

## LXI

*For the Republic of Viet-Nam:*

The Delegation of the Republic of Viet-Nam references the statements which it made at the Fourth Plenary Meeting and to the Credentials Committee.

Since 1951, when the Republic of Viet-Nam acceded to the ITU, our Government has provided every proof of its representativity.

We regret that, for propaganda purposes, some delegations have seen fit to indulge in political polemics which have nothing to do with the ITU.

It is false to cite the Paris Agreement as an argument in favour of the Provisional Revolutionary Government of South Viet-Nam, which consists of a handful of men with the sole task of spreading terror, death, ruin and devastation throughout the country.

The Paris Agreement, the main purpose of which is to bring about a cease-fire in Viet-Nam and thus produce a favourable climate for negotiations for the prompt establishment of lasting peace once more in South Viet-Nam, in no way sanctions the so-called Provisional Government as such. The Paris Agreement did not invest, nor was it in its power to invest, the Provisional Revolutionary Government as a "legitimate" government in Viet-Nam. Nor did it state, as it was not in its power to do, the level and the composition of the Government of the Republic of Viet-Nam.

The title of Provisional Revolutionary Government of South Viet-Nam, handed in by the so-called Liberation Front of South Viet-Nam, was set up by the Lao-Dang Party of North Viet-Nam at its Third Congress in Hanoi in September 1953. Under the name of the National Liberation Front or the Provisional Revolutionary Government, this organization is merely the tool of Hanoi and a completely artificial creation sustained by the expeditionary forces of North Viet-Nam.

We deplore the attitude of the delegations of those countries which, while condemning the policy of aggression, have never made the slightest endeavour — quite the contrary, in fact — to end this painful fratricidal struggle which has been waged in our territory for far too long.

The Delegation of the Republic of Viet-Nam declares that it is the only legitimate representative of South Viet-Nam and that it has been recognized as such by the Conference since the accession of the Republic of Viet-Nam to the ITU.

All the statements which have been submitted in connection with this Convention or which have been attached thereto and which are incompatible with the position of the Republic of Viet-Nam are illegal and therefore null and void.

Our delegation also reserves for its Government the right not to accept any financial measure which may lead to an increase in its contributory share in defraying Union expenses and to take all action it may deem necessary to safeguard its interests.

*For the Central African Republic:*

## LXII

The Delegation of the Central African Republic to the Plenary Conference (Malaga-Torremolinos, 1973) declares that its Government reserves the right to take all necessary action to safeguard its interests should certain Members of the Union fail to observe the provisions of this International Telecommunication Convention and making any financial reservations which might lead to an increase in the contributory share of the Central African Republic in defraying the expenses of the Union.

## LXIII

*For the Republic of Equatorial Guinea:*

The Delegation of the Republic of Equatorial Guinea reserves for its Government the right:

1. not to accept any financial measure which might lead to an increase in its contributory share in defraying Union expenses;
2. to take any action it deems necessary to protect its telecommunication services should any Member fail to observe the terms of the International Telecommunication Convention (Malaga-Torremolinos, 1973).

## LXIV

*For the Republic of Burundi:*

The Delegation of the Republic of Burundi declares that it reserves for its Government the right to accept or not to accept any measures taken to increase its contributory share in defraying the expenses of the Union.

## LXV

*For the Republic of the Chad:*

The Delegation of the Republic of the Chad to the Plenary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) reserves for its Government the right:

1. not to accept any financial measure which would lead to an increase in its contributory share in defraying Union expenses;
2. to take any action it deems necessary to protect its interests should any Member fail in any way to observe the terms of this Convention.

## LXVI

*For the Republic of Iraq:*

The Delegation of the Republic of Iraq declares that its Government reserves the right to take such actions as it may consider necessary to protect its interests, should a Member fail in any way to observe the provisions of this International Telecommunication Convention (Malaga-Torremolinos 1973) or should financial reservations made by such Member jeopardize its telecommunication services or lead to an increase in Iraq's share in defraying the expenses of the Union.

## LXVII

*For the Togolese Republic:*

The Delegation of the Togolese Republic reserves for its Government the right to take any action it deems advisable should any country not observe the terms of this Convention or should any communications handed in by Members during the Conference (Malaga-Torremolinos, 1973) or on signature or accession lead to situations prejudicial to its telecommunications services or to an increase which it deems too large in its contributory share in defraying the expenses of the Union.

### LXVIII

#### *For the Republic of Dahomey:*

The Delegation of the Republic of Dahomey reserves for its Government the right:

1. not to accept any financial measure which might lead to an increase in its contributory share in defraying Union expenses;
2. to take any action it deems necessary to protect its telecommunication services should any Member fail to observe the terms of the International Telecommunication Convention (Malaga-Torremolinos, 1973).

### LXIX

#### *For the People's Republic of the Congo*

The Delegation of the People's Republic of the Congo to the Plenary Conference (Malaga-Torremolinos, 1973) declares on behalf of its Revolutionary Government that it recognizes no legal or moral value in the signature of the Final Act by the delegation of the reactionary Lon Nol régime. The only persons entitled to represent Cambodia and sign the Final Acts of the Conference on its behalf are the representatives of the Royal Government of National Unity of Kampuchea (G.R.U.N.K.).

### LXX

#### *For Papua New Guinea:*

Papua New Guinea reserves the right to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Malaga-Torremolinos, 1973) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

### LXXI

#### *For the Republic of El Salvador:*

The Delegation of El Salvador reserves for its Government the right to formulate any statement or reservation while this Convention is being ratified and declares that it does not accept any consequence of reservations made by other countries which adversely affect the interests of El Salvador.

### LXXII

#### *For the State of Israel:*

The declarations made by the Delegations of Algeria (Algerian Democratic and Popular Republic), the Kingdom of Saudi Arabia, the Arab Republic of Egypt, the United Arab Emirates, the Republic of Iraq, the State of Kuwait, Lebanon, the Libyan Arab Republic, Madras, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Sultanate of Oman, Pakistan, the Somali Arab Republic, and of the People's Democratic Republic of Yemen being in flagrant contradiction to the principles and purposes of the International Telecommunication Union and, therefore, void of any legal validity, the Government of Israel wishes to put on record that it rejects these declarations outright and will proceed on the assumption that they can have no validity as to the rights and duties of any Member State of the International Telecommunication Union.

In any case, the Government of Israel will avail itself of its rights to safeguard its interests should the Governments of Algeria (Algerian Democratic and Popular Republic), the Kingdom of Saudi Arabia, the Arab Republic of Egypt, the United Arab Emirates, the Republic of Iraq, the State of Kuwait, Lebanon, the Libyan Arab Republic, Madras, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Sultanate of Oman, Pakistan, the Somali Arab Republic, and the People's Democratic Republic of Yemen in any way violate any provision of the Convention, or the Annexes, Protocols or Regulations attached thereto.

### LXXIII

#### *For the Republic of Korea:*

The Delegation of the Republic of Korea, on behalf of its Government, hereby:

1. declares that any reservation made in connection with, or any declaration made against the validity of its representation in the Republic of Korea in I.T.U. or its Plenary Conference is without foundation and without legal effect; and
2. reserves the right of its Government to take such action as it may consider necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should any Members fail in any other way (Malaga-Torremolinos, 1973) or its Annexes or the Protocols attached thereto, or should its reservations by other countries jeopardize its telecommunication services.

### LXXIV

#### *For Belgium:*

The Delegation of Belgium reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of this Convention, or its Annexes or the Protocols attached thereto, or should reservations by other countries be likely to increase its

share in defraying the expenses of the Union or jeopardize its telecommunication services.

LXXV

*For the Libyan Arab Republic:*

The Delegation of the Libyan Arab Republic reserves for its Government the right to accept or refuse to accept the consequences of any reservations made by other Members in the Convention, should they lead to an increase in its contributory share in defraying the expenses of the Union, or to take any action to deprive it of its share in the expenses of the Union if any Member or Associate Member fail in any way to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973) or of its related Regulations.

LXXVI

*For the Gabon Republic:*

In signing the International Telecommunication Convention (Malaga-Torremolinos, 1973), the Delegation of the Gabon Republic reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should reservations by other Governments lead to an increase in its contributory share in defraying the expenses of the Union, or jeopardize its telecommunication services.

LXXVII

*For the Republic of Upper Volta:*

The Delegation of the Republic of Upper Volta to the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) reserves for its Government the right to refuse any financial measure likely to increase its contributory share in defraying the expenses of the Union and to take any action considered necessary to safeguard its interests, should other Members fail to comply with the requirements of the International Telecommunication Convention (Malaga-Torremolinos, 1973) or its Annexes or the Regulations included.

LXXVIII

*For the Republic of Mali:*

The Delegation of the Republic of Mali to the Plenipotentiary Conference of the International Telecommunication Union declares that it cannot accept any increase in its contributory share in the budget of the Union due to the failure of any other Member to pay its contributions and other related charges.

It also reserves for its Government the right to take all necessary action to safeguard its telecommunication interests should any Member of the Union fail to

observe the provisions of the Convention of Malaga-Torremolinos, 1973.

LXXIX

*For Nepal:*

The Delegation of Nepal reserves for its Government the right to take such action as it may deem appropriate for safeguarding its interest should its annual contributory share amount increase due to any reason whatsoever.

LXXX

*For the United Arab Emirates:*

The Delegation of the United Arab Emirates declares that its Government reserves the right to take such action as it may deem necessary to protect its interests, should a Member fail in any way to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973), or should the reservations made by such Member jeopardize its telecommunication services or lead to an increase in United Arab Emirates' share in defraying the expenses of the Union.

LXXXI

*For the Oriental Republic of Uruguay:*

In signing this Convention, the Delegation of the Oriental Republic of Uruguay reserves for its Government the right to take any action it considers necessary to safeguard its interests, should other Members fail to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the telecommunication services of the Oriental Republic of Uruguay.

LXXXII

*For the Republic of Bolivia:*

In signing this Convention, the Delegation of the Republic of Bolivia reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should other Members fail to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973), or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the interests of the Republic of Bolivia, more particularly its telecommunication services.

It also states that its Government reserves the right to make any reservation until the Convention is ratified.

LXXXIII

*For the Republic of the Senegal:*

The Delegation of the Republic of the Senegal declares, on behalf of its Government, that it accepts no consequences of any reservations made by other governments at the present Conference which might lead to an increase in its share in detaching Union expenditure.

Furthermore, the Republic of the Senegal reserves the right to take any action it deems fit to safeguard its interests if the reservations made by other countries, or failure to respect the Convention, should jeopardize the proper working of its telecommunication services.

LXXXIV

*For the Argentine Republic:*

A

The Delegation of the Argentine Republic reserves for its Government the right:

1. to refuse to accept any financial measure which may entail an increase in its contribution;

2. to take such action as it may consider necessary to protect its telecommunication services should Member countries fail to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973).

B

The Delegation of the Argentine Republic reserves the right for its Government to enter any reservations which it may consider necessary concerning the texts to be included in the International Telecommunication Convention (Malaga-Torremolinos, 1973) which may affect its sovereignty either directly or indirectly.

LXXXV

*For the Republic of Guinea:*

The Delegation of the Republic of Guinea reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should Member countries fail, in any way whatsoever, to comply with the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973). It also reserves the right, by other means, to jeopardize its telecommunication services; the right to accept, or not to accept, the financial consequences that might possibly arise from these reservations.

LXXXVI

*For Spain:*

The Delegation of Spain states in the name of its Government that, so far as

it is concerned, the word "country" used in the Preamble, Article 1, and other provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973) is synonymous with the phrase "sovereign state" and has the same value, scope, legal and political content as the latter phrase.

LXXXVII

*For the Argentine Republic:*

In signing this Convention, the Delegation of the Argentine Republic states on behalf of its Government that any reference in the Final Protocol of the International Telecommunication Convention (Malaga-Torremolinos, 1973), or in any other document of the Conference to the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands under the erroneous denomination of "Falkland Islands Dependencies" in no way prejudices the absolute and inalienable sovereign rights of the Argentine Republic thereover. Their occupation by the United Kingdom of Great Britain and Northern Ireland as the result of an act of force never accepted by the Argentine Republic led the United Nations in Resolution 2065 (XX) to call on both parties to seek a peaceful solution to the dispute over sovereignty over the islands.

It must also be made clear that any reference in these documents to the so-called "British Antarctic Territories" in no way prejudices the rights of the Argentine Republic in the Antarctic Antarctic Sector and that the same point is made in Article IV of the Antarctic Treaty signed in Washington on 1 December 1959, to which the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland are signatories.

LXXXVIII

*For Algeria (Algerian Democratic and Popular Republic):*

The Delegation of the Algerian Democratic and Popular Republic to the Plenipotentiary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) reserves for its Government the right to take such action as it may consider necessary to protect its interests, should certain Members fail in any way to observe the provisions of the International Telecommunication Convention (Malaga-Torremolinos, 1973), or should the reservations made by other Members jeopardize its telecommunication services or lead to an increase in Algeria's share in defraying the expenses of the Union.

LXXXIX

*For Peru:*

The Delegation of Peru declares that Peru will under no circumstances feel itself to be bound by the provisions in the Convention concerning arbitration between Members of the Union for the settlement of disputes.

The Delegation of Peru also reserves for its Government the right:

1. to take such action as it may consider necessary to protect its interests, should

other Members fail in any way to comply with the provisions of the Convention or its Regulations, or should the reservations made by them jeopardize Peru's telecommunication services;

2. to accept or not to accept the consequences of any reservations which might lead to an increase in its share in defraying the expenses of the Union;

3. to accept or not to accept all or any of the provisions of the Administrative Telegraph, Telephone and Radio Regulations and Additional Radio Regulations mentioned in the Convention.

#### XC

##### *For Iran:*

The Delegation of Iran reserves the right of its Government to take such action as it considers necessary to safeguard its interests in the event of certain Members not sharing in defraying the expenses of the Union in respect of existing debts and the interest thereon and in respect of future subscriptions or should they fail in any other way (Malaga-Torremolinos, 1973) or the provisions of the International Telecommunication Convention (Geneva, 1973) or the Annexes, Protocols or Regulations attached thereto or should reservations by other countries jeopardize its telecommunication services.

#### XCI

*For the Bolivarian Soviet Socialist Republic, the People's Republic of Bulgaria, Cuba, the Hungarian People's Republic, the Mongolian People's Republic, the People's Republic of Poland, the German Democratic Republic, the Ukrainian Soviet Socialist Republic, the Socialist Republic of Romania, the Czechoslovak Socialist Republic and the Union of Soviet Socialist Republics:*

The Delegations of the above-mentioned countries consider that the provisions of No. 3 of the International Telecommunication Union Convention (Malaga-Torremolinos, 1973) are not in conformity with the principle whereby multilateral international treaties whose aim and purpose concern the international community as a whole, as is the case with telecommunications (see Article 4 of the above-mentioned Convention), should be open to universal participation.

#### XCII

##### *For the Republic of the Philippines:*

The Delegation of the Republic of the Philippines reserves for its Government the right to take such action as may be necessary to safeguard its interests should

certain Members fail to pay their share in the expenses of the Union which may result in an increase in its contribution or to any other kind of reservations made by other countries which shall adversely affect the interests of the Philippines.

#### XCIII

##### *For the Federal Republic of Germany:*

The Delegation of the Federal Republic of Germany reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of this Convention, or its Annexes or its Protocols or Regulations, or should reservations by other countries jeopardize its interests in defraying the expenses of the Union, or jeopardize its telecommunication services. The Delegation also reserves the right to take such action as it may deem necessary to safeguard its interests in the event of the Convention, in the event of the Union's ordinary budget being charged with expenses for technical cooperation purposes, to take appropriate consequential action.

#### XCIV

##### *For France:*

The French Delegation reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union or should they fail in any other way to comply with the requirements of the International Telegraph and Telephone Convention (Malaga-Torremolinos, 1973) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the efficient operation of its telecommunication services.

#### XCv

##### *For Monaco:*

The Delegation of Monaco reserves for its Government the right to take such action as it may consider necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union or should they fail to comply with the requirements of the International Telegraph and Telephone Convention (Malaga-Torremolinos, 1973), or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize the smooth and efficient operation of its telecommunication services.

XCVI

*For Austria, Luxembourg, and the Kingdom of the Netherlands:*

The Delegations of the above-mentioned countries reserve for their Governments the right to take any action which they may deem necessary to safeguard their interests should certain Member States fail to comply with the requirements of the Convention, or should it be necessary for them to take any action to comply with the requirements of the Protocol attached thereto, or should reservations by other countries be liable to cause an increase in their contributory shares in defraying Union expenses, or, finally, should reservations by other countries jeopardize their telecommunication services.

XCVII

*For the Socialist Federal Republic of Yugoslavia:*

The Delegation of the Socialist Federal Republic of Yugoslavia reserves for its Government the right:

1. to take any action that it deems necessary to safeguard the interests of its telecommunications should certain Member States fail to comply with the provisions of this Convention, or should reservation by other countries jeopardize its telecommunication services;
2. to take any action it may consider necessary to safeguard its interests should certain Member States not share in defraying the expenses of the Union, or should any reservations by other countries be liable to cause an increase in its contributory share in defraying Union expenses.

XCVIII

*For the Confederation of Switzerland and the Principality of Liechtenstein:*

The Delegations of the above-mentioned countries reserve for their Governments the right to take the necessary action to safeguard their interests should any reservation made or other measures adopted have the effect of jeopardizing their telecommunication services or lead to an increase in their contributory shares in defraying Union expenses.

XCIX

*For the State of Israel:*

The State of Israel reserves its position with respect to Resolution No. 48 in the

light of the following facts:

1. The Resolution was based on unsupported accusations, by countries conducting open warfare and unrestricted hostilities against the State of Israel — without a single shred of proof being placed before the meeting.

2. The draft Resolution was considered on Saturday, 20 October — on the background of inflammatory speeches, wild accusations, and implied threats — all this on the Sabbath day, when the accused were well aware that the only way to appear before the Assembly was to appear in person. The draft Resolution was adopted without the participation of Israel would be absent, for religious observance, and was adopted in the knowledge that it was admitting the charges against it, because it did not make the floor to deny them. In fact, Israel is the victim of a resolution which was rammed upon in the debate and referred to in Document No. 341 by Malaysia.

3. The religious reasons, which accounted for the absence of the representative of Israel, had been fully explained to the Chairman on the preceding day; the Chairman solemnly promised, that if anything of concern to Israel were to come up on Saturday, he would do all that was in his power to delay consideration — in order to enable the Delegation of Israel to exercise its right to express itself, vide No. 670 of the Convention, Montreux 1965, which reads as follows:

"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 of issue".

4. When this course had not been followed, the Delegation of Israel followed orderly procedure, and on the accession of the first paragraph of the draft Resolution — in the primary Meeting of 22 October — in its statement the relevant facts, and its complete rejection of the draft Resolution — pursuant to paragraph 692 of the Convention. The Chairman refused to proceed to a vote in the course of the reading of the draft, and ruled the delegate of Israel out of order — contrary to the provisions of the Convention and to common practice. Furthermore, the assembled delegations have thus been deprived of the opportunity to vote on the matter, after hearing from both sides.

5. In its statement presented in the Plenary Meeting of 22.10.73, and which was fully reproduced in the Summary Record of that meeting, Israel put forward, *inter alia*, the following:

a) On the same day as the allegation of sabotage of the Beirut submarine cables was made, the Israel spokesman officially denied any responsibility whatsoever for this occurrence.

b) The cable itself is owned, in large part, by European as well as United States interests, whose sympathy and understanding Israel seeks. Why should Israel wish to endanger these sympathies, and damage the property of friendly nations?

c) Why, also, if Israel wished to carry out such an action, would she undertake it so close to home, where detection would be easy and repair relatively simple?

d) In this case as in the past, acts of sabotage of internal origin have taken place. On 18 January 1973, for example, before the commission of Arab States have been implicated and hostages have been taken. In all these instances, it was one group within the Arab States acting against another. Here, too, the facts find themselves to such conclusions. Dissident Arab groups do operate in Lebanon. On those very days such a group, in Beirut, took as hostages some 50 innocent local inhabitants, and played around with their lives. These groups have the minimum skills necessary to handle explosives and to perform this kind of

abandon, and the means to reach the points where the damage allegedly took place. In one stroke they can take a wrong turn, wrong, real or imagined, and in the current climate place the blame on Israel.

e) It was understood that when Lebanon first reported the cable break, and asked ITU/CCITT for assistance in restoration of service via alternate routes, they themselves considered the cable break as an act of sabotage. Only later, did it occur to them, that this incident could be utilized for propaganda purposes.

In view of the foregoing, the State of Israel considers the so-called Resolution No. 48, as unwelcome, and improperly attached to this Convention, as well as having no meaning or effect whatever.

The State of Israel is confident that all far-sighted Members of the Union share its views, and will treat the so-called Resolution accordingly.

C

*For Denmark, Finland, Iceland, Norway and Sweden:*

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 of the Union not share in defraying the expenses of the Union, or should any Members fail in any other way to comply with the requirements of the International Telecommunication Convention (Malaga/Torremolinos, 1973) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

CI

*For Italy:*

1. The Delegation of Italy reserves for its Government the right to take such action as it may deem necessary to safeguard its interests, should certain Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the provisions of this Convention, or its Annexes or the Protocols attached thereto, or should reservations by other countries be likely to increase its share in defraying the expenses of the Union or jeopardize its telecommunications services. The Delegation also reserves the right for its Government, in the event of the Union's ordinary budget being charged with expenses for technical cooperation purposes, to take appropriate consequential action.

2. Italy reserves the right not to share in defraying any additional costs that the International Telecommunication Union may incur in future Plenary and Administrative Conferences through the use of a sixth language of interpretation in accordance with Resolution No. 39 of this Conference.

CI1

*For the United Kingdom of Great Britain and Northern Ireland:*

A

The Delegation of the United Kingdom of Great Britain and Northern Ireland notes the statement of the Delegation of Chile with regard to Antarctic Territories. Insofar as this may be intended to refer to the British Antarctic Territory, Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have no doubt as to their sovereignty over the British Antarctic Territory.

B

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 insofar 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 the British Antarctic Territory and it wishes formally to reserve the rights of Her Majesty's Government on this question. The Falkland Islands and the Falkland Islands Dependencies and the British Antarctic Territory are and remain an integral part of the territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.

The United Kingdom Delegation also cannot accept the view expressed by the Argentine Delegation that the denomination "Falkland Islands Dependencies" is erroneous nor, insofar as that view refers to the denomination "Falkland Islands", that that denomination is erroneous. The United Kingdom Delegation, moreover, cannot accept the view expressed by the Argentine Delegation that the term "(Malvinas)" should be used in association with the name of the Falkland Islands and the Falkland Islands Dependencies. The decision of the United Nations Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to all United Nations Members has not been adopted by the United Nations and it is not a resolution. It therefore in no way affects the International Telecommunication Convention (Malaga/Torremolinos, 1973) or its Annexes or any other documents published by the International Telecommunication Union.

With regard to Resolution 2061 (XX) of the United Nations the United Kingdom Delegation does not accept the reason given by the Argentine Delegation for this Resolution.

The United Kingdom Delegation notes the reference by the Argentine Delegation to Article IV of the Antarctic Treaty signed in Washington on 1 December 1959 but wishes to state that this Article in no way supports or bears out the dominion or sovereignty of any particular Power over any antarctic territory. Her Majesty's Government are in no doubt as to the United Kingdom's sovereignty over the British Antarctic Territory.

*For the Republic of Panama*

CIII

The Delegation of the Republic of Panama states that it does not accept any declaration made by any country in the International Telecommunication Convention (Malaga-Torremolinos, 1973) or in any other document which affects its sovereign rights over the Panama Canal Zone.

CIV

*For the Socialist Republic of Romania*

In signing the International Telecommunication Convention (Malaga-Torremolinos, 1973), the Romanian Delegation declares that the maintenance of certain territories in a state of dependence, as referred to in the provisions of Additional Protocol III, is not in conformity with the documents adopted by the United Nations on the granting of independence to colonial countries and peoples including the Declaration relating to the principles of international law concerning friendly relations and co-operation between States in accordance with the United Nations Charter. Romania has unanimously adopted by United Nations General Assembly Resolution 2623 (XXV) of 24 October 1970, in which it has expressed its firm position on the obligation of States to promote the implementation of the principle of the equality of rights of peoples and their right to self-determination, with a view to putting a speedy end to colonialism.

CV

*Chairman of the Conference*

The Chairman of the Conference deplores the terms employed in the statement made by Israel at the Plenipotentiary Conference, Malaga-Torremolinos, 1973, and included in its Final Protocol, commenting on the application of the Rules of Procedure of Conferences embodied in the General Regulations annexed to the Montreux Convention, 1965.

Number 670 of the Montreux Convention states in fact that "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". This provision clearly relates to delegations which are "present" at the discussion, which does not apply in this case to the Delegation of Israel which, on religious grounds worthy of the highest respect, did not attend the Plenary Meeting held on Saturday, 20 October despite the reason, which it had on the evening before to presume that the draft Resolution contained in Document No. 326 submitted by the Delegation of Lebanon would be debated at that

meeting. It should be added in this connection that at his meeting with the Delegate of Israel, Mr. Sakked, on Friday, 19 October, the Chairman had been unable to offer any guarantee concerning a postponement of the debate on the draft resolution in question and had merely said that he would hold consultations, which proved unsuccessful, aimed at having the debate deferred until Monday, 22 October.

At the Plenary Meeting of Monday, 22 October, the Delegate of Israel, in the first reading of Resolution No. 48 submitted by the Editorial Committee and contained in Document No. 351, asked for a fresh vote on the content of this draft resolution, basing its request on 69% of the Montreux Convention.

The Chairman's interpretation was that the Plenary Meeting had before it the text of the resolution, before final consideration under 763 of the Montreux Convention, but that it was not dealing with the substance of the matter, which had already been settled at the meeting held on Saturday, 20 October after a roll-call vote in which there were 64 votes in favour and 3 against with 46 abstentions.

The Chairman based his ruling on 697 of the Montreux Convention (1965).

It witnesses 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 Malaga-Torremolinos, 23 October 1973.

The signatures following the Final Protocol are the same as those which follow the Convention.



## ADDITIONAL PROTOCOLS

### ADDITIONAL PROTOCOL I

#### Expenses of the Union for the Period 1974 to 1979

1. The Administrative Council is authorized to draw up the annual budget of the Union in such a way that the annual expenses of

- the Administrative Council,
- the General Secretariat,
- the International Frequency Registration Board,
- the Secretariats of the International Consultative Committees,
- the Union's laboratories and technical equipment,

do not exceed the following amounts for the years 1974 and onwards until the next Plenipotentiary Conference of the Union:

35 000 000 Swiss francs for the year 1974
36 650 000 Swiss francs for the year 1975
36 600 000 Swiss francs for the year 1976
37 600 000 Swiss francs for the year 1977
38 800 000 Swiss francs for the year 1978
39 980 000 Swiss francs for the year 1979.

For the years after 1979, the annual budgets shall not exceed the sum specified for the preceding year by more than 3 4% per annum.

2. The Administrative Council is authorized to exceed the limits laid down in paragraph 1 above to cover any expenditure arising from the replacement of members of the International Frequency Registration Board (see Resolution No. 3 of this Conference).

3. Expenditure on conferences referred to in No. 91 of the Convention as well as expenditure on meetings of the International Consultative Committees may be authorized by the Administrative Council.

3.1 During the years 1974 to 1979, the budget adopted by the Administrative Council, subject if necessary to the provisions of sub-paragraph 3.2 below, shall not exceed the following amounts:

6 600 000 Swiss francs for the year 1974
2 900 000 Swiss francs for the year 1975
11 000 000 Swiss francs for the year 1976
3 400 000 Swiss francs for the year 1977
3 000 000 Swiss francs for the year 1978
14 800 000 Swiss francs for the year 1979.

3.2 If *a*) the Plenipotentiary Conference or *b*) a World Administrative Maritime Radio Conference or *c*) a World Administrative Radio Conference to draw up plans for satellite broadcasting or *d*) a World Administrative Radio Conference on the Aeronautical Mobile (R) Service or *e*) a World Administrative Conference to revise the Radio Regulations is not held in the years 1974 to 1979, the total amounts authorized for such years shall be reduced by 3 800 000 Swiss francs for *a*), 3 124 000 Swiss francs for *b*), 3 200 000 Swiss francs for *c*), 1 950 000 Swiss francs for *d*) and 4 800 000 Swiss francs for *e*).

If no Plenipotentiary Conference is held in 1979, the Administrative Council shall authorize for each year after 1979 such sums as they consider appropriate for the purposes of the conferences referred to in No. 91 of the Convention and for the purposes of the meetings of the International Consultative Committees.

3.3 The Administrative Council may authorize expenditure in excess of the annual limits specified in sub-paragraph 3.1 above, if the excess can be compensated by sums within the expenditure limits:

- accrued from a previous year, or
- foreseen in a future year.

4. The Council may also exceed the limits established in paragraphs 1 and 3 above to take account of:

4.1 increases in the salary scales, pension contributions or allowances including post adjustments established by the United Nations for application to their staff employed in Geneva;

4.2 fluctuations in the exchange rate between the Swiss franc and the U.S. dollar which would involve additional expenses for the Union

5. The Administrative Council shall be entrusted with the task of effecting every possible economy. To this end, it shall be the duty of the Administrative Council annually to establish the lowest possible authorized level of expenditure commensurate with the needs of the Union, within the limits established by paragraphs 1 and 3 above, taking account of the provisions of paragraph 4, if need be.

6. If the credits which may be used by the Council by virtue of paragraphs 1 to 4 above prove insufficient to ensure the efficient operation of the Union, the Council may exceed those credits only with the approval of a majority of the Members of the Union after they have been duly consulted. Whenever Members of the Union are consulted, they shall be presented with a full statement of the facts justifying the step.

7. Before considering proposals which might have financial effects, world administrative conferences and the Plenary Assemblies of the Consultative Committees shall have an estimate of the additional expenses which might result therefrom.

8. No decision of an administrative conference or of a Plenary Assembly of a Consultative Committee shall be put into effect if it will result in a direct or indirect increase in the expenses beyond the credits that the Administrative Council may authorize under the terms of paragraphs 1 to 4 above or in the circumstances envisaged in paragraph 6.

## ADDITIONAL PROTOCOL II

### **Procedure to be followed by Members in choosing their Contributory Class**

1. Each Member shall inform the Secretary-General before 1 July 1974 of the class of contribution it has chosen from the table of classes of contributions shown in 92 of the International Telecommunication Convention (Malaga-Torremolinos, 1973).

2. Members who have failed to make known their decision before 1 July 1974 in accordance with the requirements of paragraph 1 above will be required to contribute the same number of units as they contributed under the Montreux Convention (1965).

## ADDITIONAL PROTOCOL III

### **Measures to provide the Possibility for the United Nations of applying the Convention when carrying out any mandate under Article 75 of the Charter of the United Nations**

The Plenary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) has agreed the following arrangements to be applied, in order to provide the possibility for the United Nations of continuing to apply the International Telecommunication Convention, following the decision of the Conference to abolish Associate Membership:

It is agreed that the possibility which the United Nations at present enjoys in conformity with Article 75 of the Charter of the United Nations, under the International Telecommunication Convention (Montreux, 1965), shall be continued under the Convention (Malaga-Torremolinos, 1973) when it comes into force. Each case shall be considered by the Administrative Council of the Union.

## ADDITIONAL PROTOCOL IV

### **Measures to protect the Rights of Papua New Guinea**

The Plenary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973) has agreed to the following arrangements to be applied on a temporary basis in order to protect the rights of Papua New Guinea following the Conference's decision to abolish Associate Membership.

1. When the International Telecommunication Convention (Malaga-Torremolinos, 1973) comes into force, Papua New Guinea shall preserve its present status of Associate Member and shall have the same rights and obligations as Members of the Union, except that it 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, nor shall it be eligible for election to the Administrative Council.

2. Consequently, this country may sign and ratify the International Telecommunication Convention (Malaga-Torremolinos, 1973) with a special status comparable to that of Associate Member as defined in the International Telecommunication Convention (Montreux, 1965). Therefore, it will have a status under the Malaga-Torremolinos Convention, with rights and obligations, comparable to those of an Associate Member, as if this class of membership had been continued in the new Convention. This situation shall prevail until such time as Papua New Guinea becomes a full Member of the Union in accordance with the provisions of the Malaga-Torremolinos Convention.

#### ADDITIONAL PROTOCOL V

**Date on which the Secretary-General and  
the Deputy Secretary-General shall take Office**

The Secretary-General and the Deputy Secretary-General elected by the Plenary Conference (Malaga-Torremolinos, 1973), in the manner prescribed by it, shall take office on 1 January 1974.

#### ADDITIONAL PROTOCOL VI

##### Temporary Arrangements

The Plenary Conference of the International Telecommunication Union (Malaga-Torremolinos, 1973), has agreed to the following arrangements to be applied on a provisional basis until the coming into force of the International Telecommunication Convention (Malaga-Torremolinos, 1973):

1. The Administrative Council shall be composed of thirty-six Members, elected by the Conference in the manner prescribed in that Convention. The Council may meet immediately thereafter and perform the duties assigned to it under the Convention.

2. The Chairman and the Vice-Chairman to be elected by the Administrative Council during the course of its first session shall remain in office until the election of their successors at the opening of the annual Administrative Council session of 1975.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed these Additional Protocols 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 Malaga-Torremolinos, 25 October 1973.

*The signatures following the Additional Protocols are the same as those which follow the Convention*

紛争の義務的解決に関する国際電気通信条約（千九百七  
十三年マラガ||トレモリノス）の選択追加議定書

前  
文

下名の全権委員は、国際電気通信条約（千九百七十三  
年マラガ||トレモリノス）に署名するに際し、全権委員会議（千九百  
七十三年マラガ||トレモリノス）の最終文書の一部をなす紛争  
の義務的解決に関する次の選択追加議定書に署名した。

国際電気通信条約（千九百七十三年マラガ||トレモリノス）  
のこの選択追加議定書の当事者である連合員は、  
条約又は条約第四十二條にいう規則の解釈又は適用に関す  
るすべての紛争を、これらの連合員に関するものである限り、解  
決のため義務的仲裁に付する希望を表明して、  
次のとおり協定した。

第 一 条

条約又は条約第四十二條にいう規則の解釈又は適用に関する  
紛争は、条約第五十條に定める解決方法の一方が合意により選定  
されない限り、いずれか一方の当事者の請求に基づき、義務的  
仲裁に付する。その手続は、条約第八十一條に定める手続とす  
る。ただし、条約第八十一條5の規定は、次のとおり修正する。

PROTOCOLE ADDITIONNEL FACULTATIF  
à la  
Convention internationale des télécommunications  
(Malaga-Torremolinos, 1973)

Règlement obligatoire des différends

Au moment de procéder à la signature de la Convention interna-  
tionale des télécommunications (Malaga-Torremolinos, 1973), les plénipou-  
taires soussignés ont signé le Protocole additionnel facultatif suivant  
relatif au règlement obligatoire des différends et faisant partie des Actes  
finis de la Conférence de plénipotentiaires (Malaga-Torremolinos, 1973).

Les Membres de l'Union, parties au présent Protocole additionnel  
facultatif à la Convention internationale des télécommunications (Malaga-  
Torremolinos, 1973),

exprimant le désir de recourir, pour ce qui les concerne, à l'arbitrage  
obligatoire pour la solution de tous différends relatifs à l'interprétation  
ou à l'application de la Convention ou des Règlements prévus à l'article 42  
de celle-ci,

sont convenus des dispositions suivantes:

ARTICLE 1

A moins qu'un des modes de règlement énumérés à l'article 50 de la  
Convention n'ait été choisi d'un commun accord, les différends relatifs à  
l'application de la Convention ou des Règlements prévus à l'article 42 de  
celle-ci sont, à la demande d'une des parties, soumis à un arbitrage obli-  
gatoire. La procédure est celle de l'article 81 de la Convention dont le  
paragraphe 5 est modifié comme suit:

5 各紛争当事者は、仲裁請求通告書の受領の日から起算して三箇月の期間内に、それぞれ一の仲裁者を指定する。一方の当事者がこの期間内に仲裁者を指定しないときは、事務総局長は、他方の当事者の請求に基づき、条約第八十一条3及び4の規定に従つてこの指定を行う。

## 第二条

この議定書は、条約に署名する連合員による署名のために開放しておく。この議定書は、条約について定める手続に従つて批准されなければならない。この議定書は、連合員となる国による加入のために開放しておく。

## 第三条

この議定書は、条約の効力発生の日又は二番目の批准書若しくは加入書の寄託の日から三十日目の日のいずれか遅い日に効力を生ずる。

この議定書が効力を生じた後にこれを批准し又はこれに加入する連合員については、この議定書は、批准書又は加入書の寄託の後三十日目の日に効力を生ずる。

## 第四条

事務総局長は、すべての連合員に次の事項を通報する。

(a) この議定書の署名及び批准書又は加入書の寄託

事務総局長による  
措置振

批准及び  
加入

効力発生

« 5. Dans le délai de trois mois à compter de la date de réception de la notification de la demande d'arbitrage, chaque des deux parties en cause désigne un arbitre. Si, à l'expiration de ce délai, l'une des parties n'a pas désigné son arbitre, cette désignation est faite, à la demande de l'autre partie, par le secrétaire général qui procède conformément aux dispositions des paragraphes 3 et 4 de l'article 81 de la Convention. »

## ARTICLE 2

Le présent Protocole sera ouvert à la signature des Membres qui signeront la Convention. Il sera ratifié selon la procédure prévue pour la Convention et restera ouvert à l'adhésion des pays qui deviendront Membres de l'Union.

## ARTICLE 3

Le présent Protocole entrera en vigueur le même jour que la Convention ou le trentième jour suivant la date de dépôt du second instrument de ratification ou d'adhésion mais au plus tôt lors de l'entrée en vigueur de la Convention.

Pour chaque Membre qui ratifiera le présent Protocole ou y adhèrera après son entrée en vigueur, ce Protocole entrera en vigueur le trentième jour après le dépôt de l'instrument de ratification ou d'adhésion.

## ARTICLE 4

Le secrétaire général notifiera à tous les Membres:

a) les signatures apposées au présent Protocole et le dépôt des instruments de ratification ou d'adhésion;

## (b) この議定書が効力を生ずる日

以上の証拠として、各全権委員は、英語、中国語、スペイン語、フランス語及びロシア語により本書一通を作成してこの議定書に署名した。紛議がある場合には、フランス文による。この原本は、国際電気通信連合に寄託保存する。国際電気通信連合は、その謄本一通を各署名国に交付する。

千九百七十二年十月二十五日にマラガ＝トレモリノスで作成した。

## b) la date à laquelle le présent Protocole entrera en vigueur.

En foi de quoi, les plénipotentiaires respectifs ont signé le présent Protocole 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 Malaga-Torremolinos, le 25 octobre 1973.

## OPTIONAL ADDITIONAL PROTOCOL

to the

### International Telecommunication Convention

(Malaga-Torremolinos, 1973)

#### Compulsory Settlement of Disputes

At the time of signing the International Telecommunication Convention (Malaga-Torremolinos, 1973), the undersigned plenipotentiaries have also signed the following Optional Additional Protocol on the Compulsory Settlement of Disputes, which forms part of the Final Acts of the Plenipotentiary Conference (Malaga-Torremolinos, 1973).

The Members of the Union, parties to this Optional Protocol to the International Telecommunication Convention (Malaga-Torremolinos, 1973), expressing the desire to resort to compulsory arbitration, so far as they are concerned, for the settlement of any dispute concerning the interpretation or application of the Convention or of the Regulations mentioned in Article 42 thereof,

have agreed upon the following provisions:

#### ARTICLE 1

Unless one of the methods of settlement listed in Article 30 of the Convention has been chosen by common agreement, disputes concerning the interpretation or application of the Convention or of the Regulations mentioned in Article 42 thereof shall, at the request of one of the parties to the dispute, be submitted for compulsory arbitration. The procedure to be followed is laid down in Article 81 of the Convention, paragraph 5 of which shall be amplified as follows:

" 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. If one of the parties has not appointed an arbitrator within this time-limit, this appointment shall be made, at the request of the other party, by the Secretary-General who shall act in accordance with paragraphs 3 and 4 of Article 81 of the Convention ".

#### ARTICLE 2

This Protocol shall be open to signature by the Members which sign the Convention. It shall be ratified in accordance with the procedure laid down for the Convention and any countries which become Members of the Union may accede to it.

#### ARTICLE 3

This Protocol shall come into force on the same day as the Convention, or on the thirtieth day after the day on which the second instrument of ratification or accession is deposited, but not earlier than the date upon which the Convention comes into force.

With respect to each Member which ratifies this Protocol or accedes to it after its entry into force, the Protocol shall come into force on the thirtieth day after the day on which the instrument of ratification or accession is deposited.

#### ARTICLE 4

The Secretary-General shall notify all Members:

- a) of the signatures appended to this Protocol and of the deposit of instruments of ratification or accession;
- b) of the date on which this Protocol shall come into force.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Protocol 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 prevail, 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 Malaga-Torremolinos, on 23 October 1973.

(参考)

この条約は、一九七三年スペインのマラガ・トレモリノスで開催された全権委員会において一九六五年のモントルー条約に代わる新条約として作成されたものであり、国際電気通信連合の基本的文書であつて連合の機構、業務等について定めているほか、国際電気通信業務の運用に関する基本的事項について規定している。

また、連合員間の紛争の解決を円滑にすることを目的とする紛争の義務的解決に関する選択追加議定書についても条約の場合と同様、新議定書締結の形式で改正が行われた。