

INTERNATIONAL TELECOMMUNICATIONS CONVENTION. [*]

Note; The Philippines was an original signatory to the Convention. It was concurred in by the Senate, S.R. No. 99, May 22, 1952. The Philippine Instrument of ratification was signed by the President, October 10, 1952 and was deposited with the Secretary General of the ITU. November 13, 1952, The Convention entered into force, January 1, 1949 and with respect to the Philippines, November 13, 1952. It was proclaimed by the President, Proc. No. 210, s. 1955. This Convention was abrogated by the Convention signed at Buenos Aires, December 22, 1932.

Reference: This Convention is also published in 193 UNTS, p. 189. The Presidential proclamation of the Convention is published in 51 O.G. 5332 (Nov. 1955).

PREAMBLE

While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments have agreed to conclude the following Convention, with a view to ensuring the effectiveness of telecommunication.

CHAPTER I

COMPOSITION, FUNCTIONS AND STRUCTURE OF THE UNION

ARTICLE 1

COMPOSITION OF THE UNION

1. The International Telecommunication Union shall comprise Members and Associate Members.

2. A Member of the Union shall be:

a) any country or group of territories listed in Annex 1 upon signature and ratification of, or accession to, this Convention, by it or on its behalf;

b) any country not listed in Annex 1 which becomes a Member of the United Nations and which accedes to this Convention in accordance with Article 17;

c) any sovereign country not listed in Annex 1 and not a Member of the United Nations which applies for membership in the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article 17.

3. (1) All Members shall be entitled to participate in conferences of the Union and shall be eligible for election to any of its organs.

(2) Each Member shall have one vote at any conference of the Union and at any meeting of an organ of the Union of which it is a Member.

4. An Associate Member shall be:

a) any country which has not become a Member of the Union in accordance with paragraph 2 of this Article, by acceding to this Convention in accordance with Article 17, after its application for Associate Membership has received approval by a majority of the Members of the Union;

b) any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which this Convention has been accepted by a Member of the Union in accordance with Article 17 or IS, provided that its application for Associate Membership is sponsored by such Member, after the application has received approval by a majority of the Members of the Union;

c) any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article 19, and the application of which for Associate Membership has been sponsored by the United Nations.

5. Associate Members shall have the same rights and obligations as Members of the Union, except that they shall not have the right to vote in any Conference or other organ of the Union. They shall not be eligible for election to any organ of the Union of which the Members are elected by a plenipotentiary or administrative conference.

6. For the purposes of paragraphs 2 c) and 4 a) and b) above, if an application for Membership is made during the interval between two plenipotentiary conferences, the Secretary General shall consult the Members of the Union; a Member shall be deemed to have abstained if he has not replied within four months after his opinion has been requested.

ARTICLE 2

SEAT OF THE UNION

The seat of the Union and of its permanent organs shall be at Geneva.

ARTICLE 3

PURPOSES OF THE UNION

1. The purposes of the Union are:

a. to maintain and extend international cooperation for the improvement and rational use of telecommunication of all kinds;

b. to promote the development of technical facilities and their most efficient operation with a view to improving the

efficiency of telecommunication services, increasing their usefulness and making them, so far as possible,- generally available to the public;

c. to harmonize the actions of nations in the attainment of those common ends.

2. To this end, the Union shall in particular:

a. effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;

b. foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

c. promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication service;

d. undertake studies, formulate recommendations, and collect and publish information on telecommunication matters for the benefit of all Members and Associate Members.

ARTICLE 4

STRUCTURE OF THE UNION

The organization of the Union shall be as follows:

1. the Plenipotentiary Conference which is the supreme organ of the Union;

2. Administrative Conferences;

3. the permanent organs of the union which are:

a. the Administrative Council,

b. the General Secretariat,

c. the International Frequency Registration Board (I.F.R.B.),

d. the International Telegraph Consultative Committee (C.C.I.T.),

e. the International Telephone Consultative Committee (C.C.I.F.),

f. the International Radio Consultative Committee (C.C.I.R.)

ARTICLE 5

ADMINISTRATIVE COUNCIL

A—ORGANIZATION AND WORKING ARRANGEMENTS

1. (1) The Administrative Council shall be composed of eighteen Members of the Union elected by the plenipotentiary conference with due regard to the need for equitable representation of all parts of the world. The Members of the Council shall hold office until the election of their successors. They are eligible for re-election.

(2) If between two plenipotentiary conferences a seat becomes vacant on the Administrative Council, it shall pass by right to the Member of the Union, from the same region as the Member whose seat is vacant, who had obtained at the previous election the largest number of votes among those not elected.

2. Each of the Members of the Administrative Council shall appoint, to serve on the Council, a person qualified in the field of telecommunication services.

3. (1) Each Member of the Council shall have one vote.

(2) In taking its decisions, the Administrative Council shall follow the procedure provided in the General Regulations currently in force. In cases not covered by the General Regulations, it may adopt its own rules of procedure.

4. The Administrative Council shall elect five of its Members to assume the Chairmanship and Vice Chairmanships during the period which normally elapses between two plenipotentiary conferences. Each of these five Members shall assume the Chairmanship in turn for one year only including the Chairmanship throughout the last meeting convened during that year. The Chairmanship shall be decided each year by agreement among these five Members or by lot.

5. The Administrative Council shall normally meet at the seat of the Union, once a year and at such other times as it deems necessary or at the request of six of its Members.

6. The Chairman of the International Frequency Registration Board, the Directors of the International Consultative Committees and the Vice-Director of the C.C.I.R. shall participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless the Council may exceptionally hold meetings confined to its own Members.

7. The Secretary General of the Union shall act as Secretary of the Administrative Council.

8. In the intervals between plenipotentiary conferences, the Administrative Council shall act on behalf of the plenipotentiary

conference within the limits of the powers delegated to it by the latter.

9. Only the traveling and subsistence expenses incurred by Members of the Administrative Council in this capacity shall be borne by the Union.

10. (1) The Administrative Council shall be responsible for taking all steps to facilitate the implementation by the Members and Associate Members of the provisions of the Convention, of the Regulations and of the decisions of the Plenipotentiary Conference.

(2) It shall ensure the efficient coordination of the work of the Union.

11. In particular, the Administrative Council shall:

a) Perform any duties assigned to it by the plenipotentiary conferences;

b) in the interval between plenipotentiary conferences, be responsible for effecting the coordination with all international organizations contemplated in Articles 26 and 27 of this Convention, and to this end appoint, on behalf of the Union, one or more representatives to participate in the conferences of such organizations, and when necessary, of coordinating committees established in conjunction with these organizations;

c) Appoint the Secretary General and the two Assistant Secretaries General of the Union;

d) Supervise the administrative functions of the Union;

e) Review and approve the annual budget of the Union;

f) Arrange for the annual audit of the accounts of the Union prepared by the Secretary General and approve them for submission to the next plenipotentiary conference;

g) Arrange for the convening of plenipotentiary and administrative conferences of the Union as provided for in Articles 10 and 11;

h) Coordinate the activities of all the other organs of the Union, consider and take such action as it deems appropriate on requests or recommendations made to it by such organs and fill vacancies thereon ad interim as prescribed in the Regulations;

i) Perform the other functions prescribed for it in this Convention and, within the framework of the Convention and the Regulations, the functions deemed necessary for the proper administration of the Union.

ARTICLE 6