

II

Treaties and international agreements

filed and recorded

from 1 May 1949 to 1 June 1949

No. 175

Traités et accords internationaux

classés et inscrits au répertoire

du 1er mai 1949 au 1er juin 1949

N° 175

**UNITED NATIONS
and
INTERNATIONAL TELECOMMUNICATION UNION**

Agreement between the United Nations and the International Telecommunication Union approved by the Plenipotentiary Telecommunication Conference on 4 September 1947 and by the General Assembly of the United Nations on 15 November 1947, and Protocol concerning the entry into force of the said Agreement. Signed on 26 April 1949

English and French official texts. The filing and recording took place on 1 May 1949.

**NATIONS UNIES
et
UNION INTERNATIONALE DES TELECOMMUNICATIONS**

Accord entre l'Organisation des Nations Unies et l'Union internationale des télécommunications approuvé par la Conférence plénipotentiaire des télécommunications le 4 septembre 1947 et par l'Assemblée générale des Nations Unies le 15 novembre 1947, et Protocole relatif à l'entrée en vigueur dudit Accord. Signé le 26 avril 1949

Textes officiels anglais et français. Le classement et l'inscription au répertoire ont eu lieu le 1er mai 1949.

No. 175. AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL TELECOMMUNICATION UNION APPROVED BY THE PLENIPOTENTIARY CONFERENCE OF THE INTERNATIONAL TELECOMMUNICATION UNION ON 4 SEPTEMBER 1947 AND BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 15 NOVEMBER 1947

PREAMBLE

In consideration of the provisions of Article 57 of the Charter of the United Nations and of article 26 of the Convention of the International Telecommunication Union of Atlantic City 1947, the United Nations and the International Telecommunication Union agree as follows:

Article I

The United Nations recognizes the International Telecommunication Union (hereinafter called Union) as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

Article II

RECIPROCAL REPRESENTATION

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the plenipotentiary and administrative conferences of the Union. It shall also, after appropriate consultation, be invited to send representatives to attend international consultative committees or any other meetings convened by the Union, with the right to participate, without vote, in the discussion of items of interest to the United Nations.

2. The Union shall be invited to send representatives to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

¹ Came into force provisionally on 15 November 1947, in accordance with article XIX, paragraph 1; came into force formally on 1 January 1949, in accordance with article XIX, paragraph 2.

3. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

4. The Union shall be invited to send representatives to attend meetings of the main committees of the General Assembly when matters within the competence of the Union are under discussion, and to participate, without vote, in such discussions.

5. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council, as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

Article III

PROPOSAL OF AGENDA ITEMS

After such preliminary consultation as may be necessary, the Union shall include in the agenda of plenipotentiary or administrative conferences or meetings of other organs of the Union, items proposed to it by the United Nations. Similarly, the Economic and Social Council and its commissions and the Trusteeship Council shall include in their agenda items proposed by the conferences or other organs of the Union.

Article IV

RECOMMENDATIONS OF THE UNITED NATIONS

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter, and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission as soon as possible to its appropriate organ, for such action as may seem proper, of all formal recommendations which the United Nations may make to it.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to co-operate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such co-ordination, and to furnish such information as may be required for the carrying out of this purpose.

Article V

EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of appropriate information and documents shall be made between the United Nations and the Union to meet the requirements of each.

2. Without prejudice to the generality of the provisions of the preceding paragraph:

(a) The Union shall submit to the United Nations an annual report on its activities;

(b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information;

(c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it.

Article VI

ASSISTANCE TO THE UNITED NATIONS

The Union agrees to co-operate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunication Convention, taking fully into account the particular position of the individual members of the Union who are not members of the United Nations.

Article VII

RELATIONS WITH THE INTERNATIONAL COURT OF JUSTICE

1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.
2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.
3. Such request may be addressed to the Court by the Plenipotentiary Conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference.
4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.

Article VIII

PERSONNEL ARRANGEMENTS

1. The United Nations and the Union agree to develop, as far as is practicable, common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.
2. The United Nations and the Union agree to co-operate to the fullest extent possible in achieving these ends.

Article IX

STATISTICAL

1. The United Nations and the Union agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national Governments and other organizations from which such information may be collected.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as that may be essential for its own purposes or for the improvement of statistics throughout the world. All decisions as to the form in which its service documents are compiled rest with the Union.

4. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should, as far as is practicable, be made available to the United Nations upon request.

5. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should, so far as is practicable and appropriate, be made available to the Union upon request.

Article X

ADMINISTRATIVE AND TECHNICAL SERVICES

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or overlapping services, and when necessary to consult thereon to achieve these ends.

2. Arrangements shall be made between the United Nations and the Union with regard to the registration and deposit of official documents.

Article XI

BUDGETARY AND FINANCIAL ARRANGEMENTS

1. The budget or the proposed budget of the Union shall be transmitted to the United Nations at the same time as such budget is transmitted to the members of the Union, and the General Assembly may make recommendations thereon to the Union.

2. The Union shall be entitled to send representatives to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union is under consideration.

Article XII

FINANCING OF SPECIAL SERVICES

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with article VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

Article XIII

UNITED NATIONS LAISSEZ-PASSER

Officials of the Union shall have the right to use the laissez-passers 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.

Article XIV

INTER-AGENCY AGREEMENTS

1. The Union agrees to inform the Economic and Social Council of the nature and scope of any formal agreement contemplated between the Union and any other specialized agency or other inter-governmental organization or international non-governmental organization, and further will inform the Economic and Social Council of the details of any such agreement, when concluded.

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated by any other specialized agencies on matters which might be of concern to the Union and further will inform the Union of the details of any such agreement, when concluded.

Article XV

LIAISON

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two Organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as is appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

Article XVI

UNITED NATIONS TELECOMMUNICATION SERVICES

1. The Union recognizes that it is important that the United Nations shall benefit by the same rights as the members of the Union for operating telecommunication services.

2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunication Convention and the regulations annexed thereto.

3. The precise arrangements for implementing this article shall be dealt with separately.

Article XVII

IMPLEMENTATION OF AGREEMENT

The Secretary-General of the United Nations and the appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable.

Article XVIII

REVISION

On six months' notice given on either side, this agreement shall be subject to revision by agreement between the United Nations and the Union.

Article XIX

ENTRY INTO FORCE

1. This agreement will come into force provisionally after approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunication Conference at Atlantic City in 1947.

2. Subject to the aforementioned approval, the agreement will formally enter into force at the same time as the International Telecommunication Convention concluded at Atlantic City in 1947, or at some earlier date as may be arranged for by a decision of the Union.

PROTOCOL CONCERNING THE ENTRY INTO FORCE OF THE
AGREEMENT BETWEEN THE UNITED NATIONS AND THE
INTERNATIONAL TELECOMMUNICATION UNION. SIGNED
ON 26 APRIL 1949

Article 57 of the Charter of the United Nations provides that specialized agencies established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations. Article 63 of the Charter provides that the Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations, and specifies that such agreements shall be subject to approval by the General Assembly.

On 28 March 1947, the Economic and Social Council, during its fourth session, directed its Committee on Negotiations with Inter-Governmental Agencies to enter into negotiations at the appropriate time with the International Telecommunication Union for the purpose of bringing it into relationship with the United Nations and to submit a report on the negotiations to the Council including therein a draft preliminary agreement based upon these negotiations.

The Plenipotentiary Conference of the International Telecommunication Union which met in Atlantic City from May to October 1947, having been informed of the aforementioned decision of the Economic and Social Council, appointed a Committee to enter into negotiations with the United Nations Committee on Negotiations with Inter-Governmental Agencies to prepare a draft agreement.

Negotiations between the Committee on Negotiations with Inter-Governmental Agencies of the Economic and Social Council and the Negotiating Committee of the International Telecommunication Union took place at Lake Success on 12, 13 and 14 August 1947 and resulted in a draft agreement, which was signed by Mr. Walter M. Kotschnig, Acting Chairman of the Committee of the Economic and Social Council on Negotiations with Inter-Governmental Agencies, and Sir Harold Shoobert, Chairman of the Negotiating Committee of the International Telecommunication Union.

On 16 August 1947 the Economic and Social Council, during its fifth session, recommended the agreement between the United Nations and the International Telecommunication Union to the General Assembly for its approval, with the reservation that approval of the agreement would be conditional on a decision by the Plenipotentiary Conference of the Union, having the effect of bringing the Union into full compliance with the resolution passed by the General Assembly on 12 December 1946 with regard to Franco Spain.

On 4 September 1947 the Plenipotentiary Conference of the International Telecommunication Union which met in Atlantic City for the purpose of revising the International Telecommunication Convention unanimously approved the draft agreement which subsequently was annexed to the revised Convention.

On 2 October 1947 the Plenipotentiary Conference of the International Telecommunication Union approved Article 1 of the revised Convention on the composition of the Union, the provisions of which had the effect of bringing the Union into full compliance with the resolution passed by the General Assembly on 12 December 1946 with regard to Franco Spain.

On 11 October 1947 the Secretary-General of the United Nations, upon request of the Secretary-General of the International Telecommunication Conferences at Atlantic City, proposed to the General Assembly an additional article on the use of the United Nations laissez-passes, to be inserted in the draft agreement.

The Agreement between the United Nations and the International Telecommunication Union, with the insertion in the Agreement of the article on the use of the United Nations laissez-passes, was approved by the General Assembly during its second regular session on 15 November 1947.

Article XVIII of the Agreement provides that this Agreement shall come into force provisionally on its approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunication Conference at Atlantic

City in 1947. The Agreement accordingly came into force provisionally on 15 November 1947.

Article XVIII of the Agreement further provides that subject to the aforementioned approval, the Agreement shall formally enter into force at the same time as the International Telecommunication Convention concluded at Atlantic City in 1947. The International Telecommunication Convention entered into force on 1 January 1949.

The Agreement accordingly came into force on 1 January 1949.

IN FAITH WHEREOF we have appended our signatures this 26th day of April one thousand nine hundred and forty-nine, to two original copies of the present Protocol, the text of which consists of versions in the English and French languages which are equally authentic. One of the original copies will be deposited with the Secretariat of the United Nations and the other will be deposited with the Secretariat of the International Telecommunication Union.

Trygve LIE
Secretary-General of the United Nations

Fr. V. ERNST
Secretary-General
of the International Telecommunication Union