положений, предусмотренных в пункте 285.
- 287      3. Кроме того, Члены и Сочлены признают желательным принятие всех практически возможных мер для того, чтобы работа электроаппаратуры и различных электрических установок не причиняла вредных помех радиосвязи или радиослужбам, указанным в пункте 285.

## СТАТЬЯ 48

### Вызовы и сообщения о бедствии

- 288      Радиостанции обязаны принимать с предоставлением абсолютного приоритета вызовы и сообщения о бедствии, откуда бы они ни исходили, и таким же образом отвечать на эти уведомления и немедленно принимать по ним требуемые меры.

## СТАТЬЯ 49

### Ложные или вводящие в заблуждение сигналы бедствия, безопасности или опознавания

- 289 Члены и Сочлены обязуются принимать все меры, необходимые для предупреждения передачи или распространения ложных или вводящих в заблуждение сигналов бедствия, безопасности или опознавания, и содействовать обнаружению и опознаванию с территории своей страны станций, передающих такие сигналы.

## СТАТЬЯ 50

### Установки служб национальной обороны

- 290 1. Члены и Сочлены сохраняют за собой полную свободу в отношении военных радиостанций своих армий, морских и воздушных сил.
- 291 2. Однако при эксплуатации этих установок должны, по мере возможности, соблюдать постановления относительно оказания помощи в случае бедствия и принятия мер для предупреждения вредных помех, а также постановления Регламентов, касающихся типов излучения и применения частот, в соответствии с характером службы, которую они обеспечивают.
- 292 3. Кроме того, если эти установки используются для службы общего пользования или других служб, предусмотренных приложенными к данной Конвенции Регламентами, они должны в общем подчиняться постановлениям, регламентирующим выполнение такого рода служб.

## ГЛАВА VI

### Определения

## СТАТЬЯ 51

### Определения

- 293 Если только это не противоречит контексту:
- термины, определенные в Приложении 3, имеют тот смысл, который им присвоен;

4\*

- 294        б) другие термины, определенные в Регламентах, указанных в статье 14, имеют тот смысл, который им присвоен в этих Регламентах.

## ГЛАВА VII

### Заключительные постановления

#### СТАТЬЯ 52

##### **Вступление Конвенции в силу**

295        Настоящая Конвенция вступает в силу первого января тысяча девятьсот шестьдесят первого года между странами, территориями или группами территорий, в отношении которых ратификационные грамоты или акты о присоединении будут депонированы до этой даты.

В удостоверение чего соответствующие полномочные представители подписали настоящую Конвенцию в одном экземпляре на английском, китайском, испанском, французском и русском языках, причем в случае расхождений имеет силу французский текст.

Этот экземпляр будет храниться в архивах Международного союза электросвязи, который перешлет заверенную копию его каждой из подписавших стран.

*Совершено в Женеве 21 декабря 1959 г.*

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Президиум Верховного Совета СССР ратифицировал Международную конвенцию электросвязи 9 февраля 1961 года, оставив вопрос о принятии Советским Союзом Регламента радиосвязи в настоящее время открытым.

## КОНВЕНЦИЮ ПОДПИСАЛИ:

АФГАНИСТАН	МАЛАЙСКАЯ ФЕДЕРАЦИЯ
НАРОДНАЯ РЕСПУБЛИКА	КОРОЛЕВСТВО МАРОККО
АЛБАНИЯ	МЕКСИКА
КОРОЛЕВСТВО САУДОВСКОГО	МОНАКО
АРАВИИ	НЕПАЛ
РЕСПУБЛИКА АРГЕНТИНА	НИКАРАГУА
АВСТРАЛИЙСКАЯ ФЕДЕРАЦИЯ	НОРВЕГИЯ
АВСТРИЯ	НОВАЯ ЗЕЛАНДИЯ
БЕЛЬГИЯ	ПАКИСТАН
БЕЛОРУССКАЯ СОВЕТСКАЯ	ПАРАГВАЙ
СОЦИАЛИСТИЧЕСКАЯ	КОРОЛЕВСТВО НИДЕРЛАНДОВ
РЕСПУБЛИКА	ПЕРУ
БИРМАНСКИЙ СОЮЗ	ФИЛИППИНСКАЯ РЕСПУБЛИКА
БОЛИВИЯ	ПОЛЬСКАЯ НАРОДНАЯ
БРАЗИЛИЯ	РЕСПУБЛИКА
НАРОДНАЯ РЕСПУБЛИКА	ПОРТУГАЛИЯ
БОЛГАРИЯ	ПОРТУГАЛЬСКИЕ ЗАМОРСКИЕ
КАНАДА	ПРОВИНЦИИ
ЦЕЙЛОН	ОБЪЕДИНЕННАЯ АРАБСКАЯ
КИТАЙ*	РЕСПУБЛИКА
ГОСУДАРСТВО ГОРОДА ВАТИКАН	ФЕДЕРАТИВНАЯ РЕСПУБЛИКА
РЕСПУБЛИКА КОЛУМБИЯ	ГЕРМАНИИ
БЕЛЬГИЙСКОЕ КОНГО и	ФЕДЕРАТИВНАЯ НАРОДНАЯ
ТЕРРИТОРИЯ РУАНДА-УРУНДИ	РЕСПУБЛИКА ЮГОСЛАВИЯ
РЕСПУБЛИКА КОРЕЯ	УКРАИНСКАЯ СОВЕТСКАЯ
КОСТА-РИКА	СОЦИАЛИСТИЧЕСКАЯ
КУБА	РЕСПУБЛИКА
ДАНИЯ	РУМЫНСКАЯ НАРОДНАЯ
ДОМИНИКАНСКАЯ РЕСПУБЛИКА	РЕСПУБЛИКА
РЕСПУБЛИКА САЛЬВADOR	СОЕДИНЕНОЕ КОРОЛЕВСТВО ВЕ-
ИСПАНИЯ	ЛИКОБРИТАНИИ И СЕВЕРНОЙ
ЗАМОРСКИЕ СТРАНЫ ФРАНЦУЗ-	ИРЛАНДИИ, ВКЛЮЧАЯ АНГЛО-
СКОГО СООБЩЕСТВА И ФРАН-	НORMАНДСКИЕ ОСТРОВА И ОСТ-
ЦУЗСКИЕ ЗАМОРСКИЕ ТЕРРИ-	РОВ МЭН
ТОРИИ	РЕСПУБЛИКА СУДАН
СОЕДИНЕННЫЕ ШТАТЫ АМЕРИКИ	ШВЕЦИЯ
ЭФИОПИЯ	ШВЕЦИЙСКАЯ КОНФЕДЕРАЦИЯ
ФИНЛЯНДИЯ	ЧЕХОСЛОВАКИЯ
ФРАНЦИЯ	ЗАМОРСКИЕ ТЕРРИТОРИИ, ВНЕШ-
ГАНА	НИЕ СНОШЕНИЯ КОТОРЫХ
ГРЕЦИЯ	ОБСЕРЕЧИВАЕТ ПРАВИТЕЛЬ-
ВЕНГЕРСКАЯ НАРОДНАЯ	СТВО СОЕДИНЕННОГО КОРОЛЕВ-
РЕСПУБЛИКА	СТВА ВЕЛИКОБРИТАНИИ И СЕ-
РЕСПУБЛИКА ИНДИИ	ВЕРНОП ИРЛАНДИИ
РЕСПУБЛИКА ИНДОНЕЗИЯ	ТАИЛАНД
ИРАН	ТУНИС
ИРАКСКАЯ РЕСПУБЛИКА	ТУРЦИЯ
ИРЛАНДИЯ	ЮЖНО-АФРИКАНСКИЙ СОЮЗ И
ИСЛАМДИЯ	ТЕРРИТОРИЯ ЮГО-ЗАПАДНОЙ
ГОСУДАРСТВО ИЗРАИЛЬ	АФРИКИ
ИТАЛИЯ	СОЮЗ СОВЕТСКИХ СОЦИАЛИСТИ-
ЯПОНИЯ	ЧЕСКИХ РЕСПУБЛИК
ХАИНЧИНСКОЕ КОРОЛЕВСТВО	ВОСТОЧНАЯ РЕСПУБЛИКА
ИОРДАНИЯ	УРУГВАЙ
КУВЕЙТ	РЕСПУБЛИКА ВЕНЕСУЭЛА
КОРОЛЕВСТВО ЛАОС	РЕСПУБЛИКА ВЬЕТНАМ
ЛИВИЯ	БРИТАНСКАЯ ВОСТОЧНАЯ АФ-
ЛЮКСЕМБУРГ	РИКА

\* См. оговорку СССР, УССР и БССР на стр. 106 (Заключительный протокол).

## ПРИЛОЖЕНИЕ 1

(См. пункт 4)

АФГАНИСТАН	СОЕДИНЕННОЕ КОРОЛЕВСТВО ЛИ-
НАРОДНАЯ РЕСПУБЛИКА АЛБА-	ВИЙ
НИЯ	ЛЮКСЕМБУРГ
КОРОЛЕВСТВО СЛУДОСКОЙ АРА-	МАЛАЙСКАЯ ФЕДЕРАЦИЯ
ВИН	КОРОЛЕВСТВО МАРОККО
РЕСПУБЛИКА АРГЕНТИНА	МЕКСИКА
АВСТРАЛИЙСКАЯ ФЕДЕРАЦИЯ	МОНАКО
АВСТРИЯ	НЕПАЛ
БЕЛЬГИЯ	НИКАРАГУА
БЕЛОРУССКАЯ СОВЕТСКАЯ СО-	НОРВЕГИЯ
ЦИАЛИСТИЧЕСКАЯ РЕСПУБ-	НОВАЯ ЗЕЛАНДИЯ
ЛИКА	ПАКИСТАН
БИРМАНСКИЙ СОЮЗ	ПАНАМА
БОЛИВИЯ	ПАРАГВАЙ
БРАЗИЛИЯ	КОРОЛЕВСТВО НИДЕРЛАНДОВ
НАРОДНАЯ РЕСПУБЛИКА БОЛГА-	ПЕРУ
РИЯ	ФИЛИППИНСКАЯ РЕСПУБЛИКА
КОРОЛЕВСТВО КАМБОДЖА	ПОЛЬСКАЯ НАРОДНАЯ РЕСПУ-
КАНАДА	БЛИКА
ЦЕЙЛОН	ПОРТУГАЛИЯ
ЧИЛИ	ИСПАНСКИЕ ПРОВИНЦИИ В АФ-
КИТАЙ	РИКЕ
ГОСУДАРСТВО ГОРОДА ВАТИКАН	ПОРТУГАЛЬСКИЕ ЗАМОРСКИЕ
РЕСПУБЛИКА КОЛУМБИЯ	ПРОВИНЦИИ
ВЕЛЬГИЙСКОЕ КОНГО И ТЕРРИТО-	ОБЪЕДИНЕННАЯ АРАБСКАЯ
РИЯ РУАНДА-УРУНДИ	РЕСПУБЛИКА
КОРЕЙСКАЯ РЕСПУБЛИКА	ФЕДЕРАТИВНАЯ РЕСПУБЛИКА
КОСТА-РИКА	ГЕРМАНИИ
КУБА	ФЕДЕРАТИВНАЯ НАРОДНАЯ РЕС-
ДАНИЯ	ПУБЛИКА ЮГОСЛАВИЯ
ДОМИНИКАНСКАЯ РЕСПУБЛИКА	УКРАИНСКАЯ СОВЕТСКАЯ СОЦИА-
РЕСПУБЛИКА САЛЬВАДОР	ЛИСТИЧЕСКАЯ РЕСПУБЛИКА
ЭКВАДОР	ФЕДЕРАЦИЯ РОДЕСИЯ-НЬЯСА-
ИСПАНИЯ	ЛЕНД
ЗАМОРСКИЕ СТРАНЫ ФРАНЦУЗ-	РУМЫНСКАЯ НАРОДНАЯ РЕСПУ-
СКОГО СООБЩЕСТВА И ФРАН-	БЛИКА
ЦУЗСКИЕ ЗАМОРСКИЕ ТЕРРИ-	СОЕДИНЕННОЕ КОРОЛЕВСТВО ВЕ-
ТОРИИ	ЛИКОБРИТАНИИ И СЕВЕРНОЙ
СОЕДИНЕННЫЕ ШТАТЫ АМЕРИКИ	ИРЛАНДИИ
ЭФИОПИЯ	РЕСПУБЛИКА СУДАН
ФИНЛЯНДИЯ	ШВЕЦИЯ
ФРАНЦИЯ	ШВЕЦИАРСКАЯ КОНФЕДЕРАЦИЯ
ГАНА	ЧЕХОСЛОВАКИЯ
ГРЕЦИЯ	ТЕРРИТОРИИ СОЕДИНЕННЫХ
ГВАТЕМАЛА	ШТАТОВ АМЕРИКИ
ГВИНЕЙСКАЯ РЕСПУБЛИКА	ЗАМОРСКИЕ ТЕРРИТОРИИ, ВНЕШ-
РЕСПУБЛИКА ГАИТИ	НИЕ СНОШЕНИЯ КОТОРЫХ
РЕСПУБЛИКА ГОНДУРАС	ОБЕСПЕЧИВАЕТ ПРАВИТЕЛЬ-
ВЕНГЕРСКАЯ НАРОДНАЯ РЕСПУБ-	СТВО СОЕДИНЕННОГО КОРОЛЕ-
ЛИКА	СТВА ВЕЛИКОБРИТАНИИ И СЕ-
РЕСПУБЛИКА ИНДИЯ	ВЕРНОЙ ИРЛАНДИИ
РЕСПУБЛИКА ИНДОНЕЗИЯ	ТАИЛАНД
ИРАН	ТУНИС
ИРАКСКАЯ РЕСПУБЛИКА	ТУРЦИЯ
ИРЛАНДИЯ	ЮЖНО-АФРИКАНСКИЙ СОЮЗ И
ИСЛАНДИЯ	ТЕРРИТОРИЯ ЮГО-ЗАПАДНОЙ
ГОСУДАРСТВО ИЗРАИЛЬ	АФРИКИ
ИТАЛИЯ	СОЮЗ СОВЕТСКИХ СОЦИАЛИСТИ-
ЯПОНИЯ	ЧЕСКИХ РЕСПУБЛИК
ХАШИМИТСКОЕ КОРОЛЕВСТВО	ВОСТОЧНАЯ РЕСПУБЛИКА УРУГ-
ИОРДАНИИ	ВАЙ
КУВЕЙТ	РЕСПУБЛИКА ВЕНЕСУЭЛА
КОРОЛЕВСТВО ЛАОС	РЕСПУБЛИКА ВЬЕТНАМ
ЛИВАН	ВЕНЕМЕН
ЛИБЕРИЯ	

## ПРИЛОЖЕНИЕ 2

(См. пункт 7)

БРИТАНСКАЯ ЗАПАДНАЯ АФРИКА  
 БРИТАНСКАЯ ВОСТОЧНАЯ АФ-  
 РИКА  
 ГРУППА БРИТАНСКИХ БЕРМУД-  
 СКИХ ОСТРОВОВ И ОСТРОВОВ  
 КАРАИБСКОГО МОРЯ

ГРУППА СИНГАПУР-БРИТАНСКО-  
 ГО БОРНЕО  
 ПОДОПЕЧНАЯ ТЕРРИТОРИЯ СО-  
 МАЛИ ПОД ИТАЛЬЯНСКИМ УП-  
 РАВЛЕНИЕМ

### ПРИЛОЖЕНИЕ 3

(см. статью 51)

#### Определение терминов, применяемых в Международной конвенции электросвязи и приложениях к ней

- 300 Администрация:** Любая правительственная служба или управление, ответственные за принятие мер по выполнению обязательств по Международной конвенции электросвязи и приложенным к ней Регламентам.
- 301 Частная эксплуатационная организация:** Любое частное лицо или объединение, не подпадающее под определение правительенного учреждения или организации, которое эксплуатирует установку электросвязи, предназначенную для обеспечения международной службы электросвязи, или которая может причинять вредные помехи такой службе.
- 302 Признанная частная эксплуатационная организация:** Любая частная эксплуатационная организация, отвечающая вышеуказанному определению, которая эксплуатирует службу общественной корреспонденции или радиовещания и на которую предусмотренные в статье 21 обязательства налагаются Членом или Сочленом, на территории которого расположены органы управления этой организации, или Членом и Сочленом, который разрешил этой эксплуатационной организации устанавливать и эксплуатировать на своей территории службу электросвязи.
- 303 Делегат:** Лицо, направленное правительством Члена или Сочлена Союза на Полномочную конференцию, или лицо, представляющее правительство или администрацию Члена или Сочлена Союза на административной конференции или на собрании какого-либо Международного консультативного комитета.
- 304 Представитель:** Лицо, направленное признанной частной эксплуатационной организацией на административную конференцию или на собрание какого-либо Международного консультативного комитета.
- 305 Эксперт:** Лицо, направленное национальным научным или промышленным учреждением, которое (учреждение) уполномочено правительством или администрацией своей страны участвовать в собраниях исследовательских комиссий какого-либо Международного консультативного комитета.

- 306      *Наблюдатель:*** Лицо, направляемое:
- Организацией Объединенных Наций на основании постановлений статьи 28 Конвенции;
  - одной из международных организаций, приглашенных или допущенных в соответствии с постановлениями Общего регламента к участию в работах какой-либо конференции;
  - правительством какого-либо Члена или Сочлена Союза, участвующего без права голоса в какой-либо специальной конференции регионального характера в соответствии с постановлениями статьи 7 Конвенции.
- 307      *Делегация:*** Совокупность делегатов, а в некоторых случаях представителей, сотрудников делегации и переводчиков, направляемых одной и той же страной.
- Каждый Член и Сочлен свободен в выборе состава своей делегации по своему усмотрению. В частности, он может включить в нее в качестве делегатов или сотрудников лиц, принадлежащих к признанным им частным эксплуатационным организациям, или лиц, принадлежащих к другим частным предприятиям, имеющим интересы в области электросвязи.
- 308      *Электросвязь:*** Всякая передача, излучение или прием знаков, сигналов, письменного текста, изображений, звуков или сведений всякого рода по проводам, радио, оптической или другим электромагнитным системам.
- 309      *Телеграфия:*** Система электросвязи, к которой прибегают для передачи и воспроизведения на расстоянии содержания каждого документа, как-то: письменного текста, печатного издания, неподвижного изображения или для воспроизведения на расстоянии всякого рода информации. В этой форме при применении в Регламенте радиосвязи термин «телеграфия», при условии отсутствия другого понятия, означает систему электросвязи для передачи письменного текста посредством кода сигналов, если нет другого определения.
- 310      *Телефония:*** Система электросвязи для передачи речи, а в некоторых случаях и других звуков.
- 311      *Радиосвязь:*** Электросвязь, осуществляемая при помощи радиоволн.
- 312      *Радио:*** Общий термин, применяемый для определения радиоволн.
- 313      *Вредные помехи:*** Любая передача, излучение или индукция, которые ставят под угрозу работу какой-либо службы

радионавигации или других служб безопасности \* или значительно снижают качество службы радиосвязи, работающей в соответствии с Регламентом радиосвязи, неоднократно ее нарушают или прерывают.

- 314** *Международная служба:* Служба электросвязи между учреждениями или станциями электросвязи всякого рода, находящимися в разных странах или принадлежащими разным странам.
- 315** *Подвижная служба:* Служба радиосвязи между подвижными и наземными станциями или между подвижными станциями.
- 316** *Радиовещательная служба:* Служба радиосвязи, передачи которой предназначаются для непосредственного приема населением. Эта служба может включать передачи звуков, телевидения или другие виды передач.
- 317** *Общественная корреспонденция:* Всякое сообщение по средствам электросвязи, которое учреждения и станции, предоставленные в распоряжение населения, должны принимать для передачи.
- 318** *Телеграмма:* Письменный текст, предназначенный для передачи то телеграфу с целью вручения адресату. Этот термин охватывает также радиотелеграмму, если не дано иного определения.
- 319** *Правительственные телеграммы, телефонные вызовы и разговоры:* Телеграммы, телефонные вызовы и разговоры, исходящие от одного из нижеперечисленных официальных лиц или органов:
- главы Государства;
  - главы правительства и членов правительства;
  - главы территорий или главы одной из территорий, входящей в группу территорий, являющейся Членом или Сочленом;
  - главы территории под опекой или под мандатом Организации Объединенных Наций или Члена или Сочлена;
  - главнокомандующих вооруженными силами, сухопутными, морскими или воздушными;

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\* Службой безопасности считается любая радиослужба, которая постоянно или временно эксплуатируется для обеспечения безопасности человеческой жизни или охраны имущества.

- дипломатических или консульских представителей;
- Генерального секретаря Организации Объединенных Наций;
- глав основных органов Организации Объединенных Наций;
- Международного суда в Гааге.

**320** Ответы на определенные выше правительственные телеграммы рассматриваются так же, как правительственные телеграммы.

**321** *Частные телеграммы:* Телеграммы, не подпадающие под определение служебных или правительственные телеграммы.

**322** *Служебные телеграммы:* Телеграммы, которыми обмениваются:

- a) администрации;
- b) признанные частные эксплуатационные организации;
- c) администрации и признанные частные эксплуатационные организации;
- d) администрации и признанные частные эксплуатационные организации, с одной стороны, и Генеральный секретарь, с другой, и которые касаются международных общественных электросвязей.

**ПРИЛОЖЕНИЕ 4**

(см. статью 27)

**Арбитраж**

- 400** 1. Сторона, которая обращается к арбитражу, должна проявить инициативу в отношении процедуры арбитража путем передачи другой участвующей в споре стороне извещения о вынесении спора на арбитраж.
- 401** 2. Стороны решают по взаимному согласию, должен ли арбитраж быть поручен отдельным лицам, администрациям или правительствам. В том случае, когда в течение месяца после извещения о вынесении спора на арбитраж стороны не могут прийти к соглашению по этому вопросу, арбитраж поручается правительствам.
- 402** 3. Если арбитраж поручается отдельным лицам, арбитры не должны быть ни подданными одной из стран, участвующих в споре, ни иметь постоянного местожительства в одной из этих стран, ни находиться у них на службе.
- 403** 4. Если арбитраж поручается правительствам или администрациям этих правительств, последние должны быть выбраны из числа Членов или Сочленов, не участвующих в споре, но подписавших соглашение, применение которого послужило причиной спора.
- 404** 5. В течение трех месяцев со дня получения извещения о вынесении спора на арбитраж каждая из двух сторон, участвующих в споре, назначает по арбитру.
- 405** 6. Если в споре участвуют более двух сторон, каждая из двух групп сторон, имеющих общие интересы в данном споре, назначает по арбитру в соответствии с порядком, установленным в пп. 403 и 404.
- 406** 7. Назначенные таким образом два арбитра договариваются о назначении третьего арбитра, который, если первые два арбитра являются отдельными лицами, а не правительствами или администрациями, должен отвечать условиям, указанным в п. 402, и, кроме того, не должен принадлежать к национальности ни одного из двух других арбитров. Если два арбитра не приходят к соглашению о выборе третьего арбитра, то каждый из этих двух арбитров предлагает третьего арбитра, который никоим образом не заинтересован

в споре. В таком случае Генеральный секретарь Союза определяет третьего арбитра по жребию.

- 407     8. Стороны, участвующие в споре, могут согласиться о передаче спора на разрешение единого арбитра, назначаемого по общему согласию; каждая сторона также может назначить арбитра и просить Генерального секретаря Союза определить по жребию лицо, которое будет назначено единственным арбитром.
- 408     9. Арбитр или арбитры имеют полную свободу в установлении порядка, которого надлежит придерживаться.
- 409     10. Решение единственного арбитра является окончательным и обязательным для обеих участвующих в споре сторон. Если арбитраж поручается нескольким арбитрам, решение, принятое большинством голосов арбитров, является окончательным и обязательным для сторон.
- 410     11. Каждая сторона оплачивает свои расходы, произведенные в связи с расследованием и проведением арбитража. Издержки по арбитражу, кроме тех, которые оплачиваются самими сторонами, делятся поровну между сторонами, участвующими в споре.
- 411     12. Союз предоставляет все относящиеся к спору сведения, которые могут понадобиться арбитру или арбитрам.

## ПРИЛОЖЕНИЕ 5

### ОБЩИЙ РЕГЛАМЕНТ, ПРИЛОЖЕННЫЙ К МЕЖДУНАРОДНОЙ КОНВЕНЦИИ ЭЛЕКТРОСВЯЗИ

#### ЧАСТЬ I

##### *Общие постановления относительно конференций*

#### ГЛАВА 1

##### Приглашение и допуск на полномочные конференции при наличии приглашающего правительства

500. 1. По согласованию с Административным советом приглашающее правительство устанавливает окончательную дату и точное место конференции.
- 501. 2. (1) За год до этой даты приглашающее правительство посыпает приглашение правительству каждой страны — Члену Союза и каждому Члену Союза.
502. (2) Эти приглашения могут посыпаться либо непосредственно, либо через посредство Генерального секретаря, либо другого правительства.
503. 3. Генеральный секретарь посыпает приглашение Организации Объединенных Наций в соответствии со статьей 28 Конвенции.
504. 4. С согласия Административного совета или по его предложению приглашающее правительство может пригласить специализированные учреждения, которые связаны с Организацией Объединенных Наций и которые взаимно предоставляют Союзу право представительства на своих собраниях, прислать наблюдателей для участия в конференциях с правом совещательного голоса.

- 505     5. Ответы Членов и Сочленов должны поступить к приглашающему правительству не позднее чем за месяц до открытия конференции; они по возможности должны включать полные сведения о составе делегации.
- 506     6. Любой постоянный орган Союза имеет право быть представленным с правом совещательного голоса на конференции, если последняя рассматривает вопросы, входящие в его компетенцию. В случае необходимости конференция может пригласить орган, который не считал необходимым быть представленным на этой конференции.
- 507     7. На полномочные конференции допускаются:
- a) делегации, как они определены в Приложении 3 к Конвенции;
  - b) наблюдатели от Организации Объединенных Наций;
  - c) наблюдатели от специализированных учреждений в соответствии с п. 504.

## ГЛАВА 2

### Приглашение и допуск на административные конференции при наличии приглашающего правительства

- 510     1. (1) Постановления pp. 500—505 применимы к административным конференциям.
- 511     (2) Однако, что касается чрезвычайных административных конференций и специальных конференций, срок направления приглашений может быть сокращен до шести месяцев.
- 512     (3) Члены и Сочлены Союза могут сообщать признанным ими частным эксплуатационным организациям о получении приглашения.
- 513     2. (1) С согласия Административного совета или по его предложению приглашающее правительство может послать извещение международным организациям, которые заинтересованы в направлении наблюдателей для участия в работе конференции с правом совещательного голоса.
- 514     (2) В двухмесячный срок со дня извещения заинтересованные международные организации направляют приглашающему правительству просьбу о допуске.

515 (3) Приглашающее правительство собирает просьбы, а решение о допуске принимается самой конференцией.

516 3. (1) На административные конференции допускаются:

а) делегации, как они определены в Приложении 3 к Конвенции;

517 б) наблюдатели от Организации Объединенных Наций;

518 в) наблюдатели от специализированных учреждений в соответствии с п. 504;

519 г) наблюдатели от международных организаций, допускаемых в соответствии с постановлениями пп. 513—515;

520 д) представители признанных частных эксплуатационных организаций, надлежащим образом уполномоченные страной—Членом, от которой они зависят;

521 е) постоянные органы Союза в соответствии с условиями, предусмотренными в п. 506.

522 (2) Кроме того, на специальные конференции регионального характера допускаются наблюдатели от Членов и Сочленов, которые не принадлежат к данному району.

### ГЛАВА 3

#### Особые постановления о конференциях, созываемых в случае, когда нет приглашающего правительства

523 В случае созыва конференций, когда нет приглашающего правительства, применяются постановления глав 1 и 2. После получения согласия Правительства Швейцарской Конфедерации Генеральный секретарь принимает меры, необходимые для созыва и организации конференции в месте пребывания Союза.

## ГЛАВА 4

### Сроки и порядок представления предложений конференциям

- 524** 1. Непосредственно после рассылки приглашений Генеральный секретарь просит Членов и Сочленов направить ему в четырехмесячный срок их предложения, относящиеся к работе конференции.
- 525** 2. Любое представленное предложение, принятие которого влечет за собой пересмотр текста Конвенции или Регламентов, должно содержать ссылки, дающие возможность установить по номеру главы, статьи или параграфа те части текста, которые требуют такого пересмотра. В каждом случае обоснование предложения должно быть составлено в самой краткой форме.
- 526** 3. Генеральный секретарь собирает и систематизирует предложения, полученные от администраций и Международных консультативных комитетов, и рассыпает их всем Членам и Сочленам не позднее чем за три месяца до даты открытия конференции.

## ГЛАВА 5

### Полномочия на конференциях

- 527** 1. (1) Делегация, посланная Членом Союза для участия в конференции, должна быть надлежащим образом уполномочена для осуществления своего права голоса и должна быть наделена полномочиями, необходимыми для подписания Заключительных актов.
- 528** (2) Делегация, посланная на конференцию Сочленом, должна быть надлежащим образом уполномочена для участия в работе этой конференции в соответствии с пунктом 16.
- 529** 2. Для полномочных конференций:
- (1) а) делегации уполномочиваются документами, подписанными главой государства, или главой правительства, или министром иностранных дел;
  - 530** б) однако они могут быть временно уполномочены главой дипломатического представительства при правительстве той страны, где происходит конференция;

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- 531                   с) любая делегация, представляющая подопечную территорию, от имени которой Организация Объединенных Наций присоединилась к Конвенции, в соответствии со статьей 20 должна быть уполномочена Генеральным секретарем Организации Объединенных Наций.
- 532                   (2) Для подписания Заключительных актов конференции делегации должны быть наделены полными полномочиями, подписанными властями, указанными в пункте 529. Полномочия, направленные телеграммой, не принимаются.
- 533                  3. Для административных конференций:
- (1) применяются постановления пунктов 529—532;
- 534                  (2) помимо властей, упомянутых в пункте 529, министр, в ведении которого находятся рассматриваемые на конференции вопросы, может уполномочить делегацию на участие в работе конференции и на подписание Заключительных актов.
- 535                  4. Проверка полномочий каждой делегации поручается специальной комиссии; она представляет свое заключение в срок, устанавливаемый пленарным заседанием.
- 536                  5. (1) Делегация Члена Союза осуществляет свое право голоса с момента начала ее участия в работе конференции.
- (2) Однако делегация не будет иметь больше права голоса с того момента, когда пленарное заседание найдет ее полномочия не в порядке, и до тех пор, пока это положение не будет урегулировано.
- 538                  6. Как правило, страны—Члены должны стремиться послать на конференции Союза свои собственные делегации. Однако, если какой-либо Член в силу особых причин не может послать свою собственную делегацию, он может уполномочить делегацию другого Члена Союза и предоставить последней право действия и подписания от своего имени.
- 539                  7. Надлежащим образом уполномоченная делегация может поручить другой надлежащим образом уполномоченной делегации осуществлять свое право голоса в течение одного или нескольких заседаний, на которых она не может присутствовать. В таком случае она должна об этом уведомить председателя конференции.
- 540                  8. Во всех случаях, предусмотренных в пунктах 538 и 539, ни одна делегация не может пользоваться более чем одним голосом по доверенности.

## ГЛАВА 6

### Порядок созыва чрезвычайных административных конференций по требованию Членов Союза или по предложению Административного совета

- 541 1. Члены Союза, которые желают, чтобы была созвана чрезвычайная административная конференция, уведомляют об этом Генерального секретаря, указывая при этом предлагаемые повестку дня, место и дату созыва.
- 542 2. По получении двадцати аналогичных просьб Генеральный секретарь направляет всем Членам и Сочленам телеграммы, приглашая Членов сообщить ему в течение шести недель, согласны ли они с внесенным предложением.
- 543 3. Если большинство Членов высказывается за предложение в целом, то есть если они соглашаются одновременно с предложенными повесткой дня, датой и местом собрания, то Генеральный секретарь уведомляет об этом всех Членов и Сочленов Союза циркулярной телеграммой.
- 544 4. (1) Если принятное предложение предусматривает созыв конференции где-либо вне места пребывания Союза, то Генеральный секретарь запрашивает правительство заинтересованной страны, согласно ли оно быть приглашающим правительством.
- 545 (2) В случае получения положительного ответа Генеральный секретарь, с согласия этого правительства, принимает необходимые меры для созыва конференции.
- 546 (3) В случае получения отрицательного ответа Генеральный секретарь предлагает Членам, которые потребовали созыва конференции, внести новые предложения относительно места собрания.
- 547 5. Если принятое предложение предусматривает созыв конференции в месте пребывания Союза, то применяются постановления главы 3.
- 548 6. (1) Если в целом с предложением (повесткой дня, местом и датой) не согласно большинство Членов, то Генеральный секретарь сообщает Членам и Сочленам Союза полученные ответы, приглашая Членов высказать окончательное мнение по спорному пункту или спорным пунктам.

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549 (2) Эти пункты считаются принятыми, если они одобрены большинством Членов.

550 7. Вышеуказанный порядок применяется также в том случае, когда предложение о созыве чрезвычайной административной конференции представляется Административным советом.

## ГЛАВА 7

### Порядок созыва специальных административных конференций по требованию Членов Союза или по предложению Административного совета

551 1. Постановления главы 6 в полном объеме применимы также по отношению к всемирным специальным конференциям.

552 2. Что касается региональных специальных конференций, то предусмотренный в главе 6 порядок применяется только по отношению к Членам соответствующего района. Если конференция созывается по инициативе Членов района, достаточно того, чтобы Генеральный секретарь получил соответствующие запросы от одной четверти Членов этого района.

## ГЛАВА 8

### Постановления, общие для всех конференций. Изменение даты и места конференции

553 1. Постановления глав 6 и 7 применяются по аналогии также и в том случае, когда речь идет об изменении по требованию Членов Союза или по предложению Административного совета даты и места созыва какой-либо конференции или только одного из них. Однако подобные изменения могут быть сделаны только в том случае, если за них высказывается большинство заинтересованных Членов.

554 2. Любой Член или Сочлен, который предлагает изменить дату или место конференции, должен заручиться поддержкой необходимого числа других Членов или Сочленов.

555 3. В случае необходимости Генеральный секретарь сообщает телеграммой, предусмотренной в пункте 542, о вероятных финансовых последствиях изменения места или даты, например, если были произведены расходы на подготовку созыва конференции в первоначально избранном месте.

## ГЛАВА 9

### Внутренний регламент конференций

#### СТАТЬЯ 1

##### Порядок мест

556 На заседаниях конференции делегации располагаются в алфавитном порядке названий на французском языке представляемых ими стран.

#### СТАТЬЯ 2

##### Открытие конференции

557 1. (1) Заседанию, которым открывается конференция, предшествует совещание глав делегаций, на котором подготавливается повестка дня первого пленарного заседания.

558 (2) Председатель совещания глав делегаций избирается согласно постановлениямпп. 559 и 560.

559 2. (1) Конференция открывается лицом, назначенным приглашающим правительством.

560 (2) Если нет приглашающего правительства, она открывается старшим по возрасту главой делегации.

561 3. (1) На первом пленарном заседании проводятся выборы председателя, которым обычно бывает лицо, представленное приглашающим правительством.

562 (2) Если нет приглашающего правительства, то председатель избирается с учетом предложения, сделанного главами делегаций на совещании, упомянутом в пункте 557.

563 4. Кроме того, на первом пленарном заседании:

a) избираются заместители председателя конференции;

564 b) создаются комиссии конференции и избираются соответственно председатели и заместители председателей этих комиссий;

565 c) учреждается секретариат конференции, который состоит из сотрудников Генерального секретариата Союза и, в случае необходимости, из персонала администрации приглашающего правительства.

## СТАТЬЯ 3

### Права председателя конференции

- 566 1. Кроме осуществления всех других прав, предоставляемых ему настоящим регламентом, председатель открывает и закрывает каждое пленарное заседание, руководит прениями, следит за соблюдением внутреннего регламента, предоставляет слово, ставит вопросы на голосование и объявляет принятые решения.
- 567 2. Он осуществляет общее руководство работой конференции и следит за соблюдением порядка на пленарных заседаниях. Он выносит постановления по предложениям процедурного характера и выступлениям по порядку ведения заседания и имеет, в частности, право вносить предложения об отсрочке или прекращении прений, о перерыве или закрытии заседания. Он может также, если считает это необходимым, принять решение отложить созыв собрания или пленарного заседания.
- 568 3. Он охраняет права всех делегаций свободно и полно высказывать свои мнения по обсуждаемому вопросу.
- 569 4. Он следит за тем, чтобы прения ограничивались обсуждаемым вопросом, и он может прервать любого оратора, отклоняющегося от рассматриваемого вопроса, с тем, чтобы напомнить ему о необходимости придерживаться этого вопроса.

## СТАТЬЯ 4

### Образование комиссий

- 570 1. Для рассмотрения представленных на обсуждение конференции вопросов пленарное заседание может образовать комиссии. Эти комиссии могут образовывать подкомиссии. Комиссии и подкомиссии могут также создавать рабочие группы.
- 571 2. Комиссии и подкомиссии создают рабочие группы только в случае крайней необходимости.

## СТАТЬЯ 5

### Комиссия бюджетного контроля

- 572 1. При открытии каждой конференции или собрания пленарное заседание назначает комиссию бюджетного контроля,

которой поручается дать оценку организации конференции или собрания и предоставленным делегатам возможностям работы, рассмотреть и утвердить счета расходов, произведенных в течение конференции или собрания. В эту комиссию входят, кроме членов делегаций, которые пожелают в ней участвовать, представитель Генерального секретаря и, в случае участия приглашающего правительства, представитель последнего.

- 573** 2. До полного израсходования бюджета, утвержденного Административным советом для конференции или собрания, комиссия бюджетного контроля совместно с секретариатом конференции или собрания представляет пленарному заседанию предварительный счет уже произведенных расходов. Пленарное заседание принимает его во внимание, решая вопрос о том, оправдывают ли достигнутые результаты продление конференции или собрания после срока, в течение которого утвержденный бюджет будет полностью израсходован.
- 574** 3. В конце каждой конференции или собрания комиссия бюджетного контроля представляет пленарному заседанию отчет, указывающий насколько возможно точнее предполагаемую сумму расходов к моменту окончания конференции или собрания.
- 575** 4. После рассмотрения и утверждения отчета пленарным заседанием этот отчет с замечаниями пленарного заседания направляется Генеральному секретарю для представления Административному совету на его следующей ежегодной сессии.

## СТАТЬЯ 6

### Состав комиссий

- 576** 1. На полномочных конференциях:
- Комиссии состоят из делегатов Членов и Сочленов и наблюдателей, предусмотренных в пп. 508 и 509, которые выразили желание в них участвовать или которые были назначены пленарным заседанием.
- 577** 2. На административных конференциях:
- Комиссии состоят из делегатов Членов и Сочленов, наблюдателей и представителей, предусмотренных в пп. 517—520, которые выразили желание в них участвовать или которые были назначены пленарным заседанием.

## СТАТЬЯ 7

### Докладчики, председатели и заместители председателей подкомиссий

- 578 Председатель каждой комиссии предлагает своей комиссии произвести назначение репортеров комиссии и председателей, заместителей председателей и репортеров подкомиссий, обра- зуемых данной комиссией.

## СТАТЬЯ 8

### Созыв заседаний

- 579 О пленарных заседаниях конференции, заседаниях комиссий, подкомиссий и рабочих групп заблаговременно объявляется в здании конференции.

## СТАТЬЯ 9

### Предложения, представленные до открытия конференции

- 580 Представленные до открытия конференции предложения распределяются пленарным заседанием между соответствующими комиссиями, образованными в соответствии со статьей 4 настоящего регламента. Однако пленарное заседание может непосредственно рассматривать любое предложение.

## СТАТЬЯ 10

### Предложения или поправки,ываемые во время конференции

- 581 1. Предложения или поправки,ываемые после открытия конференции, вручаются по принадлежности или председателю конференции или председателю соответствующей комиссии или же передаются в секретариат конференции для опубликования и раздачи их в качестве документов конференции.
- 582 2. Ни одно предложение или поправка не могут быть представлены, если они не подписаны или не одобрены главой заинтересованной делегации или его заместителем.

- 583     3. Председатель конференции или какой-либо комиссии может во всякое время представлять предложения, могущие ускорить ход прений.
- 584     4. Каждое предложение или каждая поправка должны содержать подлежащий рассмотрению текст в точной и ясной формулировке.
- 585     5. (1) Председатель конференции или председатель соответствующей комиссии решает в каждом отдельном случае, может ли предложение или поправка, внесенные на заседании, быть изложены устно или они должны быть представлены в письменной форме для опубликования и распространения, как это предусмотрено в пункте 581.
- 586     (2) Как правило, текст любого важного предложения, подлежащего голосованию на пленарном заседании, должен раздаваться на рабочих языках конференции заблаговременно с тем, чтобы дать возможность изучить его до обсуждения.
- 587     (3) Кроме того, председатель конференции по получении предложений или поправок, о которых говорится в пункте 581, должен направлять их по принадлежности в соответствующие комиссии или пленарному заседанию.
- 588     6. Каждое уполномоченное лицо может зачитать или потребовать зачтения на пленарном заседании любого представленного им в ходе конференции предложения или поправки и может изложить мотивы их представления.

## СТАТЬЯ 11

### **Условия, требуемые для рассмотрения и голосования предложения или поправки**

- 589     1. Никакое предложение или поправка, представленные до открытия конференции или внесенные какой-либо делегацией в ходе работы конференции, не могут ставиться на обсуждение, если в момент их рассмотрения они не были поддержаны по крайней мере одной делегацией.
- 590     2. После обсуждения любое образом поддержанное предложение или поправка должны быть поставлены на голосование.

## СТАТЬЯ 12

### Пропущенные или отложенные предложения или поправки

591 Если какое-либо предложение или поправка пропускаются или если их обсуждение переносится, то представившая их делегация должна следить за тем, чтобы это предложение или эта поправка не были в дальнейшем упущены из виду.

## СТАТЬЯ 13

### Ведение прений на пленарном собрании

592 1. Квorum

Для того чтобы на пленарном заседании могло быть проведено имеющее законную силу голосование, на нем должны присутствовать или быть представлены более половины делегаций, аккредитованных на конференции и имеющих право голоса.

593 2. Порядок обсуждения

(1) Лицо, желающее взять слово, может это сделать только по получении на это согласия председателя. Как правило, это лицо начинает свою речь с указания о том, в качестве кого оно выступает.

594 (2) Каждое лицо, которому предоставлено слово, должно говорить медленно и отчетливо, четко разделяя слова и делая необходимые паузы с тем, чтобы дать возможность всем понять свою мысль.

595 3. Предложения и вопросы по порядку ведения

(1) В ходе обсуждения делегация, когда она найдет это нужным, может внести любое предложение по порядку ведения или поднять любой другой вопрос процедурного характера, которые решаются немедленно председателем в соответствии с настоящим регламентом. Любая делегация может опротестовать решение председателя, которое, однако, полностью остается в силе, если оно не отменяется большинством присутствующих и голосующих делегаций.

596 (2) Делегация, представляющая предложение по порядку ведения, в своем выступлении не может говорить по существу рассматриваемого вопроса.

**597 4. Очередность рассмотрения предложений и вопросов по порядку ведения**

Порядок очередности рассмотрения предложений и вопросов по порядку ведения, о которых говорится в пп. 595 и 596, является следующим:

- a) любой вопрос по порядку ведения относительно применения настоящего регламента;

**598 b) перерыв заседания;**

**599 c) закрытие заседания;**

**600 d) отсрочка прений по обсуждаемому вопросу;**

**601 e) прекращение прений по обсуждаемому вопросу;**

**602 f) любые другие предложения или вопросы по порядку ведения, которые могли бы быть представлены, очередьность рассмотрения которых устанавливается председателем.**

**603 5. Предложение о перерыве или закрытии заседания**

Во время обсуждения какого-либо вопроса делегация может предложить прервать или закрыть заседание, изложив при этом мотивы предложения. Если это предложение поддерживается, слово предоставляется исключительно по этому вопросу двум ораторам, возражающим против закрытия заседания, после чего предложение ставится на голосование.

**604 6. Предложение об отсрочке прений**

Во время обсуждения любого вопроса делегация может предложить, чтобы прения были отложены на определенный срок. Если подобное предложение вызывает дискуссию, то в ней могут принять участие кроме автора предложения только три оратора: один за предложение и два против него.

**605 7. Предложение о прекращении прений**

Делегация может в любое время предложить, чтобы прения по обсуждаемому вопросу были закрыты. В этом случае слово предоставляется только двум ораторам, выступающим против прекращения прений, после чего предложение ставится на голосование.

**606 8. Ограничение продолжительности выступлений**

(1) В случае необходимости пленарное заседание может ограничить продолжительность и число выступлений одной и той же делегации по определенному вопросу.

**607** (2) Однако по процедурным вопросам председатель ограничивает продолжительность каждого выступления максимально пятью минутами.

**608** (3) Когда оратор превышает предоставленное ему для выступления время, председатель ставит об этом в известность собрание и просит оратора быстрее закончить свое выступление.

**609 9. Закрытие списка ораторов**

(1) В ходе прений председатель может зачитать список записавшихся ораторов; он записывает в него другие делегации, выражющие желание взять слово, и с согласия собрания может объявить этот список закрытым. Однако в виде исключения председатель может, если он считает это необходимым, предоставить право ответить на любое выступление даже после закрытия списка ораторов.

**610** (2) После того, как список ораторов исчерпан, председатель объявляет о прекращении прений.

**611 10. Вопросы компетенции**

Вопросы компетенции, которые могут возникнуть, должны разрешаться до проведения голосования по существу обсуждаемого вопроса.

**612 11. Снятие предложения и представление его вновь**

Автор какого-либо предложения может снять его до того, как оно поставлено на голосование. Любое снятое таким образом предложение, независимо от того, представлены к нему поправки или нет, может быть снова внесено или взято на себя как делегацией — автором поправки, так и любой другой делегацией.

## СТАТЬЯ 14

### Право голоса

**613** 1. На всех заседаниях конференции делегация Члена Союза, надлежащим образом уполномоченная этим Членом для участия в работе конференции, имеет согласно статье I Конвенции право на один голос.

**614** 2. Делегация Члена Союза осуществляет свое право голоса согласно условиям, изложенным в главе 5 Общего регламента.

## СТАТЬЯ 15

### Голосование

#### 615 1. Определение большинства

(1) Свыше половины присутствующих и голосующих делегаций образуют большинство.

#### 616 2. При подсчете голосов, необходимых для составления большинства, воздержавшиеся во внимание не принимаются.

#### 617 3. В случае равенства голосов предложение или поправка рассматриваются как отклоненные.

#### 618 4. При применении настоящего регламента в качестве «присутствующей и голосующей делегации» считается каждая делегация, которая высказывается за предложение или против него.

#### 619 2. Неучастие в голосовании

Присутствующие делегации, не участвующие в данном голосовании или определенно заявляющие о нежелании в нем участвовать, не считаются отсутствующими для определения кворума по смыслу пункта 592, ни воздерживающимися для применения постановлений пункта 620 настоящей статьи.

#### 620 3. Особое большинство

Большинство, необходимое для приема в Члены Союза, устанавливается статьей 1 Конвенции.

#### 621 4. Наличие более пятидесяти процентов воздержавшихся

Когда число воздержавшихся превышает половину числа поданных голосов (за, против или воздержавшихся), рассмотрение обсуждаемого вопроса откладывается до одного из последующих заседаний, на котором воздержавшиеся не будут больше приниматься в расчет.

#### 622 5. Порядок голосования

(1) За исключением случая, предусмотренного в пункте 625, устанавливается следующий порядок голосования:

- a) поднятие рук, как общее правило;
- b) поименное голосование, если при голосовании под-

иятием рук большинство ясно не проявляется или если этого требуют по крайней мере две делегации.

**624** (2) Поименное голосование производится в алфавитном порядке названий на французском языке представлений Членов.

**625 6. Тайное голосование**

По требованию не менее пяти присутствующих и имеющих право голоса делегаций проводится тайное голосование. В этом случае секретариат немедленно принимает необходимые меры для обеспечения тайны голосования.

**626 7. Запрещение прерывать голосование**

Когда голосование начато, ни одна делегация не может его прерывать, за исключением случаев, когда поднимается процедурный вопрос в связи с порядком проведения голосования.

**627 8. Объяснение мотивов голосования**

После проведения самого голосования председатель предоставляет слово тем делегациям, которые желают дать объяснения мотивов своего голосования.

**628 9. Голосование предложения по частям**

(1) По требованию автора какого-либо предложения, или когда собрание находит это нужным, или когда это с согласия автора предлагает председатель, предложение делится на различные части его ставятся на голосование отдельно. Принятые части предложения ставятся затем на голосование в целом.

**629 (2)** Если все части какого-либо предложения отклоняются, то отклоненным считается и само предложение.

**630 10. Порядок голосования по одному и тому же вопросу**

(1) При наличии нескольких предложений по одному и тому же вопросу эти предложения ставятся на голосование в порядке их поступления, если только собрание не принимает иного решения.

**631 (2)** После каждого голосования собрание решает, есть ли необходимость ставить на голосование следующее предложение.

**632 11. Поправки**

(1) Всякое предложение, направленное лишь на исключе-

чение, добавление к части первоначального предложения или на пересмотр части этого предложения, рассматривается как поправка.

633       (2) Всякая поправка к предложению, принятая представляющей его делегацией, сразу же включается в первоначальный текст этого предложения.

634       (3) Ни одно предложение по изменению не будет рассматриваться как поправка, если собрание считает его несогласимым с первоначальным предложением.

635       **12. Голосование по поправкам**

(1) Если к предложению представляется какая-либо поправка, то она голосуется в первую очередь.

636       (2) Если к предложению представляется несколько поправок, то прежде всего голосуется та из поправок, которая наиболее удалена от первоначального текста; после этого на голосование ставится поправка из оставшихся поправок, наиболее удаленная от первоначального текста, и так далее до тех пор, пока не будут рассмотрены все поправки.

637       (3) Если принимается одна или несколько поправок, то само предложение, измененное таким образом, ставится на голосование.

638       (4) Если не принято ни одной поправки, то проводится голосование по первоначальному предложению.

## СТАТЬЯ 16

### Комиссии и подкомиссии. Ведение прений и порядок голосования

639       1. Председатели комиссий и подкомиссий имеют функции, аналогичные тем, которые возложены статьей 3 на председателя конференции.

640       2. Постановления, содержащиеся в статье 13 относительно порядка проведения прений на пленарном заседании, применимы, за исключением вопросов кворума, и к прениям в комиссиях или подкомиссиях.

641       3. Постановления, содержащиеся в статье 15, применимы, за исключением случая, предусмотренного в пункте 620, и к голосованию в комиссиях или подкомиссиях.

## СТАТЬЯ 17

### Оговорки

- 642 1. Как правило, делегации, точки зрения которых не разделяются другими делегациями, должны по мере возможности стремиться присоединиться к мнению большинства.
- 643 2. Однако, если делегация находит, что какое-либо решение может воспрепятствовать ее правительству ратифицировать Конвенцию или одобрить пересмотр Регламентов, то эта делегация может сделать по поводу этого решения временные или окончательные оговорки.

## СТАТЬЯ 18

### Протоколы пленарных собраний

- 644 1. Протоколы пленарных собраний составляются секретариатом конференции, который стремится обеспечить раздачу их делегациям как можно раньше даты, когда эти протоколы должны рассматриваться.
- 645 2. В возможно короткий срок после раздачи протоколов заинтересованные делегации могут представить в секретариат конференции в письменном виде поправки, которые они считают нужным сделать, что не лишает их возможности устно представить поправки в ходе заседания, на котором эти протоколы утверждаются.
- 646 3. (1) Как правило, протоколы содержат только предложения и заключения вместе с максимально сжатым изложением мотивов по ним.
- 647 (2) Тем не менее, любая делегация имеет право потребовать включения в протокол в кратком изложении или полностью любого заявления, сделанного ею в ходе прений. В таком случае делегация должна, как правило, заявлять об этом в начале выступления с тем, чтобы облегчить задачу репортеров. Она должна, кроме того, сама представить в секретариат конференции текст заявления в течение двух часов после окончания заседания.
- 648 4. Представляемым в пункте 647 правом включения заявления в протокол следует пользоваться умеренно.

## СТАТЬЯ 19

### Отчеты и доклады комиссий и подкомиссий

- 649 1. (1) Прения в комиссиях и подкомиссиях обобщаются в отчетах каждого заседания, в которых отражаются основные обсуждаемые вопросы, различные мнения, которые следует отметить, равно как и предложения и выводы, вытекающие из прений в целом.
- 650 (2) Тем не менее, любая делегация может также использовать право, предусмотренное в пункте 647.
- 651 (3) Пользоваться упоминаемым в вышеприведенном пункте правом следует умеренно.
- 652 2. Комиссии и подкомиссии могут составлять частичные отчеты, которые они считают нужными, а в конце своей работы могут в случае необходимости представлять заключительный отчет, в котором они в сжатой форме суммируют предложения и выводы, явившиеся результатом рассмотрения порученных им вопросов.

## СТАТЬЯ 20

### Утверждение протоколов, отчетов и докладов

- 653 1. (1) Как правило, в начале каждого пленарного заседания конференции или каждого заседания комиссии или подкомиссии председатель спрашивает делегации, имеются ли у них какие-либо замечания по протоколу или отчету предыдущего заседания. Последние считаются одобренными, если секретариату не представлено никаких поправок или не сделано никаких возражений устно. В противном случае в протокол или отчет вносятся необходимые исправления.
- 654 (2) Каждый частичный или заключительный отчет должен быть одобрен соответствующей комиссией или подкомиссией.
- 655 2. (1) Протокол последнего пленарного заседания рассматривается и утверждается председателем этого собрания.
- 656 (2) Отчет последнего заседания комиссии или подкомиссии рассматривается и утверждается председателями этой комиссии или подкомиссии.

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## СТАТЬЯ 21

### Редакционная комиссия

- 657 1. Тексты Конвенции, Регламентов и других Заключительных актов конференции, составляемые различными комиссиями, по мере возможности, в окончательном виде с учетом выраженных мнений передаются в редакционную комиссию, которая должна, не изменяя смысла этих текстов, улучшить их форму и объединить их со старыми текстами, оставшимися неизмененными.
- 658 2. Эти тексты представляются редакционной комиссией пленарному заседанию конференции, которое одобряет их или возвращает для нового рассмотрения в соответствующую комиссию.

## СТАТЬЯ 22

### Нумерация

- 659 1. Нумерация глав, статей и параграфов представляемых на пересмотр текстов сохраняется до первого чтения на пленарном заседании. Вновь добавляемые тексты временно обозначаются номером предыдущего пункта первоначального текста с добавлением «а», «б» и т. д.
- 660 2. Окончательная нумерация глав, статей и пунктов после их принятия в первом чтении поручается редакционной комиссии.

## СТАТЬЯ 23

### Окончательное утверждение

- 661 Тексты Конвенции, Регламентов и других Заключительных актов считаются окончательными после утверждения их во втором чтении пленарным заседанием.

## СТАТЬЯ 24

### Подписание

- 662 Окончательно утвержденные конференцией тексты представляются на подпись делегатам, наделенным полномочиями, которые определены в главе 5 Общего регламента в алфавитном порядке названий на французском языке представляемых ими стран.

**СТАТЬЯ 25****Сообщение для печати**

**663** Официальные сообщения о работе конференции могут быть переданы в печать только с разрешения председателя или одного из заместителей председателя.

**СТАТЬЯ 26****Льготы**

**664** Во время работы конференции члены делегаций, члены Административного совета, высшие должностные лица постоянных органов Союза и выделенный для работы на конференции персонал секретариата Союза имеют право на освобождение от уплаты почтовых, телеграфных и телефонных тарифов в той мере, в какой правительство страны, в которой происходит конференция, смогло договориться по этому вопросу с другими правительствами и заинтересованными признанными частными эксплуатационными организациями.

**ЧАСТЬ II*****Междуннародные консультативные комитеты*****ГЛАВА 10****Общие постановления**

**665** 1. Постановления второй части Общего регламента дополняют статью 13 Конвенции, в которой определяются функции и структура Международных консультативных комитетов.

**666** 2. (!) Консультативные комитеты должны также соблюдать в той степени, в какой это к ним применимо, постановления внутреннего регламента конференций, содержащегося в первой части Общего регламента.

**667** (2) Чтобы облегчить работу своего консультативного комитета, каждое пленарное собрание может принять дополн-

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нительные постановления при условии, что они не противоречат постановлениям внутреннего регламента конференций. Эти дополнительные постановления опубликовываются в документах пленарного собрания в форме резолюций.

## ГЛАВА 11

### Условия участия

**668** 1. (1) Членами каждого Международного консультативного комитета являются:

а) по праву — администрации всех Членов и Сочленов Союза;

**669** б) любая признанная частная эксплуатационная организация, которая с одобрения признавшего ее Члена или Сочлена и при условии выполнения указанного ниже порядка представляет просьбу об участии в работе данного комитета.

**670** (2) Первая просьба об участии в работе какого-либо консультативного комитета, исходящая от признанной частной эксплуатационной организации, адресуется Генеральному секретарю, который доводит ее до сведения всех Членов и Сочленов и директора соответствующего консультативного комитета. Исходящая от признанной частной эксплуатационной организации просьба должна быть одобрена признавшим эту организацию Членом или Сочленом.

**671** 2. (1) Международные организации, которые согласуют свою работу с работой Международного союза электросвязи и имеют связанную с ним деятельность, могут допускаться к участию в работе консультативных комитетов с правом совещательного голоса.

**672** (2) Первая просьба об участии в работе какого-либо консультативного комитета, исходящая от международной организации, адресуется Генеральному секретарю, который по телеграфу доводит ее до сведения всех Членов и Сочленов и просит Членов высказаться относительно удовлетворения этой просьбы. Просьба считается удовлетворенной, если большинство полученных от Членов в течение месяца ответов являются положительными. Генеральный секретарь доводит результаты этого опроса до сведения всех Членов и Сочленов и директора соответствующего консультативного комитета.

**673** 3. (1) Научные или промышленные организации, которые занимаются изучением проблем электросвязи или изучением

и производством оборудования, предназначенного для служб электросвязи, могут допускаться к участию с правом совещательного голоса в собраниях исследовательских комиссий консультативных комитетов при условии согласия на это администраций заинтересованных стран.

- 674 (2) Первая просьба о допуске на заседания исследовательских комиссий какого-либо консультативного комитета, исходящая от научной или промышленной организации, адресуется директору этого консультативного комитета. Эта просьба должна быть одобрена администрацией заинтересованной страны.

## ГЛАВА 12

### Роль пленарного собрания

- 675 Пленарное собрание:

- a) рассматривает отчеты исследовательских комиссий и одобряет, изменяет или отклоняет проекты рекомендаций, содержащиеся в этих отчетах;
- b) составляет список новых вопросов, подлежащих изучению в соответствии с постановлениями пункта 180 и в случае необходимости составляет программу изучения;
- c) в зависимости от необходимости сохраняет существующие исследовательские комиссии и создает новые;
- d) разделяет между комиссиями подлежащие изучению вопросы;
- e) рассматривает и утверждает отчет директора о работе комитета со времени последней сессии пленарного собрания;
- f) утверждает отчет о финансовых нуждах комитета до следующего пленарного собрания, который представляет Административному совету;
- g) рассматривает другие вопросы, которые считаются необходимыми в рамках постановлений статьи 13 Конвенции и второй части Общего регламента.

## ГЛАВА 13

### Сессии пленарного собрания

- 682 1. Пленарное собрание созывается обычно раз в три года в срок и в месте, установленном предыдущим пленарным собранием.
- 683 2. Дата созыва пленарного собрания может быть изменена с согласия большинства Членов Союза, которые участвовали в предыдущем пленарном собрании или, которые хотя и не участвовали в этом собрании, но сообщили Генеральному секретарю о своем намерении принимать активное участие в работе комитета.
- 684 3. На каждом пленарном собрании консультативного комитета председательствует глава делегации страны, в которой происходят заседания, или, в случае проведения собрания в месте пребывания Союза, лицо, выбранное самим пленарным собранием. В помощь председателю пленарное собрание избирает заместителей председателя.
- 685 4. Секретариат пленарного собрания консультативного комитета обеспечивается специализированным секретариатом этого комитета, а в случае необходимости пополняется персоналом администрации приглашающего правительства и Генерального секретариата.

## ГЛАВА 14

### Языки и порядок голосования на пленарных собраниях

- 686 1. (1) На пленарных собраниях применяются языки, предусмотренные в статье 16 Конвенции.
- (2) Подготовительные документы исследовательских комиссий, документы и протоколы пленарных собраний и документы, публикуемые Международными консультативными комитетами в результате их работы составляются на трех рабочих языках Союза.
- 688 2. Члены, которые имеют право голосовать на заседаниях пленарных собраний консультативных комитетов, указаны в пп. 14 и 232. Однако, если какая-либо страна — Член Союза не представлена администрацией, представители ее признанных частных эксплуатационных организаций имеют все вместе независимо от их числа право только на один голос.

## ГЛАВА 15

### Образование исследовательских комиссий

- 689 1. Пленарное собрание образует необходимые исследовательские комиссии для рассмотрения поставленных им на изучение вопросов. Допускаемые в соответствии с пп. 671 и 672 администрации, признанные частные эксплуатационные организации, которые желают принимать участие в работе исследовательских комиссий, сообщают об этом на пленарном собрании или позднее директору соответствующего консультативного комитета.
- 690 2. Кроме того, при условии соблюдения постановлений пп. 673 и 674, к участию в любой сессии какой-либо исследовательской комиссии могут допускаться с правом совещательного голоса эксперты научных и промышленных организаций.
- 691 3. Пленарное собрание назначает главного докладчика, который должен председательствовать в каждой из исследовательских комиссий, и заместителя главного докладчика. Если в период между двумя пленарными собраниями главный докладчик окажется не в состоянии выполнять свои обязанности, его заместитель занимает его место и исследовательская комиссия выбирает на следующей своей сессии нового докладчика из числа своих членов. Она также выбирает нового заместителя главного докладчика, если в течение того же периода заместитель главного докладчика оказывается не в состоянии исполнять свои обязанности.

## ГЛАВА 16

### Порядок работы исследовательских комиссий

- 692 1. Порученные исследовательским комиссиям вопросы обычно рассматриваются путем переписки.
- 693 2. (1) Однако пленарное собрание может дать указания в отношении собраний исследовательских комиссий, которые представляются необходимыми для рассмотрения больших групп вопросов.
- 694 (2) Кроме того, если после проведения пленарного собрания какой-либо главный докладчик сочтет необходимым созвать свою исследовательскую комиссию на не предусмотренное пленарным собранием заседание для устного обсуж-

дения вопросов, которые не представилось возможным рассмотреть путем переписки, то он может с разрешения своей администрации и после выяснения мнений соответствующего директора и членов своей комиссии предложить созвать в подходящем месте заседание, учитывая при этом необходимость сокращения расходов до минимума.

**695** 3. Однако во избежание излишних поездок и продолжительных отсутствий директор консультативного комитета по договоренности с главными докладчиками, председателями соответствующих исследовательских комиссий составляет общий план заседаний группы исследовательских комиссий, которые должны заседать в одном и том же месте и в одно и то же время.

**696** 4. Директор рассыпает заключительные отчеты исследовательских комиссий участвующим администрациям, признанным частным эксплуатационным организациям, входящим в консультативный комитет, а в случае необходимости и международным организациям, которые будут участвовать в его работе. Эти отчеты рассыпаются по возможности быстрее и во всяком случае с таким расчетом, чтобы они были получены по крайней мере за месяц до даты следующего пленарного собрания. Отступления от этого правила допускаются только тогда, когда заседания исследовательских комиссий проводятся непосредственно перед сессией пленарного собрания. Вопросы, которые не были включены в отчет, представленный на вышеуказанных условиях, не могут вноситься в повестку дня пленарного собрания.

## ГЛАВА 17

### Обязанности директора. Специализированный секретариат

**697** 1. (1) Директор консультативного комитета координирует работу пленарного собрания и исследовательских комиссий. Он несет ответственность за организацию работы консультативного комитета.

**698** (2) Он хранит архивы комитета.

**699** (3) Директору помогает секретариат, состоящий из специализированного персонала и работающий под его непосредственным руководством по организации работы комитета.

- 700 (4) Сотрудники специализированных секретариатов, лабораторий и персонал, обслуживающий технические установки какого-либо консультативного комитета подчиняются в административном отношении Генеральному секретарю.
- 701 2. Директор подбирает технический и административный персонал этого секретариата в рамках бюджета, утвержденного Полномочной конференцией или Административным советом. Назначение этого технического и административного персонала производится Генеральным секретарем по согласованию с директором. Окончательное решение о назначении или увольнении принадлежит Генеральному секретарю.
- 702 3. Директор по праву принимает участие с совещательным голосом в работе пленарного собрания и исследовательских комиссий. Он принимает все меры по подготовке к пленарному собранию и заседаниям исследовательских комиссий.
- 703 4. В представляемом пленарному собранию докладе директор дает отчет о деятельности Консультативного комитета со времени последней сессии пленарного собрания. После утверждения этот отчет отсылается Генеральному секретарю для передачи Административному совету.
- 704 5. На ежегодной сессии Административного совета директор представляет Совету отчет о деятельности Комитета за предыдущий год для сведения Совета, Членов и Сочленов Союза.
- 705 6. Директор представляет на утверждение пленарного собрания доклад о финансовых нуждах Консультативного комитета до следующего пленарного собрания. После утверждения пленарным собранием этот доклад направляется Генеральному секретарю для представления Административному совету.
- 706 7. Директор составляет для включения Генеральным секретарем в проект ежегодного бюджета Союза примерную смету расходов Комитета на следующий год, основываясь при этом на докладе о финансовых нуждах Комитета, утвержденном пленарным собранием.
- 707 8. Насколько это необходимо директор участвует в деятельности Союза по оказанию технической помощи в рамках постановлений Конвенции.

## ГЛАВА 18

### Предложения к административным конференциям

- 708 1. В соответствии с пунктом 181 консультативные комитеты могут представлять предложения об изменении регламентов, упоминаемых в пункте 193.
- 709 2. Эти предложения направляются своевременно Генеральному секретарю с тем, чтобы они были объединены, систематизированы и разосланы в соответствии с пунктом 526.

## ГЛАВА 19

### Отношения консультативных комитетов между собой и с другими международными организациями

- 710 1. (1) Пленарные собрания консультативных комитетов могут создавать объединенные комиссии для изучения вопросов, представляющих для них общий интерес, и составления рекомендаций по ним.
- 711 (2) Директора консультативных комитетов могут в сотрудничестве с главными докладчиками организовывать совместные заседания исследовательских комиссий обоих консультативных комитетов для изучения вопросов, представляющих общий интерес, и составления проектов рекомендаций по ним. Эти проекты рекомендаций представляются следующему пленарному собранию каждого из консультативных комитетов.
- 712 2. Пленарное собрание или директор какого-либо консультативного комитета может предложить представителю этого Комитета участвовать с правом совещательного голоса в собраниях другого консультативного комитета или других международных организаций, на которые данный консультативный комитет был приглашен.
- 713 3. Генеральный секретарь, заместитель Генерального секретаря, председатель Международного комитета регистрации частот, директор другого консультативного комитета или их представители могут присутствовать с правом совещательного голоса на заседаниях какого-либо консультативного комитета. В случае необходимости Комитет может пригласить на свои заседания с правом совещательного голоса представителей любого постоянного органа Союза, который не считал необходимым прислать своих представителей.

**ПРИЛОЖЕНИЕ 6**

(см. статью 28)

**СОГЛАШЕНИЕ МЕЖДУ ОРГАНИЗАЦИЕЙ ОБЪЕДИНЕННЫХ НАЦИЙ  
И МЕЖДУНАРОДНЫМ СОЮЗОМ ЭЛЕКТРОСВЯЗИ****ПРЕАМБУЛА**

На основании положений статьи 57 Устава Организации Объединенных Наций и статьи 26 Конвенции Международного союза электросвязи (Атлантик-Сити, 1947 г.), Организация Объединенных Наций и Международный союз электросвязи соглашаются с нижеследующим:

**СТАТЬЯ I**

Организация Объединенных Наций признает Международный союз электросвязи, в дальнейшем именуемый «Союз», как специализированное учреждение, обязанное принимать все меры, совместимые с его основным Актом для достижения целей, которые оно установило в этом Акте.

**СТАТЬЯ II****Взаимное представительство**

1. Организации Объединенных Наций будут посыпаться приглашения о направлении ее представителей для участия без права голоса в работах всех полномочных и административных конференций Союза. Она также будет приглашена после надлежащего согласования с Союзом присыпать представителей на собрания Международных консультативных комитетов или на любые другие собрания, созываемые Союзом, для участия без права голоса в обсуждении вопросов, интересующих Организацию Объединенных Наций.

2. Союзу будут посыпаться приглашения о направлении его представителей на заседания Генеральной Ассамблеи Организации Объединенных Наций в целях консультации по вопросам электросвязи.

3. Союзу будут присыпаться приглашения направлять представителей для присутствия на заседаниях Экономическо-

го и Социального Совета Организации Объединенных Наций и Совета по опеке, их комиссий и комитетов и для участия без права голоса в обсуждении вопросов повестки дня, в которых Союз будет заинтересован.

4. Союзу будут посыпаться приглашения направлять представителей на заседания главных комиссий Генеральной Ассамблеи, на которых должны обсуждаться вопросы, относящиеся к компетенции Союза, для участия в обсуждении этих вопросов без права голоса.

5. Секретариат Организации Объединенных Наций будет распределять все представленные Союзом письменные доклады между Членами Генеральной Ассамблеи, Экономического и Социального Совета и его комиссий и Совета по опеке по принадлежности. Равным образом письменные доклады, представленные Организацией Объединенных Наций, Союз будет распределять между своими Членами.

### СТАТЬЯ III

#### **Включение вопросов в повестку дня**

После необходимых предварительных консультаций Союз будет включать в повестку дня полномочных или административных конференций или собраний других органов Союза вопросы, которые будут ему предложены Организацией Объединенных Наций. Равным образом Экономический и Социальный Совет и его комиссии, а также Совет по опеке будут включать в свою повестку дня вопросы, предложенные конференциями или другими органами Союза.

### СТАТЬЯ IV

#### **Рекомендации Организации Объединенных Наций**

1. Союз, учитывая, что Организация Объединенных Наций обязана способствовать достижению целей, изложенных в статье 55 Устава и помогать Экономическому и Социальному Совету осуществлять свои права и обязанности, которые ему предоставлены статьей 62 Устава, производить или организовывать изучения и доклады по международным вопросам в области экономической, социальной, культуры, образования, здравоохранения и других подобных вопросов и направлять рекомендации по всем этим вопросам заинтересованным специализированным учреждениям, учитывая также, что Органи-

зация Объединенных Наций согласно статьям 58 и 63 Устава обязана издавать рекомендации в целях координации деятельности этих специализированных учреждений и общих принципов, которыми они руководствуются, соглашается принимать все необходимые меры, чтобы как можно скорее передавать все официальные рекомендации, которые могут быть ему направлены Организацией Объединенных Наций, своему соответствующему органу для принятия надлежащих мер.

2. Союз соглашается консультироваться с Организацией Объединенных Наций относительно этих рекомендаций во всех случаях, когда его о том просят, и своевременно извещать Организацию Объединенных Наций о мерах, которые будут приняты Союзом или его Членами для осуществления этих рекомендаций, или об иных заключениях, явившихся следствием этих мер.

3. Союз будет участвовать в осуществлении всех других мероприятий, которые могут быть необходимы для достижения полного эффективного согласования между деятельностью специализированных учреждений и Организацией Объединенных Наций. Он соглашается, в частности, сотрудничать с любым органом или органами, которые Экономический и Социальный Совет мог бы создать для облегчения такого координирования, и представлять все сведения, которые могли бы оказаться необходимыми для достижения этих целей.

## СТАТЬЯ V

### **Обмен информацией и документами**

1. При условии принятия мер, которые могут оказаться необходимыми для сохранения конфиденциального характера некоторых документов, Организация Объединенных Наций и Союз будут производить возможно полный и наиболее быстрый обмен информацией и документами с целью удовлетворения обоюдных нужд.

2. Не нарушая общего характера постановлений предыдущего параграфа:

- a) Союз будет представлять Организации Объединенных Наций ежегодный доклад о своей деятельности;
- b) Союз будет удовлетворять, по мере возможности, все запросы, которые могла бы сделать Организация Объединенных Наций в отношении специальных докладов, исследований или информации;

- с) Генеральный секретарь Организации Объединенных Наций будет обмениваться мнениями с компетентной властью Союза по просьбе последней для того, чтобы сообщить Союзу сведения, которые представляли бы для него особый интерес.

## СТАТЬЯ VI

### Содействие Организации Объединенных Наций

Союз соглашается сотрудничать с Организацией Объединенных Наций, ее главными и вспомогательными органами и оказывать им всякое содействие, которое будет для него возможным, согласно Уставу Организации Объединенных Наций и Международной конвенции электросвязи, учитывая полностью особое положение тех Членов Союза, которые не являются Членами Организации Объединенных Наций.

## СТАТЬЯ VII

### Отношения с Международным судом

1. Союз соглашается предоставлять Международному суду любую информацию, которую последний может потребовать на основании статьи 34 своего Статута.
2. Генеральная Ассамблея Организации Объединенных Наций разрешает Союзу запрашивать у Международного суда консультации по возникшим юридическим вопросам, относящимся к его компетенции, за исключением тех вопросов, которые касаются взаимоотношений Союза с Организацией Объединенных Наций или другими специализированными учреждениями.
3. Запрос такого рода может быть направлен суду Полномочной конференцией или Административным советом, уполномоченным на это Полномочной конференцией.
4. В тех случаях, когда Союз запрашивает Международный суд о его мнении, он должен известить Экономический и Социальный Совет об этом запросе.

## СТАТЬЯ VIII

### Постановления в отношении персонала

1. Организация Объединенных Наций и Союз соглашаются установить, насколько это окажется возможным, общие нормы, методы и положения в целях избежания серьезных противоречий в условиях работы, конкуренции при найме, а также для облегчения условий обмена персоналом, который мог бы явиться желательным обеим сторонам для наиболее эффективного использования этого персонала.

2. Организация Объединенных Наций и Союз соглашаются сотрудничать в максимально возможной степени для достижения вышеуказанных целей.

## СТАТЬЯ IX

### Статистические службы

1. Организация Объединенных Наций и Союз соглашаются приложить все усилия для осуществления самого тесного сотрудничества и устранения всякого параллелизма в их деятельности, а также наиболее производительного использования их технического персонала по подбору, анализу, опубликованию, нормализации, улучшению и распространению статистических сведений. Они соглашаются объединить свои усилия для достижения наилучших результатов по использованию статистических данных, а также для облегчения задачи правительств и других организаций, которые должны представлять эти сведения.

2. Союз признает, что Организация Объединенных Наций является центральным органом по сбору, анализу, опубликованию, нормализации, улучшению и распространению статистических данных, служащих общим целям международных организаций.

3. Организация Объединенных Наций признает, что Союз является центральным органом по сбору, анализу, опубликованию, нормализации, улучшению и распространению статистических данных в пределах своей компетенции, не нанося ущерба правам Организации Объединенных Наций интересоваться этими статистическими данными в той мере, в какой они могут быть необходимыми для осуществления ее собственных целей или для усовершенствования статистических дан-

ных по всему миру. Союзу предоставляется право принимать любые решения относительно формы составления своих служебных документов.

4. С целью создания статистического информационного центра, предназначенного для общего пользования, решено, что данные, полученные Союзом для включения в его основные статистические издания или особые доклады, будут по мере возможности представляться в распоряжение Организации Объединенных Наций по ее требованию.

5. Решено, что сведения, представляемые Организации Объединенных Наций для включения в ее основные статистические издания или особые доклады, будут предоставлены в распоряжение Союза по его просьбе в той мере, в какой это будет возможно и уместно.

## СТАТЬЯ X

### **Административные и технические службы**

1. Организация Объединенных Наций и Союз признают желательным для наиболее эффективного использования персонала и имеющихся ресурсов избегать, когда это будет возможно, учреждения служб, работа которых будет совпадать или дублироваться, и в случае необходимости для этой цели консультироваться между собой.

2. Организация Объединенных Наций и Союз совместно примут постановления в отношении регистрации и хранения официальных документов.

## СТАТЬЯ XI

### **Бюджетные и финансовые постановления**

1. Бюджет или проект бюджета Союза будет представляться Организации Объединенных Наций одновременно с его представлением Членам Союза; Генеральная Ассамблея может делать Союзу рекомендации по этому вопросу.

2. Союз будет иметь право посылать представителей для участия без права голоса в работе Генеральной Ассамблеи или любой ее комиссии во всех тех случаях, когда будет обсуждаться бюджет Союза.

## СТАТЬЯ XII

### Финансирование специальных служб

1. Если вследствие просьбы о содействии, о специальных докладах или изучениях, представленной Организацией Объединенных Наций в соответствии со статьей VI или с другими постановлениями настоящего Соглашения, Союз встретится с необходимостью произвести значительные дополнительные расходы, стороны будут консультироваться между собой для определения наиболее справедливого способа покрытия этих расходов.

2. Организация Объединенных Наций и Союз будут также консультироваться в отношении принятия тех мер, которые они сочтут справедливыми для покрытия расходов центральных административных, технических или фискальных служб и всех специальных льгот или услуг, оказываемых Организацией Объединенных Наций по просьбе Союза.

## СТАТЬЯ XIII

### Пропуска Организации Объединенных Наций

Служащие Союза будут иметь право пользоваться пропусками Организации Объединенных Наций в соответствии со специальными соглашениями, которые будут заключены между Генеральным секретарем Организации Объединенных Наций и компетентными представителями Союза.

## СТАТЬЯ XIV

### Соглашения между учреждениями

1. Союз соглашается информировать Экономический и Социальный Совет о характере и объеме любого официального соглашения, которое Союз предполагает заключить с любым другим специализированным учреждением или любой межправительственной организацией или любой неправительственной международной организацией, и будет извещать, кроме того, Экономический и Социальный Совет о подробностях этого соглашения после его заключения.

2. Организация Объединенных Наций соглашается информировать Союз о характере и объеме любого официального соглашения, которое все другие специализированные учрежде-

7 Международная конвенция электросвязи

ния предполагают заключить между собой, по вопросам, которые могут интересовать Союз, и, кроме того, она будет информировать Союз о подробностях этого соглашения, когда оно будет заключено.

## СТАТЬЯ XV

### Связь

1. Организация Объединенных Наций и Союз соглашаются с вышеуказанными постановлениями в уверенности, что последние будут содействовать сохранению эффективной связи между обеими организациями. Они заявляют о том, что они намерены принимать все необходимые меры для достижения этой цели.

2. Постановления, касающиеся связи, предусмотренной настоящим Соглашением, будут применяться, поскольку это будет целесообразным, в отношениях между Союзом и Организацией Объединенных Наций, включая ее региональные и вспомогательные учреждения.

## СТАТЬЯ XVI

### Служба электросвязи Организации Объединенных Наций

1. Союз признает важным, чтобы Организация Объединенных Наций пользовалась такими же правами, как и Члены Союза, в отношении эксплуатации служб электросвязи.

2. Организация Объединенных Наций обязуется эксплуатировать службы электросвязи, находящиеся под ее управлением, в соответствии с положениями Международной конвенции электросвязи и приложенного к ней Регламента.

3. Точные условия применения настоящей статьи будут предметом отдельных соглашений.

## СТАТЬЯ XVII

### Выполнение Соглашения

Генеральный секретарь Организации Объединенных Наций и компетентный представитель Союза могут заключать все дополнительные соглашения, которые окажутся желательными для применения настоящего Соглашения.

**СТАТЬЯ XVIII****Пересмотр**

Настоящее Соглашение может быть подвергнуто пересмотру по согласованию с Организацией Объединенных Наций и Союзом при условии предварительного извещения, сделанного за шесть месяцев одной или другой Стороной.

**СТАТЬЯ XIX****Вступление в силу**

1. Настоящее Соглашение временно вступит в силу после его утверждения Генеральной Ассамблеей Организации Объединенных Наций и Полномочной конференцией электросвязи, созванной в Атлантик-Сити в 1947 г.

2. При условии упомянутого в параграфе 1 утверждения настояще Соглашение вступит официально в силу в то же время, что и Международная конвенция электросвязи, заключенная в Атлантик-Сити в 1947 г., или в более ранний срок, в зависимости от решения Союза.

## ЗАКЛЮЧИТЕЛЬНЫЙ ПРОТОКОЛ

к

### Международной конвенции электросвязи

(Женева, 1959 г.)

При подписании Международной конвенции электросвязи (Женева, 1959 г.) нижеподписавшиеся полномочные представители принимают к сведению следующие заявления, которые являются частью Заключительных актов Полномочной конференции (Женева, 1959 г.).

I

*От имени Республики Аргентины:*

Аргентинская делегация заявляет:

В пункте 4 Международной конвенции электросвязи (Женева, 1959 г.) устанавливается, что Членом Союза является любая страна или группа территорий, поименованные в Приложении I. В этом Приложении I указаны: «Заморские территории, внешние сошествия которых обеспечиваются Правительством Соединенного Королевства Великобритании и Северной Ирландии».

Указанное Правительство обычно включает в эту совокупность территорию, которую оно называет: «Фолькландские острова и их зависимые территории», что отражено в официальных документах, опубликованных Международным союзом электросвязи; поэтому Аргентинская делегация заявляет, что это обстоятельство никаким образом не затрагивает суверенных прав Аргентины на названные острова. Соединенное Королевство занимает эти острова в результате акта насилия, которого Аргентинское правительство никогда не признавало. Оно вновь подтверждает свои неотъемлемые права и заявляет, что Мальвинские острова, Южные Сандвичевые острова, острова Южной Георгии и острова, входящие в антарктический сектор Аргентины, не являются ни колонией, ни владением никакой другой страны и что, являясь составной частью аргентинской территории, они принадлежат ей и находятся под ее суверенитетом.

Вышеприведенное заявление должно применяться также ко всем другим указаниям такого рода, которые могут быть включены в Конвенцию или Приложения к ней.

**II**

*От имени Канады:*

Подписывая Международную конвенцию электросвязи (Женева, 1959 г.), Канада сохраняет за собой право не принимать пункт 193 этой Конвенции. Канада признает обязательства, вытекающие из Регламента радиосвязи, Телеграфного регламента и с одной оговоркой из Дополнительного регламента радиосвязи, которые приложены к указанной Конвенции, но не считает себя связанный с постановлениями Телефонного регламента.

**III**

*От имени Китая:*

Делегация Китайской Республики на Полномочной конференции Международного союза электросвязи в Женеве в 1959 году является так же, как и в Атлантик-Сити и в Буэнос-Айресе, единственным законным представителем Китая на этой конференции и она была признана в качестве таковой этой конференцией. Все заявления или оговорки, сделанные Членами Союза в связи с настоящей Конвенцией или приложенные к этой Конвенции, которые несовместимы с изложенной выше позицией Китайской Республики, являются незаконными и поэтому не имеющими силы. Подписывая настоящую Конвенцию, Китайская Республика не принимает по отношению к этим Членам Союза никакого обязательства, вытекающего из Женевской конвенции или какого-либо протокола, приложенного к ней.

**IV**

*От имени Бельгийского Конго и Территории Руанда-Урунди:*

Подписывая Международную конвенцию электросвязи (Женева, 1959 г.), Бельгийское Конго и Территория Руанда-Урунди заявляет, что оно сохраняет за собой право соблюдать статью 3 Регламента радиосвязи (Женева, 1959 г.) только в той мере, в какой применение этой статьи позволит удовлетворить необходимые нужды внутреннего радиовещания.

**V**

*От имени Коста-Рики:*

Делегация Республики Коста-Рика заявляет, что она сохраняет за своим Правительством право принять или не принять последствия оговорок, сделанных другими Правительствами, участвовавшими в Конференции, которые могли бы повлечь за собой увеличение доли участия Коста-Рики в расходах Союза.

**VI**

*От имени Кубы:*

Подписывая настоящую Конвенцию от имени Правительства Республики Куба, делегация Кубы делает официальную оговорку в отношении принятия Телеграфного регламента, Телефонного регламента и Дополнительного регламента радиосвязи, указанных в статье 14 Международной конвенции электросвязи (Женева, 1959 г.).

**VII**

*От имени Республики Сальвадор:*

**A**

Правительство Республики Сальвадор сохраняет за собой право принять все необходимые меры для защиты своих интересов в случае, если какой-либо Член или Сочлен не примет участия в расходах Союза или сделает оговорки, результатом которых явится увеличение доли участия Сальвадора в расходах Союза.

**B**

Подписывая настоящую Конвенцию от имени Республики Сальвадор, нижеподписавшийся делегат сохраняет за своим Правительством право принять или не принять обязательства, вытекающие из Телефонного регламента и из Дополнительного регламента радиосвязи, указанных в статье 14 Международной конвенции электросвязи (Женева, 1959 г.).

**VIII**

*От имени Соединенных Штатов Америки:*

Подписание настоящей Конвенции за Соединенные Штаты Америки и от их имени означает в соответствии с их законодательством также и подписание ее от имени всех территорий Соединенных Штатов Америки.

Соединенные Штаты Америки определенно заявляют, что, подписывая настоящую Конвенцию от своего имени, они не принимают никаких обязательств в отношении Телефонного регламента и Дополнительного регламента радиосвязи, указанных в статье 14 Международной конвенции электросвязи (Женева, 1959 г.).

**IX**

*От имени Греции:*

Делегация Греции заявляет от имени своего Правительства, что она не принимает никаких последствий оговорок, которые могли бы вызвать увеличение ее доли членских взносов.

**X**

*От имени Республики Индии:*

1. Подписывая Заключительные акты Международной конференции электросвязи (Женева, 1959 г.), Республика Индии не принимает никаких финансовых последствий оговорок, которые могут быть сделаны относительно финансов Союза какой-либо делегацией, участвовавшей в настоящей Конференции.

2. Делегация Республики Индии заявляет, что подписание ею Конвенции зависит также от того, будет ли Республика Индии в состоянии принять некоторые постановления Телефонного регламента и Телефонного регламента (Женева, 1959 г.), указанных в статье 14 Конвенции.

3. Кроме того, делегация Республики Индии сохраняет за своим Правительством право принять, в случае необходимости, соответствующие меры для обеспечения как надлежащей деятельности Союза и его постоянных органов, так и применения Регламентов, указанных в статье 14 Конвенции, если какая-либо страна сделает оговорки и/или не примет постановлений вышеуказанных Конвенции и Регламентов.

**XI**

*От имени Индонезийской Республики:*

Принимая во внимание, что, согласно конституции, Ириан Барат (Западная Новая Гвинея) является составной частью Индонезийской Республики, делегация Индонезии на Полномочной конференции и на Административной конференции радиосвязи (Женева, 1959 г.) определенно заявляет, что подписание ею настоящей Конвенции и Регламента радиосвязи никоим образом не означает согласия на то, чтобы в документах Союза и в Регламенте радиосвязи, а также в приложениях и дополнениях к ним перед называнием Ириан Барат (Новая Гвинея) стояло слово «Нидерландская».

## XII

*От имени Государства Израиль:*

Делегация Государства Израиль не может принять оговорок, сделанных в отношении Израиля делегациями Королевства Саудовской Аравии, Иракской Республики, Хашимитского Королевства Иордании, Кувейта, Ливана, Соединенного Королевства Ливии, Королевства Марокко, Объединенной Арабской Республики, Республики Судан и Туниса, и сохраняет за своим Правительством право принять меры, которые оно сочтет необходимыми для охраны интересов Государства Израиль при применении настоящей Конвенции и приложенных к ней Регламентов в той мере, в какой это касается вышеуказанных Членов.

## XIII

*От имени Японии:*

Япония сохраняет за собой право принять все необходимые меры для охраны своих интересов в случае, если оговорки, сделанные другими странами, приведут к увеличению доли ее участия в расходах Союза.

## XIV

*От имени Королевства Нидерландов:*

Делегация Королевства Нидерландов заявляет, что она не принимает заявления, официально сделанного делегацией Индонезийской Республики, поскольку это заявление оспаривает суверенитет Правительства Нидерландов над неавтономной территорией Нидерландской Новой Гвинеи.

Наименование «Нидерландская Новая Гвинея» в конституционном отношении правильно: оно официально признано как таковое и применяется Секретариатом Организации Объединенных Наций.

## XV

*От имени Филиппинской Республики:*

Подписывая настоящую Конвенцию, Филиппинская Республика определено заявляет, что она не может в настоящее время принять на себя обязательства, вытекающие из Телефонного и Телеграфного регламентов, указанных в пункте 193 настоящей Конвенции.

**XVI**

*От имени Соединенного Королевства Великобритании и Северной Ирландии:*

Делегация Соединенного Королевства Великобритании и Северной Ирландии заявляет, что она не принимает заявления аргентинской делегации, поскольку это заявление оспаривает суверенитет Правительства Ее Величества над Фолклендскими островами и зависимыми от них территориями, и желает по этому вопросу официально оговорить права Правительства Ее Величества. Фолклендские острова и зависящие от них территории являются и будут составной частью территорий, которые в совокупности являются Членом Союза под наименованием: «Колонии, Протектораты, Заморские территории и территории под мандатом или опекой Соединенного Королевства Великобритании и Северной Ирландии», от имени которого Соединенное Королевство Великобритании и Северной Ирландии присоединилось 16 ноября 1953 года к Международной конвенции электросвязи (Буэнос-Айрес, 1952 г.) и который в Международной конвенции электросвязи (Женева, 1959 г.) назван следующим образом: «Заморские территории, внешние сношения которых обеспечивает Правительство Соединенного Королевства Великобритании и Северной Ирландии».

**XVII**

*От имени Чехословакии:*

Чехословацкая делегация заявляет от имени Правительства Чехословацкой Республики, что она не принимает никаких последствий оговорок, результатом которых является увеличение доли его участия в расходах Союза.

**XVIII**

*От имени Турции:*

Делегация Турции заявляет, что Правительство Турецкой Республики не может принять никаких финансовых последствий оговорок, сделанных другими Правительствами, участвующими в настоящей Конференции.

**XIX**

*От имени Южно-Африканского Союза и территории Юго-Западной Африки:*

Делегация Южно-Африканского Союза и территории Юго-Западной Африки заявляет, что подписание Южно-Африкан-

ским Союзом и территорией Юго-Западной Африки настоящей Конвенции производится с оговоркой о том, что Южно-Африканский Союз и территория Юго-Западной Африки не согласны быть связанными Телефонным регламентом, указанным в статье 14 Международной конвенции электросвязи (Женева, 1959 г.).

## XX

*От имени Республики Венесуэлы:*

Подписывая настоящую Конвенцию, делегация Республики Венесуэлы заявляет от имени своего Правительства, что она сохраняет в силе оговорки по поводу Телеграфного регламента, Телефонного регламента (Женева, 1958 г.) и Регламента радиосвязи (Женева, 1959 г.).

## XXI

*От имени Афганистана, Республики Аргентины, Бельгии, Республики Колумбии, Бельгийского Конго и Территории Руанда-Урунди, Дании, Испании, Заморских стран Французского сообщества и Французских заморских территорий, Франции, Мексики, Монако, Норвегии, Парагвая, Перу, Португалии, Португальских заморских провинций, Федеративной Республики Германии, Федеративной Народной Республики Югославии, Швеции и Швейцарии:*

Делегации вышеуказанных стран заявляют от имени своих Правительств, что они не принимают никаких последствий оговорок, которые привели бы к увеличению доли их участия в расходах Союза.

## XXII

*От имени Народной Республики Албания, Народной Республики Болгарии, Белорусской Советской Социалистической Республики, Венгерской Народной Республики, Польской Народной Республики, Румынской Народной Республики, Союза Советских Социалистических Республик, Украинской Советской Социалистической Республики и Чехословацкой Республики:*

Делегации вышеуказанных стран заявляют от имени своих Правительств, что решение Полномочной конференции Международного союза электросвязи (Женева, 1959 г.) о признании полномочий чайкайшистов на участие в работе этой Конференции и подписание ее Заключительных актов от имени Китая является незаконным, поскольку единственными закон-

ными представителями Китая могут быть только представители, назначенные Центральным Народным Правительством Китайской Народной Республики.

### XXIII

*От имени Народной Республики Албания, Народной Республики Болгарии, Венгерской Народной Республики, Польской Народной Республики, Румынской Народной Республики и Чехословацкой Республики:*

Подписывая Международную конвенцию электросвязи (Женева, 1959 г.), делегации следующих стран: Народной Республики Албания, Народной Республики Болгарии, Венгерской Народной Республики, Польской Народной Республики, Румынской Народной Республики, Чехословацкой Республики заявляют, что они оставляют за своими Правительствами право принять или не принять Регламент радиосвязи в целом или частично.

### XXIV

*От имени Королевства Саудовской Аравии, Иракской Республики, Хашимитского Королевства Иордании, Кувейта, Ливана, Соединенного Королевства Ливии, Королевства Марокко, Объединенной Арабской Республики, Республики Судан и Туниса:*

Делегации вышеуказанных стран заявляют, что подписание ими Международной конвенции электросвязи (Женева, 1959 г.) и возможная последующая ратификация этого Акта их Правительствами не имеют силы в отношении Члена, указанного в Приложении I к настоящей Конвенции под наименованием Израиль и никоим образом не означают его признания.

### XXV

*От имени Австрии и Италии:*

Австрия и Италия сохраняют за собой право принять все необходимые меры для обеспечения своих интересов, если Члены и Сочлены не будут нести расходы Союза на основе постановлений Международной конвенции электросвязи (Женева, 1959 г.) и если оговорки других стран могут поставить под угрозу их службы электросвязи.

## XXVI

*От имени Белорусской Советской Социалистической Республики, Союза Советских Социалистических Республик и Украинской Советской Социалистической Республики:*

Подписывая настоящую Конвенцию, делегации Белорусской Советской Социалистической Республики, Союза Советских Социалистических Республик и Украинской Советской Социалистической Республики определению заявляют, что, подписывая настоящую Конвенцию, они сохраняют оговорки относительно Регламента радиосвязи, сделанные их Правительствами при ратификации Международной конвенции электросвязи (Буэнос-Айрес, 1952 г.).

## XXVII

*От имени Ганы, Гвинейской Республики и Ирана:*

Делегации вышеуказанных стран сохраняют за своими Правительствами право принять все необходимые меры для защиты своих интересов, если Члены или Сочлены не будут каким-либо образом соблюдать постановлений Международной конвенции электросвязи (Женева, 1959 г.) или если оговорки других стран поставят под угрозу их службы электросвязи.

## XXVIII

*От имени Хашимитского Королевства Иордании и Объединенной Арабской Республики:*

Делегации Хашимитского Королевства Иордании и Объединенной Арабской Республики заявляют от имени своих Правительств, что они не принимают пп. 42 и 97, в которых Административному совету разрешается заключать от имени Союза соглашения с международными организациями. Их страны не будут считать себя связанными ни одним из этих соглашений, которые они будут считать противоречащими их интересам.

## XXIX

*От имени Австралийской Федерации, Новой Зеландии, Пакистана, Филиппинской Республики, Соединенного Королевства Великобритании и Северной Ирландии, Южно-Африканского Союза и территории Юго-Западной Африки:*

Делегации вышеуказанных стран сохраняют за своими Правительствами право принять все необходимые меры для

охраны своих интересов в том случае, если некоторые Члены или Сочлены Союза не будут нести свою долю расходов Союза или каким-либо другим образом не будут выполнять постановлений Международной конвенции электросвязи (Женева, 1959 г.), приложений и протоколов к ней, либо если оговорки других стран поставят под угрозу удовлетворительную работу их собственных служб электросвязи.

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В удостоверение чего соответствующие полномочные представители подписали настоящий Заключительный протокол в одном экземпляре на английском, китайском, испанском, французском и русском языках. Этот Протокол будет храниться в архивах Международного союза электросвязи, который передаст копию его каждой из подписавших стран.

*Совершено в Женеве 21 декабря 1959 года.*

WHEREAS the aforesaid convention was signed for the United States of America subject to certain statements as set forth in the aforesaid final protocol, as follows:

"Signature of this Convention for and in the name of the United States of America constitutes, in accordance with its constitutional processes, signature also on behalf of all territories of the United States of America.

"The United States of America formally declares that the United States of America does not, by signature of this Convention on its behalf, accept any obligation in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).";

WHEREAS the Senate of the United States of America by their resolution of September 25, 1961, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the aforesaid convention and final protocol, subject to the following declarations:

"Ratification of this Convention for and in the name of the United States of America constitutes, in accordance with its constitutional processes, ratification also on behalf of all territories of the United States of America.

"The United States of America formally declares that the United States of America does not, by ratification of this Convention, accept any obligation in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).";

WHEREAS the aforesaid convention and final protocol were duly ratified by the President of the United States of America on October 4, 1961, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid declarations;

WHEREAS it is provided in Article 52 of the aforesaid convention that the convention shall enter into force January 1, 1961 between countries, territories or groups of territories, in respect of which instruments of ratification or accession have been deposited before that date;

WHEREAS it is provided in Article 17 of the aforesaid convention that, after the entry into force of the convention in accordance with Article 52, each instrument of ratification shall become effective on the date of its deposit with the General Secretariat of the International Telecommunication Union;

AND WHEREAS the instrument of ratification of the United States of America with respect to the aforesaid convention and final protocol was deposited with the General Secretariat of the International Telecommunication Union on October 23, 1961;

Now, THEREFORE, be it known that I, John F. Kennedy, President of the United States of America, do hereby proclaim and make public the aforesaid international telecommunication convention and the final protocol thereto, to the end that the same and every article and clause thereof may

be observed and fulfilled in good faith on and after October 23, 1961 by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, subject to the aforesaid declarations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-second day of November in the year of our Lord one thousand nine hundred sixty-one and [SEAL] of the Independence of the United States of America the one hundred eighty-sixth.

JOHN F KENNEDY

By the President:

DEAN RUSK

*Secretary of State*

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