

- 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 Plenary Conference;
- 104 *h)* adjust as necessary:
1. the basic salary scales for staff in the professional categories and above, 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;
  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;
  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;
  4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;
  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 6. the cost-of-living allowances granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of practice in the United Nations.
- 110 *i)* arrange for the convening of plenary and administrative conferences of the Union in accordance with Articles 6 and 7;
- 111 *j)* offer to the Plenary Conference of the Union any recommendations deemed useful;
- 112 *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;
- 113 *l)* provide, if it considers it desirable, for the filling ad interim of a vacancy for Deputy Secretary-General;
- 114 *m)* provide for the filling ad interim of vacancies for Directors of

- the International Consultative Committees;
- 115 *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;
- 116 *o)* take the necessary steps, with the agreement of a majority of the 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;
- 117 *p)* submit a report on its activities and those of the Union for consideration by the Plenary Conference;
- 118 *q)* send to Members and Associate Members of the Union, as soon as possible after each of its sessions, summary reports on the activities of the Administrative Council and other documents deemed useful;
- 119 *r)* promote international cooperation for the provision of technical cooperation 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

- 120 1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.
- 121 (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 Plenary Conference, and they shall be eligible for re-election.
- 122 (3) The Secretary-General shall be responsible to the Administrative Council for all the administrative and financial aspects of the Union's activities. The Deputy Secretary-General shall be responsible to the Secretary-General.
- 123 (4) If the post of Secretary-General falls vacant, the Deputy Secretary-General shall discharge the duties ad interim.
- 124 2. The Secretary-General shall:
- a)* coordinate the activities of the permanent organs of the Union with

- the assistance of the Coordination Committee referred to in Article 11:
- 125 *b)* organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the directives of the Plenary Conference and the rules established by the Administrative Council;
  - 126 *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;
  - 127 *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;
  - 128 *e)* ensure the application of the financial and administrative regulations approved by the Administrative Council;
  - 129 *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;
  - 130 *g)* undertake secretarial work preparatory to, and following, conferences of the Union;
  - 131 *h)* provide, where appropriate in cooperation with the inviting government, the secretariat of every conference of the Union and provide the facilities and services for meetings of the permanent organs of the Union in collaboration with their respective Heads. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
  - 132 *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;
  - 133 *j)* publish the recommendations and principal reports of the permanent organs of the Union;
  - 134 *k)* publish international and regional telecommunication agreements

- communicated to him by the parties thereto, and keep up-to-date records of these agreements;
- 135 *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;
  - 136 *m)* prepare, publish and keep up-to-date with the assistance, where appropriate, of the other permanent organs of the Union:
  - 137 1. a record of the composition and structure of the Union;
  - 138 2. the general statistics and the official service documents of the Union as prescribed by the Regulations annexed to the Convention;
  - 139 3. such other documents as conferences or the Administrative Council may direct;
  - 140 *n)* distribute the published documents;
  - 141 *o)* collect and publish, in suitable form, data, both national and international, regarding telecommunication throughout the world;
  - 142 *p)* assemble and publish, in cooperation with the other 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;
  - 143 *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;
  - 144 *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;
  - 145 *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;

- 146** *r)* 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;
- 147** *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;
- 148** *v)* perform all other secretarial functions of the Union;
- 149** *w)* act as the legal representative of the Union;
- 150** 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.
- 151** 4. The Secretary-General or the Deputy Secretary-General may participate, in a consultative capacity, in Plenary Assemblies of the 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; their participation in the meetings of the Administrative Council is governed by **89**.

#### ARTICLE 11

##### Coordination Committee

- 152** 1. (1) The Secretary-General shall be assisted by a Coordination Committee which shall advise him on administrative, financial and technical cooperation matters affecting more than one permanent organ and on external relations and public information.
- 153** (2) The Committee shall also consider any important matters referred to it by the Administrative Council. After examining them, the Committee will report, through the Secretary-General, to the Council.
- 154** (3) The Committee shall, in particular, help the Secretary-General in the duties assigned to him under **144**, **145**, **146** and **147**.
- 155** (4) The Committee shall examine the progress of the work of the Union in technical cooperation and submit recommendations, through the Secretary-General, to the Administrative Council.
- 156** (5) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Articles **29** and **30** as

regards representation of the permanent organs of the Union at conferences of such organizations.

- 157** 2. The Committee shall endeavour to reach conclusions unanimously. The Secretary-General may, however, take decisions even when he does not have the support of two or more other members of the Committee, provided that he judges the matters in question to be of an urgent nature. In such circumstances he shall, if requested by the Committee, report on such matters to the Administrative Council in terms approved by all the members of the Committee. If, in similar circumstances, the matters are not urgent but are important, they shall be referred for consideration to the next session of the Administrative Council.
- 158** 3. The Committee shall be presided over by the Secretary-General and shall be composed of the Deputy Secretary-General, the Directors of the International Consultative Committees and the Chairman of the International Frequency Registration Board.
- 159** 4. The Committee shall meet when convened by its Chairman and, in general, at least once a month.

#### ARTICLE 12

##### Electcd Officials and Staff of the Union

- 160** 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. At their election, due consideration should be given to the principles embodied in **164** and to the appropriate geographical representation of the regions of the world.
- 161** 2. (1) In the performance of their duties, neither the elected officials nor the staff of the Union shall seek or accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.
- 162** (2) Each Member and Associate Member shall respect the exclusively international character of the duties of the elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.
- 163** (3) No elected official or any member of the staff of the Union shall participate in any manner or have any financial interest whatsoever in any enterprise concerned with telecommunications, except as part of their duties. However, the term "financial interest" is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.

164 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 13

##### International Frequency Registration Board

165 1. The essential duties of the International Frequency Registration Board shall be:

d) 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;

166 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.

167 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 a majority of the Members of the Union, in preparation for or in pursuance of the decisions of such a conference;

168 d) to maintain such essential records as may be related to the performance of its duties.

169 2. (1) The International Frequency Registration Board shall consist of five independent members designated in accordance with 172 to 180.

170 (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.

171 (3) Moreover, for the more effective understanding of the problems coming before the Board under 166, each member shall be familiar with geographic, economic and demographic conditions within a particular area of the world.

172 3. (1) The five members of the Board shall be elected at intervals of not less than five years by a world administrative conference dealing with

general radio-communication matters. 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 170 and 171.

173 (2) The election procedure shall be established by the conference itself in such a way as to ensure equitable representation of the various parts of the world.

174 (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.

175 (4) The members of the Board shall take up their duties on the date determined by the world administrative conference which elected them. They shall normally remain in office until the date determined by the conference which elects their successors.

176 (5) If in the interval between two world administrative conferences which elect members of the Board, an elected member of the Board should resign or abandon his duties without good cause for a period exceeding thirty days or should die, 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.

177 (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.

178 (7) If in the interval between two world administrative conferences which elect members of the Board, the replacement should resign or abandon his duties without good cause for a period exceeding thirty days or should die, the country, Member of the Union, of which he is a national shall not be entitled to designate a further replacement.

179 (8) In the circumstances described in 177 and 178, the Chairman of the Board shall request the Secretary-General to invite the countries, Members of the Union, of the region concerned to propose candidates for the election of a replacement at the next annual session of the Administrative Council.

180 (9) 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 world administrative conferences which elect members of the Board.

181 4. (1) The working arrangements of the Board are defined in the

# Radio Regulations.

182 (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.

183 (3) The Board shall be assisted by a specialized secretariat.

184 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.

185 (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.

## ARTICLE 14

### International Consultative Committees

186 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.

187 (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.

188 (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.

189 (4) At the request of the countries concerned, each Consultative Committee may also study and offer advice concerning their national telecommunication problems. The study of such problems should be in accordance with 190

190 2. (1) The questions studied by each International Consultative Committee, on which it shall issue recommendations, shall be those referred to it by the Plenary 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 twenty Members and Associate Members of the Union.

191 (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.

192 3. The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

193 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.

194 4. Each Consultative Committee shall work through the medium of:

a) the Plenary Assembly, normally meeting every three years. When a corresponding world administrative conference has been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference;

195 b) study groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;

196 c) a Director elected by the Plenary Assembly initially for a period equal to twice the interval between two consecutive Plenary Assemblies, i.e. normally for six years. He shall be eligible for re-election at each subsequent Plenary Assembly and if re-elected shall then remain in office until the date of the next Plenary Assembly, normally for three years. When the position becomes unexpectedly vacant, the following Plenary Assembly shall elect the new Director.

197 d) a specialized secretariat, which assists the Director;

198 e) laboratories or technical installations set up by the Union.

199 5. There shall be a World Plan Committee, and such Regional Plan

Committees as may be jointly approved by the Plenary Assemblies of the International Consultative Committees. These Plan Committees shall develop a General Plan for the international telecommunication network to help in planning international telecommunication services. They shall refer to the International Consultative Committees questions the study of which is of particular interest to new or developing countries and which are within the terms of reference of those Consultative Committees.

200 6. The Plenary Assemblies and the study group meetings of the Consultative Committees shall observe the Rules of Procedure contained in the General Regulations, annexed to this Convention. They may also adopt additional rules of procedure in accordance with 77. These additional rules of procedure shall be published in the form of a Resolution in the documents of the Plenary Assemblies.

201 7. The working arrangements of the Consultative Committees are defined in Part II of the General Regulations annexed to this Convention.

#### ARTICLE 15 Regulations

202 1. Subject to the provisions of Article 8, the General Regulations contained in Annex 4 to this Convention shall have the same force and duration as the Convention.

203 2. (1) The provisions of the Convention are completed by the following sets of Administrative Regulations:

Telephone Regulations,  
Telegraph Regulations,  
Radio Regulations,  
Additional Radio Regulations.

204 (2) Ratification of this Convention in accordance with Article 18 or accession in accordance with Article 19 involves acceptance of the General and Administrative Regulations in force at the time of ratification or accession.

205 (3) Members and Associate Members shall inform the Secretary-General of their approval of any revision of these Regulations by competent administrative conferences. The Secretary-General shall inform Members and Associate Members promptly regarding receipt of such notifications of approval.

206 3. In case of inconsistency between a provision of the Convention and a provision of the Regulations, the Convention shall prevail.

#### ARTICLE 16 Finances of the Union

207 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;

208 b) Plenary Assemblies, Conferences and world administrative conferences;

209 c) all meetings of the International Consultative Committees.

210 2. Expenses incurred by the regional administrative conferences referred to in 50 shall be borne in accordance with their unit classification by all the Members and Associate Members of the region concerned and, where appropriate, on the same basis by any Members and Associate Members of other regions which have participated in such conferences.

211 3. The Administrative Council shall review and approve the annual budget of the Union, taking account of the limits for expenditure set by the Plenary Assemblies.

212 4. 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 " "	1/2 " "

213 5. Members and Associate Members shall be free to choose their class of contribution for defraying Union expenses.

214 6. (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.

215 (2) The Secretary-General shall communicate this decision to Members and Associate Members.

- 216** (3) Members and Associate Members who have failed to make known their decision before the date specified in **214** shall retain the class of contribution previously notified to the Secretary-General.
- 217** (4) Members and Associate Members may at any time choose a class of contribution higher than the one already adopted by them.
- 218** (5) No reduction in a unit classification established in accordance with **214** to **216** can take effect during the life of the Convention.
- 219** 7. Members and Associate Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.
- 220** 8. (1) Every new Member or Associate Member shall, in respect of the year of its accession, pay a contribution calculated as from the first day of the month of accession.
- 221** (2) Should the Convention be denounced by a Member or Associate Member, its contribution shall be paid up to the last day of the month in which such denunciation takes effect.
- 222** 9. The amounts due shall bear interest from the beginning of each financial year of the Union at 3 1/2% (three per cent) per annum during the first six months, and at 6 1/2% (six per cent) per annum from the beginning of the seventh month.
- 223** 10. The following provisions shall apply to contributions by recognized private operating agencies, scientific or industrial organizations and international organizations:
- 224** a) Recognized private operating agencies and scientific or industrial organizations shall share in defraying the expenses of the International Consultative Committees in the work of which they have agreed to participate. Recognized private operating agencies shall likewise share in defraying the expenses of the administrative conferences in which they have agreed to participate, or have participated, in accordance with **621** of the General Regulations.
- 225** b) 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.
- 226** c) Recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings in accordance with **224** and **225**, shall freely choose from the scale in **212** their class of contribution for defraying Union expenses, and inform the Secretary-General of the class chosen.
- 227** d) Recognized private operating agencies, scientific or industrial organizations and international organizations which share in defraying the expenses of conferences or meetings may at any time choose a class of contribution higher than the one already adopted by them.
- 228** e) No reduction in the number of contributory units shall take effect during the life of the Convention.
- 229** f) In the case of denunciation of participation in the work of an International Consultative Committee, the contribution shall be paid up to the last day of the month in which such denunciation takes effect.
- 230** g) The amount of the contribution per unit payable by recognized private operating agencies and scientific or industrial organizations or international organizations towards the expenses of the International Consultative Committees in the work of which they have agreed to participate shall be fixed annually by the Administrative Council. The contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of **222**.
- 231** h) The amount of the contribution per unit payable towards the expenses of administrative conferences by recognized private operating agencies which participate in accordance with **621** of the General Regulations and by participating international organizations shall be fixed by dividing the total amount of the budget of the Conference in question by the total number of units contributed by Members and Associate Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in **222**.
- 232** 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.
- 233** 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 17

### Languages

- 234** 1. (1) The official languages of the Union shall be Chinese, English, French, Russian and Spanish.
- 235** (2) The working languages of the Union shall be English, French and Spanish.
- 236** (3) In case of dispute, the French text shall be authentic.
- 237** 2. (1) The final documents of the plenary 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.
- 238** (2) All other documents of these conferences shall be issued in the working languages of the Union.
- 239** 3. (1) The official service documents of the Union as prescribed by the Administrative Regulations shall be published in the five official languages.
- 240** (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.
- 241** 4. Any of the documents referred to in **237** to **240** 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.
- 242** 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.
- 243** (2) When all participants in a meeting agree, the debates may be conducted in fewer than the four languages mentioned above.
- 244** 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 **235** and **242** may be used:
- 245** 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;

- 246** 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 **242**.

**247** (2) In the case provided for in **245**, 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.

**248** (3) In the case provided for in **246**, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral translation into its own language from one of the languages referred to in **242**.

## CHAPTER II

### Application of the Convention and Regulations

## ARTICLE 18

### Ratification of the Convention

**249** 1. This Convention shall be ratified by the signatory governments in accordance with the constitutional rules in force in their respective countries. 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.

**250** 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 **249**, shall enjoy the rights conferred on Members of the Union in **12** to **14**.

**251** (2) From 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 **249** 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, or during consultation by correspondence conducted in accordance with the provisions of the Convention until it has so deposited such an instrument. Its rights, other than voting rights, shall not be affected.

**252** 3. After the entry into force of this Convention in accordance with



Article 53, each instrument of ratification shall become effective on the date of its deposit with the Secretary-General.

253 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 19

##### Accession to the Convention

254 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.

255 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 20

##### Application of the Convention to Countries or Territories for whose Foreign Relations Members of the Union are responsible

256 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.

257 2. A declaration made in accordance with 256 shall be communicated to the Secretary-General, who shall notify the Members and Associate Members of each such declaration.

258 3. The provisions of 256 and 257 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 21

##### Application of the Convention to Trust Territories of the United Nations

259 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.

#### ARTICLE 22

##### Execution of the Convention and Regulations

260 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 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 51 of this Convention.

261 2. They are also bound 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 telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

#### ARTICLE 23

##### Denunciation of the Convention

262 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 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.

263 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 24

##### Denunciation of the Convention on behalf of Countries or Territories for whose Foreign Relations Members of the Union are responsible

264 1. The application of this Convention to a country, territory or group of territories in accordance with Article 20 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.

265 2. The declaration of denunciation contemplated in the above paragraph shall be notified in conformity with the conditions set out in 262; it shall take effect in accordance with the provisions of 263.

#### ARTICLE 25

##### **Abrogation of the earlier Convention**

**266** This Convention shall abrogate and replace, in relations between the Contracting Governments, the International Telecommunication Convention (Geneva, 1959).

#### ARTICLE 26

##### **Validity of Administrative Regulations in force**

**267** The Administrative Regulations referred to in **203** are those in force at the time of signature of this Convention. They shall be regarded as annexed to this Convention and shall remain valid, subject to such partial revisions as may be adopted in consequence of the provisions of **52** until the time of entry into force of new Regulations drawn up by the competent world administrative conferences to replace them as annexes to this Convention.

#### ARTICLE 27

##### **Relations with Non-contracting States**

**268** 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.

**269** 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 28

##### **Settlement of Disputes**

**270** 1. Members and Associate Members may settle their disputes on questions relating to the application of this Convention or of the Regulations contemplated in Article **15**, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

**271** 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 3, or in the Optional Additional Protocol, as the case may be.

### CHAPTER III

#### **Relations with the United Nations and with International Organizations**

#### ARTICLE 29

##### **Relations with the United Nations**

**272** 1. The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement concluded between these two Organizations.

**273** 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. Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity.

#### ARTICLE 30

##### **Relations with International Organizations**

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

### CHAPTER IV

#### **General Provisions relating to Telecommunications**

#### ARTICLE 31

##### **The Right of the Public to use the International Telecommunication Service**

**275** 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 32

**Stoppage of Telecommunications**

**276** 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.

**277** 2. Members and Associate Members also reserve the right to cut off any other private telecommunications which may appear dangerous to the security of the State or contrary to their law, to public order or to decency.

ARTICLE 33

**Suspension of Services**

**278** 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 correspondence, 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 Secretary-General.

ARTICLE 34

**Responsibility**

**279** Members and Associate Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

ARTICLE 35

**Secrecy of Telecommunications**

**280** 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.

**281** 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 36

**Establishment, Operation, and Protection  
of Telecommunication Installations and Channels**

**282** 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.

**283** 2. So far as possible, these channels and installations must be operated by the methods and procedures which practical operating experience has shown to be the best. They must be maintained in proper operating condition and kept abreast of scientific and technical progress.

**284** 3. Members and Associate Members shall safeguard these channels and installations within their jurisdiction.

**285** 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 37

**Notification of Infringements**

**286** In order to facilitate the application of the provisions of Article 22 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 38

**Charges and Free Services**

**287** 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 39

##### **Priority of Telecommunications concerning Safety of Life**

288 The international telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

#### ARTICLE 40

##### **Priority of Government Telegrams and Telephone Calls**

289 Subject to the provisions of Articles 39 and 49 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 given priority, upon specific request and to the extent practicable, over other telephone calls.

#### ARTICLE 41

##### **Secret Language**

290 1. Government telegrams and service telegrams may be expressed in secret language in all relations.

291 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 Secretary-General, that they do not admit this language for those categories of correspondence.

292 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 33 of this Convention.

#### ARTICLE 42

##### **Rendering and Settlement of Accounts**

293 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 debts.

294 2. The statements of accounts in respect to debts and credits referred

to in 293 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.

295 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 44 of this Convention, these settlements shall be effected in accordance with the Regulations.

#### ARTICLE 43

##### **Monetary Unit**

296 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 44

##### **Special Agreements**

297 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 45

##### **Regional Conferences, Agreements and Organizations**

298 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. Such agreements shall not be in conflict with this Convention.

## CHAPTER V

### Special Provisions for Radio

#### ARTICLE 46

#### Rational Use of the Radio Frequency Spectrum

299 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. To that end it is desirable that the latest technical advances be applied as soon as possible.

#### ARTICLE 47

#### Intercommunication

300 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.

301 2. Nevertheless, in order not to impede scientific progress, the provisions of 300 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.

302 3. Notwithstanding the provisions of 300, 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 48

#### Harmful Interference

303 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Members or 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.

304 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 303.

305 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 303.

#### ARTICLE 49

#### Distress Calls and Messages

306 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 50

#### False or Deceptive Distress, Urgency, Safety or Identification Signals

307 Members and Associate Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations transmitting such signals from their own country.

#### ARTICLE 51

#### Installations for National Defence Services

308 1. Members and Associate Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.

309 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.

310 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 52

### Definitions

**311** In this Convention, unless the context otherwise requires,

*a)* the terms which are defined in Annex 2 to this Convention shall have the meanings therein assigned to them;

**312** *b)* other terms which are defined in the Regulations referred to in Article 15 shall have the meanings therein assigned to them.

## CHAPTER VII

### Final Provisions

#### ARTICLE 53

### Effective Date of the Convention

**313** The present Convention shall enter into force on January first nineteen hundred and sixty-seven between countries, territories or groups of territories, in respect of which instruments of ratification or accession have been deposited before that date.

In WITNESS WHEREOF the respective plenipotentiaries have signed 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 Montreux, 12 November 1965.

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