

DRAFT AGREEMENT BETWEEN THE UNITED NATIONS AND THE  
INTERNATIONAL TELECOMMUNICATIONS UNION

Note by the Secretary-General

1. The Secretary-General has the honour to inform the General Assembly that the Plenipotentiary Conference of the International Telecommunications Union, which met from May to October 1947 at Atlantic City, approved the draft agreement with the United Nations (document A/370).
2. As stated in the footnote to Article VII of the draft agreement (Relations with the International Court of Justice) in document A/370, it was agreed by the Committee on Negotiations with specialized agencies of the Economic and Social Council and the Negotiating Committee of the International Telecommunications Union that the inclusion of this clause could depend on a later decision by the Plenipotentiary Conference of the International Telecommunications Union. The Union subsequently decided that it wished this clause to be included. The clause thus remains in the text submitted for the approval of the General Assembly, and the articles following Article VII should be numbered as in brackets in document A/370.
3. With regard to the fifth paragraph of the resolution of the Economic and Social Council transmitting the draft agreement to the General Assembly (document A/370), which relates to action by the International Telecommunications Union in pursuance of resolution 50 (I) of the General Assembly regarding relations with Franco Spain, the Plenipotentiary Conference of the Union has taken action as stated in the letter from the Secretary-General of the Conference (Annex A).
4. The Union has sent a letter to the Secretary-General (Annex B) requesting action by the General Assembly permitting issuance of United Nations laissez-passer to officials of the Union in the event that the draft agreement with the Union is approved.

The Convention on the Privileges and Immunities of the United Nations, approved by the General Assembly on 13 February 1946, states in Article VII, section 28, (United Nations Laissez-Passer) that "the provisions of this article may be applied to the comparable officials of specialized agencies in the agreements for relationship made under Article 63 of the Charter so provide".

/The Secretary-General

The Secretary-General proposes the following text for consideration by the General Assembly as an addition to the draft agreement:

"Officials of the Union shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Union."

5. The following minor textual rectifications of the French version of the draft agreement have been agreed by the Chairman of the Negotiating Committee of the ILO and the Secretary-General:

Article II

Paragraph 1 In line 7, for "prendre part" substitute, "assister". (This is the expression used for "attend" throughout the rest of the article).

Paragraph 5 In line 5, for "organes" substitute "commissions".

Article IV

Paragraph 1 In lines 9 and 10, for "culturel et pédagogique, le domaine" substitute "de la culture intellectuelle et de l'éducation" (cf. wording of the United Nations Charter).

Paragraph 1 In line 17, for "l'action" substitute "les activités".

Paragraph 3 In line 3, for "de l'action" substitute "des activités".

Paragraph 3 In line 6, for "participer à" substitute "collaborer avec".

Article VII /VIII/

Paragraph 1 In line 2, for "décident" substitute "conviennent".

Paragraph 2 In line 2, for "décident" substitute "conviennent".

Article XIII /XIII/

Paragraph 1 In line 2, for "tenir au courant" substitute "informer".

Paragraph 2 In line 2, for "tenir au courant" substitute "informer".

Paragraph 2 In line 7, for "tiendra l'Union au courant" substitute "fera part à l'Union".

Article XIII /XIV/

Paragraph 1 In line 6, delete "ultérieurement", and for "toutes mesures" substitute "toutes les mesures".

ANNEX A

LETTER FROM SECRETARY-GENERAL OF INTERNATIONAL TELECOMMUNICATIONS  
CONFERENCES TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

Atlantic City, 13 September 1947

I have the honor to refer to the Agreement between the United Nations and the International Telecommunications Union, which was unanimously approved by the sixth plenary session of the International Telecommunications Conferences at Atlantic City on 4 September 1947.

At the time of presenting the Agreement between the United Nations and the International Telecommunications Union to the General Assembly for its consideration, it will be very much appreciated if the General Assembly could be requested to give its approval for the issuance of United Nations Laissez Passer to International Telecommunications Union officials, in the event that the agreement is approved.

This matter has been discussed on a Secretariat level between members of our two organizations, and it is felt in some quarters that it might be settled without further action. However, it might be more desirable, in order to cover all the legal aspects, to secure the approval of the General Assembly for this procedure.

It is understood that a similar clause has been included in the Agreements with the International Bank and the International Monetary Fund, but at the time of drafting the UN - IPU agreement, it was unfortunately overlooked.

(Signed) Gerald C. GROSS  
Secretary-General

ANNEX B

LETTER FROM THE SECRETARIES-GENERAL OF THE INTERNATIONAL  
TELECOMMUNICATIONS CONFERENCES TO THE  
SECRETARY-GENERAL OF THE UNITED NATIONS

Atlantic City, 6 October 1947

I have the honor to invite your attention to article 1 of the International Telecommunications Convention approved by the plenary session of the International Telecommunications Conference held on 2 October 1947.

The following is the text of Article 1 of the Convention:

Composition of the Union

1. The International Telecommunications 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 18 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

- 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 or Associate 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.

\* \* \* \*

(Annex 1 referred to is attached hereto)

The International Telecommunications Union formally has approved the Agreement between the United Nations and the International Telecommunications Union.

As you will note, Mr. Secretary General, neither Spain nor Spanish Morocco appear on the membership list of the International Telecommunications Union. It is therefore considered that full effect has been given to the resolution of the General Assembly of the United Nations of 12 December 1946.

May I request that this action by the International Telecommunications Union be brought to the attention of the General Assembly of the United Nations at the time when the Agreement between the United Nations and the International Telecommunications Union is submitted to the General Assembly for approval.

(signed) Gerald C. GROSS  
Secretary-General

(signed) Leon MULATIER  
Secretary-General

ANNEX 1

(see Article I, paragraph 2 a))

1. Afghanistan
2. Albania (People's Republic of)
3. Saudi Arabia (Kingdom of)
4. Argentine (Republic)
5. Australia (Commonwealth)
6. Austria
7. Belgium
8. Byelorussian Soviet Socialist Republic
9. Burma
10. Bolivia
11. Brazil
12. Bulgaria
13. Canada
14. Chile
15. China
16. Vatican City (State of)
17. Colombia (Republic of)
18. Portuguese Colonies
19. Colonies, Protectorates, Overseas Territories, and Territories under the mandate or trusteeship of the United Kingdom of Great Britain and Northern Ireland
20. Colonies, Protectorates, and Overseas Territories under French mandate
21. Belgian Congo and Territories of Ruanda-Urundi
22. Costa Rica
23. Cuba
24. Denmark
25. Dominican Republic
26. Egypt
27. El Salvador (Republic of)
28. Ecuador
29. United States of America
30. Ethiopia
31. Finland
32. France
33. Greece
34. Guatemala
35. Haiti
36. Honduras (Republic of)
37. Hungary
38. India
39. Netherlands East Indies
40. Iran
41. Iraq
42. Ireland
43. Iceland
44. Italy
45. Lebanon
46. Liberia
47. Luxemburg
48. Mexico
49. Monaco
50. Nicaragua
51. Norway
52. New Zealand
53. Pakistan
54. Panama
55. Paraguay
56. Netherlands, Curacao and Surinam
57. Peru
58. Philippine Republic
59. Poland (Republic of)
60. Portugal
61. French Protectorates of Morocco and Tunisia
62. Yugoslav People's Federal Republic
63. Ukrainian Soviet Socialist Republic
64. Southern Rhodesia
65. Roumania
66. United Kingdom of Great Britain and Northern Ireland
67. Siam
68. Sweden
69. Switzerland (Confederation)
70. Syria
71. Czechoslovakia
72. Territories of the United States of America
73. Turkey
74. Union of South Africa and Mandated Territory of South-West Africa
75. Union of Soviet Socialist Republics
76. Uruguay (Eastern Republic of)
77. Venezuela (United States of)
78. Yemen