

No. 7441

**AUSTRALIA, BELGIUM, CANADA,
DENMARK, FRANCE, etc.**

**Agreement establishing interim arrangements for a Global
Commercial Communications Satellite System, and**

**Special Agreement (with annex). Both done at Washing-
ton, on 20 August 1964**

Official texts: English and French.

Registered by the United States of America on 20 October 1964.

**AUSTRALIE, BELGIQUE, CANADA,
DANEMARK, FRANCE, etc.**

**Accord établissant un régime provisoire applicable à un sys-
tème commercial mondial de télécommunications par
satellites, et**

**Accord spécial (avec annexe). Faits à Washington, le 20 août
1964**

Textes officiels anglais et français.

Enregistrés par les États-Unis d'Amérique le 20 octobre 1964.

No. 7441. AGREEMENT¹ ESTABLISHING INTERIM ARRANGEMENTS FOR A GLOBAL COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM. DONE AT WASHINGTON, ON 20 AUGUST 1964

The Governments signatory to this Agreement,

Recalling the principle set forth in Resolution No. 1721 (XVI) of the General Assembly of the United Nations² that communications by means of satellites should be available to the nations of the world as soon as practicable on a global and non-discriminatory basis ;

Desiring to establish a single global commercial communications satellite system as part of an improved global communications network which will provide expanded telecommunications services to all areas of the world and which will contribute to world peace and understanding ;

Determined, to this end, to provide, through the most advanced technology available, for the benefit of all nations of the world, the most efficient and economical service possible consistent with the best and most equitable use of the radio spectrum ;

Believing that satellite communications should be organized in such a way as to permit all States to have access to the global system and those States so wishing to invest in the system with consequent participation in the design, development, construction (including the provision of equipment), establishment, maintenance, operation and ownership of the system ;

Believing that it is desirable to conclude interim arrangements providing for the establishment of a single global commercial communications satellite system at the

¹ In accordance with article XII, the Agreement entered into force or became applicable provisionally (*) on 20 August 1964 in respect of the Governments of the following States :

Canada	United Kingdom of Great Britain and
Japan	Northern Ireland
Netherlands (*)	United States of America
Spain	Vatican City

and on the dates indicated in respect of the Governments of the following States :

Australia	24 August	1964
Norway	31 August	1964
Switzerland (*)	16 September	1964
Federal Republic of Germany	21 September	1964
Ireland	5 October	1964

² United Nations, *Official Records of the General Assembly, Sixteenth Session, Supplement No. 17* (A/5100), p. 6.

earliest practicable date, pending the working out of definitive arrangements for the organization of such a system ;

Agree as follows :

Article I

(a) The Parties to this Agreement shall co-operate to provide, in accordance with the principles set forth in the Preamble to this Agreement, for the design, development, construction, establishment, maintenance and operation of the space segment of the global commercial communications satellite system, to include

- (i) an experimental and operational phase in which it is proposed to use one or more satellites to be placed in synchronous orbit in 1965 ;
- (ii) succeeding phases employing satellites of types to be determined, with the objective of achieving basic global coverage in the latter part of 1967 ; and
- (iii) such improvements and extensions thereof as the Committee established by Article IV of this Agreement may decide subject to the provisions of Article VI of this Agreement.

(b) In this Agreement,

- (i) the term "space segment" comprises the communications satellites and the tracking, control, command and related facilities and equipment required to support the operation of the communications satellites ;
- (ii) the terms "design" and "development" include research.

Article II

(a) Each Party either shall sign or shall designate a communications entity, public or private, to sign the Special Agreement¹ which is to be concluded further to this Agreement and which is to be opened for signature at the same time as this Agreement. Relations between any such designated entity and the Party which has designated it shall be governed by the applicable domestic law.

(b) The Parties to this Agreement contemplate that administrations and communications carriers will, subject to the requirements of their applicable domestic law, negotiate and enter directly into such traffic agreements as may be appropriate with respect to their use of channels of communication provided by the system to be established under this Agreement, services to be furnished to the public, facilities, divisions of revenues and related business arrangements.

¹ See p. 48 of this volume.

Article III

The space segment shall be owned in undivided shares by the signatories to the Special Agreement in proportion to their respective contributions to the costs of the design, development, construction and establishment of the space segment.

Article IV

(a) An Interim Communications Satellite Committee, hereinafter referred to as "the Committee", is hereby established to give effect to the co-operation provided for by Article I of this Agreement. The Committee shall have responsibility for the design, development, construction, establishment, maintenance, and operation of the space segment of the system and, in particular, shall exercise the functions and have the powers set forth in this Agreement and in the Special Agreement.

(b) The Committee shall be composed as follows : one representative from each of the signatories to the Special Agreement whose quota is not less than 1.5%, and one representative from any two or more signatories to the Special Agreement whose combined quotas total not less than 1.5% and which have agreed to be so represented.

(c) In the performance of its financial functions under this Agreement and under the Special Agreement the Committee shall be assisted by an advisory sub-committee on finance. This sub-committee shall be established by the Committee as soon as the Committee becomes operative.

(d) The Committee may establish such other advisory sub-committees as it thinks fit.

(e) No signatory or group of signatories to the Special Agreement shall be deprived of representation on the Committee because of any reduction pursuant to Article XII (c) of this Agreement.

(f) In this Agreement, the term "quota", in relation to a signatory to the Special Agreement, means the percentage set forth opposite its name in the Annex¹ to the Special Agreement as modified pursuant to this Agreement and the Special Agreement.

Article V

(a) Each signatory to the Special Agreement or group of signatories to the Special Agreement represented on the Committee shall have a number of votes equal to its quota, or to their combined quotas, as the case may be.

(b) A quorum for any meeting of the Committee shall consist of representatives having, in total, a number of votes exceeding the vote of the representative with the largest vote by not less than 8.5.

¹ See p. 68 of this volume.

(c) The Committee shall endeavor to act unanimously ; however, if it fails to reach agreement it shall take decisions by a majority of the votes cast, except that, with respect to the following matters, and subject to paragraphs (d) and (e) of this Article, any decision must have the concurrence of representatives whose total votes exceed the vote of the representative with the largest vote by not less than 12.5 :

- (i) choice of type or types of space segment to be established ;
- (ii) establishment of general standards for approval of earth stations for access to the space segment ;
- (iii) approval of budgets by major categories ;
- (iv) adjustment of accounts pursuant to Article 4 (c) of the Special Agreement ;
- (v) establishment of the rate of charge per unit of satellite utilization pursuant to Article 9 (a) of the Special Agreement ;
- (vi) decisions on additional contributions pursuant to Article VI (b) of this Agreement ;
- (vii) approval of the placing of contracts pursuant to Article 10 (c) of the Special Agreement ;
- (viii) approval of matters relating to satellite launchings pursuant to Article 10 (d) of the Special Agreement ;
- (ix) approval of quotas pursuant to Article XII (a) (ii) of this Agreement ;
- (x) determination of financial conditions of accession pursuant to Article XII (b) of this Agreement ;
- (xi) decisions relating to withdrawal pursuant to Article XI (a) and (b) of this Agreement and Article 4 (d) of the Special Agreement ;
- (xii) recommendation of amendments pursuant to Article 15 of the Special Agreement ;
- (xiii) adoption of the rules of procedure of the Committee and the advisory sub-committees ;
- (xiv) approval of appropriate compensation to the Corporation for its performance of services as manager pursuant to Articles 5 (c) and 9 (b) of the Special Agreement.

(d) If the Committee, upon the expiration of sixty days following the date when such matter has been proposed for decision, shall not have taken a decision pursuant to paragraph (c) (i) of this Article on the type of space segment to be established to achieve the objective stated in paragraph (a) (ii) of Article I of this Agreement, a decision on such matter may thereafter be taken by the concurring votes of representatives whose total votes exceed the vote of the representative with the largest vote by not less than 8.5.