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 Intersecretariat 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 IUI 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 "cultural 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**

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

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

**Article XII**

**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 XIV**

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

/ANNEX A
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 - IMF agreement, it was unfortunately overlooked.

(Signed) Gerald C. ROSS
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;

   1/1
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 they are members 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 appears 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
Annex I
(see Article I, paragraph 2 e))

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