



INTERNATIONAL
TELECOMMUNICATION UNION

*FINAL ACTS
OF THE
WORLD ADMINISTRATIVE
TELEGRAPH AND TELEPHONE CONFERENCE
MELBOURNE, 1988
(WATTC-88)*

INTERNATIONAL TELECOMMUNICATION REGULATIONS

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Note by the ITU General Secretariat

The Plenipotentiary Conference of the International Telecommunication Union (Nairobi, 1982), in its Resolution No. 10, resolved that a World Administrative Telegraph and Telephone Conference (WATTC-88) should be convened in 1988 to consider proposals for a new regulatory framework to cater for the new situation in the field of new telecommunication services. By the same Resolution, it also instructed the International Telegraph and Telephone Consultative Committee (CCITT) to prepare proposals for this purpose, and to submit them to the CCITT Plenary Assembly in 1988 for subsequent consideration by the WATTC-88.

The CCITT, in Resolution No. 15 of its VIIIth Plenary Assembly (Malaga-Torremolinos, 1984) resolved to set up a Preparatory Committee (PC) for WATTC-88, and that this PC should be responsible for preparing the draft text of the new Regulations to be submitted to the IXth CCITT Plenary Assembly in 1988.

The PC held four meetings and included in its final report, submitted to the IXth CCITT Plenary Assembly (Melbourne, 1988), the draft International Telecommunication Regulations. The IXth CCITT Plenary Assembly transmitted this final report to the WATTC-88.

The Administrative Council of the Union, at its 42nd session in 1987, adopted Resolution No. 966, in which it resolved that the WATTC-88 should be held at Melbourne from 28 November to 9 December 1988, inclusive, and established the agenda of the Conference.

In accordance with that Resolution of the Administrative Council, the World Administrative Telegraph and Telephone Conference convened at Melbourne during the period referred to above.

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INTERNATIONAL
TELECOMMUNICATION
REGULATIONS

INTERNATIONAL TELECOMMUNICATION REGULATIONS

PREAMBLE

- 1** While the sovereign right of each country to regulate its telecommunications is fully recognized, the provisions of the present Regulations supplement the International Telecommunication Convention, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for world-wide telecommunications.

Article 1

Purpose and Scope of the Regulations

- 2** 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They also set rules applicable to administrations*.
- 3** b) These Regulations recognize in Article 9 the right of Members to allow special arrangements.
- 4** 1.2 In these Regulations, "the public" is used in the sense of the population, including governmental and legal bodies.
- 5** 1.3 These Regulations are established with a view to facilitating global inter-connection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public of international telecommunication services.

* or recognized private operating agency(ies)

- 6 1.4 References to CCITT Recommendations and Instructions in these Regulations are not to be taken as giving to those Recommendations and Instructions the same legal status as the Regulations.
- 7 1.5 Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between administrations*.
- 8 1.6 In implementing the principles of these Regulations, administrations* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations, including any Instructions forming part of or derived from these Recommendations.
- 9 1.7 a) These Regulations recognize the right of any Member, subject to national law and should it decide to do so, to require that administrations* and private operating agencies, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member.
- 10 b) The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.
- 11 c) The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations (For interpretation, also see Resolution No. 2).
- 12 1.8 The Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise.

Article 2

Definitions

- 13 For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.

* or recognized private operating agency(ies)

14 2.1 *Telecommunication*: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

15 2.2 *International telecommunication service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.

16 2.3 *Government telecommunication*: A telecommunication originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice,

or reply to a government telegram.

17 2.4 *Service telecommunication*

A telecommunication that relates to public international telecommunications and that is exchanged among the following:

- administrations;
- recognized private operating agencies,
- and the Chairman of the Administrative Council, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

18 2.5 *Privilege telecommunication*

19 2.5.1 A telecommunication that may be exchanged during:

- sessions of the ITU Administrative Council,
- conferences and meetings of the ITU

between, on the one hand, representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or recognized private operating agency or the ITU,

and relating either to matters under discussion by the Administrative Council, conferences and meetings of the ITU or to public international telecommunications.

- 20 2.5.2 A private telecommunication that may be exchanged during sessions of the ITU Administrative Council and conferences and meetings of the ITU by representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence.
- 21 2.6 *International route:* Technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.
- 22 2.7 *Relation:* Exchange of traffic between two terminal countries, always referring to a specific service if there is between their administrations*:
- 23 a) a means for the exchange of traffic in that specific service:
- over direct circuits (direct relation), or
 - via a point of transit in a third country (indirect relation), and
- 24 b) normally, the settlement of accounts.
- 25 2.8 *Accounting rate:* The rate agreed between administrations* in a given relation that is used for the establishment of international accounts.
- 26 2.9 *Collection charge:* The charge established and collected by an administration* from its customers for the use of an international telecommunication service.
- 27 2.10 *Instructions:* A collection of provisions drawn from one or more CCITT Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting).

Article 3

International Network

- 28 3.1 Members shall ensure that administrations* cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

* or recognized private operating agency(ies)

- 29 3.2 Administrations* shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services.
- 30 3.3 Administrations* shall determine by mutual agreement which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal administrations* concerned, the origin administration* has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations*.
- 31 3.4 Subject to national law, any user, by having access to the international network established by an administration*, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT Recommendations.

Article 4

International Telecommunication Services

- 32 4.1 Members shall promote the implementation of international telecommunication services and shall endeavour to make such services generally available to the public in their national network(s).
- 33 4.2 Members shall ensure that administrations* cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations.
- 34 4.3 Subject to national law, Members shall endeavour to ensure that administrations* provide and maintain, to the greatest extent practicable, a minimum quality of service corresponding to the relevant CCITT Recommendations with respect to:
- 35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel;

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- 36 b) international telecommunication facilities and services available to customers for their dedicated use;
- 37 c) at least a form of telecommunication which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and
- 38 d) a capability for interworking between different services, as appropriate, to facilitate international communications.

Article 5

Safety of Life and Priority of Telecommunications

- 39 5.1 Safety of life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Convention and taking due account of relevant CCITT Recommendations.
- 40 5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations.
- 41 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations.

Article 6

Charging and Accounting

- 42 6.1 *Collection charges*
- 43 6.1.1 Each administration* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national

* or recognized private operating agency(ies)

matter; however, in establishing these charges, administrations* should try to avoid too great a dissymetry between the charges applicable in each direction of the same relation.

44 6.1.2 The charge levied by an administration* on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration*.

45 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.

46 6.2 *Accounting rates*

47 6.2.1 For each applicable service in a given relation, administrations* shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant CCITT Recommendations and relevant cost trends.

48 6.3 *Monetary unit*

49 6.3.1 In the absence of special arrangements concluded between administrations*, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

- either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;
- or the gold franc, equivalent to 1/3.061 SDR.

50 6.3.2 In accordance with relevant provisions of the International Telecommunication Convention, this provision shall not affect the possibility open to administrations* of establishing bilateral arrangements for mutually acceptable coefficients between the monetary unit of the IMF and the gold franc.

51 6.4 *Establishment of accounts and settlement of balances of account*

52 6.4.1 Unless otherwise agreed, administrations* shall follow the relevant provisions as set out in Appendices 1 and 2.

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53 6.5 *Service and privilege telecommunications*

54 6.5.1 Administrations* shall follow the relevant provisions as set out in Appendix 3.

Article 7

Suspension of Services

55 7.1 If a Member exercises its right in accordance with the Convention to suspend international telecommunication services partially or totally, that Member shall immediately notify the Secretary-General of the suspension and of the subsequent return to normal conditions by the most appropriate means of communication.

56 7.2 The Secretary-General shall immediately bring such information to the attention of all other Members, using the most appropriate means of communication.

Article 8

Dissemination of Information

57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by administrations*, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the Convention and of this Article, on the basis of decisions taken by the Administrative Council or by competent administrative conferences, and taking account of conclusions or decisions of Plenary Assemblies of the International Consultative Committees.

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Article 9

Special Arrangements

- 58 9.1 a) Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), special arrangements may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow administrations* or other organizations or persons to enter into such special mutual arrangements with Members, administrations* or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Members concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.
- 59 b) Any such special arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries.
- 60 9.2 Members should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 to take into account relevant provisions of CCITT Recommendations.

Article 10

Final Provisions

- 61 10.1 These Regulations, of which Appendices 1, 2 and 3 form integral parts, shall enter into force on 1 July 1990 at 0001 hours UTC.
- 62 10.2 On the date specified in No. 61, the Telegraph Regulations (Geneva, 1973) and the Telephone Regulations (Geneva, 1973) shall be replaced by these International Telecommunication Regulations (Melbourne, 1988) pursuant to the International Telecommunication Convention.

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- 63 10.3 If a Member makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members and their administrations* shall be free to disregard the said provision or provisions in their relations with the Member which has made such reservations and its administrations*.
- 64 10.4 Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members promptly of the receipt of such notifications of approval.

IN WITNESS WHEREOF, the delegates of the Members of the International Telecommunication Union named below have, on behalf of their respective competent authorities, signed one copy of the present Final Acts in the Arabic, Chinese, English, French, Russian and Spanish languages. This copy shall remain in the archives of the Union. The Secretary-General shall forward one certified copy to each Member of the International Telecommunication Union.

Done at Melbourne, 9 December 1988.

* or recognized private operating agency(ies)

For the People's Democratic Republic of Algeria:

M. DERRADJI
S. BOUHADEB
G. FEKIR

On behalf of the Federal Republic of Germany:

HEINRICH L. VENHAUS
KLAUS W. GREWLICH

For the People's Republic of Angola:

JOSÉ DA SILVA LOPES PEREIRA
MARIA LUÍSA DOS SANTOS COSTA ALMEIDA
VIEIRA ZEFERINO

For the Kingdom of Saudi Arabia:

SAMI S. AL-BASHEER
IBRAHIM S. AL-DHOBAIE
ABDULRAHMAN M. AL-RIJAJI

For the Argentine Republic:

ARMANDO F. GARCIA

For Australia:

PETER S. WILENSKI
M. J. HUTCHINSON

For Austria:

DR. JOSEF BAYER

For the Commonwealth of the Bahamas:

BARRETT A. RUSSELL

For Belgium:

MICHEL GONY
LOUIS COEN

For the People's Republic of Benin:

HONORÉ VIGNON
JEAN FLAVIEN BACHABI

For the Kingdom of Bhutan:

BAP YESHEY DORJI
UGEN NAMGYEL

For the Byelorussian Soviet Socialist Republic:

V.T. VOLOSHCHUK

For the Republic of Botswana:

M.J. BUSANG
D.G. CLARK

For the Federative Republic of Brazil:

ARTHUR CEZAR A. ITUASSU

For Brunei Darussalam:

SONG KIN KOI

For the People's Republic of Bulgaria:

HRISTO RAYKOV

For Burkina Faso:

SANOU BRAHIMA

For the Republic of Cameroon:

KAMDEM-KAMGA EMMANUEL
BISSECK HERVE GUILAUME
NDE NINGO

For Canada:

GABRIEL WARREN
MURRAY G. FYFE

For the Central African Republic:

KOUNKOU JEAN-CYRILLE
MAGONZI PAUL
KONDAOULE JOSEPH

For Chile:

GUSTAVO ARENAS CORRAL
MANUEL PEÑA SALAZAR

For the People's Republic of China:

WU JI CHUAN
ZHAO XINTONG

For the Republic of Cyprus:

PH. VATILLOTIS
K.Z. CHRISTODOULIDES

For the Vatican City State:

ANGELO CORDISCHI
EVANDRO COSTA

For the Republic of Colombia:

FÉLIX CASTRO ROJAS
FRANCISCO ROJAS MALAGON
ORLANDO HIDALGO SANTOS

For the People's Republic of the Congo:

JULIEN BOUKAMBOU-MIAKAMIOUE

For the Republic of Korea:

JONG KOO AHN
YOUNG-IHL PARK
YOUNG-KIL SUH
JUNG-WOOK LEE

For the Republic of Côte d'Ivoire:

KARNA SORO
KOW SAGOE
JEAN-BAPTISTE AHOUE JOSEPH

For Cuba:

RAFAEL P. PEDROSA PEREZ

For Denmark:

JØRGEN STIG ANDERSEN
J.F. PEDERSEN

For the Republic of Djibouti:

HASSAN MOHAMED AHMED

For the Arab Republic of Egypt:

MAHMOUD ELSOURY

For the Republic of El Salvador:

MAURICIO DANIEL VIDES CASANOVA
JOSÉ ANTONIO BRITO G.
JOSÉ MAX GRANILLO BONILLA

For the United Arab Emirates:

MOHAMMAD HASSAN OMRAN
MOHAMMAD ALI ALSHARIHAN
THEAGARAJ SEETHARAMAN

For Spain:

FRANCISCO MOLINA NEGRO
VICENTE RUBIO CARRETÓN
MARIA TERESA PASCUAL OGUETA

For the United States of America:

LATNO ARTHUR C.

For the People's Democratic Republic of Ethiopia:

MULUGETA ASFAW
ADEGE BEKELE

For the Republic of Fiji:

EMORI NAQOVA
EPELI CAMA

For Finland:

VESA PAIONEN
REIJO SVENSSON
RAUNO ALANDER

For France:

HIRSCH MICHEL
THUÉ MARCEL
DENIAUD JEAN-CLAUDE

For the Gabonese Republic:

D. HELLA-ONDO

For Ghana:

EDWARD ANDREWS KWAKYE
KWASI OPONG
NEIL OKO ODARTEYE ADJEBU

For Greece:

E. WLANDIS
G. ANTONIOU
V. CASSAPOGLOU
A. NODAROS
S. SAITANIS

For the Republic of Guatemala:

JORGE A. MONDAL CHEW

For the Republic of Guinea:

ABDOURAHMANE SYLLA
SEKOU BANGOURA

For the Hungarian People's Republic:

ZOLTÁN KÖTELES
DR. FERENC VALTER

For the Republic of India:

N.K. MATHUR
TV. SIVAKUMARAN
B.B. KARANDIKAR
G.S. GUNDU RAO
PRADEEP KUMAR
LAKSHMI G. MENON

For the Republic of Indonesia:

SUMITRO ROESTAM
BAMBANG SULISTYO
SETYANTO PR.
SUTRISMAN

For the Islamic Republic of Iran:

HOSSEIN MAHYAR

For the Republic of Iraq:

ALI M. AL-SHAHWANI

For Ireland:

BERNARD McDONAGH
PATRICK RYAN
DECLAN FIELD

For Iceland:

G. ARNAR

For the State of Israel:

SAMUEL KLEPNER
MENACHEM OHOLY
DAN M. BARLEV

For Italy:

PASSARO ALDO
PELLA ANGELANTONIO

For Japan:

MAKOTO MIURA

For the Republic of Kenya:

SAMUEL J. NJAGAH
TOM E. DIERO

For the State of Kuwait:

ADEL A. AL-IBRAHIM
HAMEED H. AL-KATTAN
ADEL I. AL-ABBAD

For Lebanon:

M.H. GHAZAL

For the Principality of Liechtenstein:

M. APOTHÉLOZ
G. DUPUIS

For Luxembourg:

EDMOND TOUSSING

For the Democratic Republic of Madagascar:

RATOVONDRAHONA PASCAL
MARCEL AIMÉ

For Malaysia:

MOHD. ANUAR KHALID
TAN POH KEAT
NAINA MOHAMED KHALID

For the Republic of Maldives:

HUSSAIN SHARIEF

For the Republic of Mali:

KEITA MINEMBA MAMADOU

For the Republic of Malta:

JOHN A. SCICLUNA
ANTHONY DEBONO
JOSEPH M. PACE

For the Kingdom of Morocco:

ANTARI EL JILALI

For Mauritius:

J. LEUNG YINKO

For Mexico:

JOSÉ J. HERNÁNDEZ GONZÁLEZ
JOEL GALVÁN TALLEDOS

For Monaco:

BIANCHERI LOUIS

For Nepal:

SURESH KUMAR PUDASAINI

For the Republic of the Niger:

AMSA ISSA
MOUNKAILA MOUSSA
HAMANI KINDO HASSANE

For the Federal Republic of Nigeria:

IGE OLAWALE ADENIJI
OTIJI AUGUSTINE UZOBUE NYI
GBENEBOR GABRIEL EHIZOMO
ODUSANYA RUFUS OLUKAYODE

For Norway:

ROLF TINGUOLD
EUGEN LANDEIDE
JOHANNE SOKNES
EINAR UTVIK

For New Zealand:

C. STEVENSON

For the Sultanate of Oman:

MAHIR MUHAMMED ALKHUSSEIBY
NAJIB KHAMIS AL-ZADJALY

For the Republic of Uganda:

FRANCIS PATRICK MASAMBU

For the Islamic Republic of Pakistan:

ABDUL RASHID QURESHI
ALLAH WASAYA AWAN

For Papua New Guinea:

JAMES URARU
STAN G. ONA

For the Republic of Paraguay:

MIGUEL CIRILO GUANES S.
MIGUEL HORACIO GINI E.

For the Kingdom of the Netherlands:

A. DEK
A. BOESVELD
A. DE RUITER

For the Republic of the Philippines:

JOSÉ LUIS ARANETA ALCUAZ

For the People's Republic of Poland:

ROZPARA EDWARD

For Portugal:

FERNANDO ABILIO RODRIGUES MENDES
IRIARTE JOSÉ ABAÚJO ESTEVES
ROGÉRIO RESENDE RODRIGUES
FILIPE JOSÉ D'OREY BOBONE
CARLOS ALBERTO ROLDÃO LOPES

For the State of Qatar:

AL-DERBESTI AHMED Y.
ABBAS AHMED ABBAS
HUSSAIN ALI MAKI

For the Syrian Arab Republic:

MAKRAM OBEID
MOHAMAD OTHMAN
ALI MAROUF

For the German Democratic Republic:

DR. H.J. HAMMER

For the Democratic People's Republic of Korea:

CHON MYONG GUN

For the Ukrainian Soviet Socialist Republic:

V.I. DELIKATNY

For the Socialist Republic of Romania:

A. CHIRICA
T. STEFAN
W. LISKA

For the United Kingdom of Great Britain and Northern Ireland:

ROBERT J. PRIDDLE
JOHN F. MILLS
SIK-KEI WONG

For the Rwandese Republic:

BIZIMANA ASSUMANI
NGABONZIZA JEAN BAPTISTE

For the Republic of San Marino:

G. PASOLINI
P. GIACOMINI

For the Republic of Senegal:

CHEIKH TIDIANE NDIONGUE
PAPE GANA MBENGUE

For the Republic of Singapore:

LIM SHYONG
NG BOON SIM
LIM WAN HOON

For Sweden:

CLAES-GÖRAN SUNDELIUS
JOHAN MARTIN-LÖF
BENGT MÖLLER
BENGT RINGBORG

For the Confederation of Switzerland:

M. APOTHÉLOZ
G. DUPUIS

For the Kingdom of Swaziland:

ALFRED SIPHO DLAMINI
MZWANDILE RICHARD MABUZA

For the United Republic of Tanzania:

ATHMANI H.J. MARIJANI
ALPHONCE SAMALI NDAKIDEMI

For the Republic of Chad:

KHALIL D'ABZAC
SERRY D. NDINGA-HADOUM

For the Czechoslovak Socialist Republic:

LOSINSKÝ JAROSLAV
SCHNEIDER SLAVOMIL

For Thailand:

M. CHANTRANGKURN
S. VANICHISENI
S. BIJAYENDRAYODHIN
K. UDOMKIAT

For the Togolese Republic:

A. DO AITHNARD

For the Kingdom of Tonga:

LEMEKI MALU
MOSESE MANUOFFETOA

For Tunisia:

HELAL CHEDLY
ZITOUN HASSOUMI

For Turkey:

OSMAN YILMAZ GÖZÜM

For the Union of Soviet Socialist Republics:

J.A. TOLMACHEV

For the Socialist Republic of Viet Nam:

DANG VAN THIAN

For the Yemen Arab Republic:

ABDULLA MOHAMED AL-NAHMI

For the People's Democratic Republic of Yemen:

SHIHAB OMER AHMED

For the Socialist Federal Republic of Yugoslavia:

GRAHOR ANDREJ

For the Republic of Zaire:

MUKUNA KABUYA

For the Republic of Zimbabwe:

DR. MANGWENDE W.P.M.

M.F. DANDAIO

G.T. MARECHERA

APPENDIX I

General Provisions Concerning Accounting

1. *Accounting rates*

1.1 For each applicable service in a given relation, administrations* shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account the Recommendations of the CCITT and trends in the cost of providing the specific telecommunication service, and shall divide such rates into terminal shares payable to the administrations* of terminal countries, and where appropriate, into transit shares payable to the administrations* of transit countries.

1.2 Alternatively, in traffic relations where CCITT cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

- a) administrations* shall establish and revise their terminal and transit shares taking into account the Recommendations of the CCITT;
- b) the accounting rate shall be the sum of the terminal shares and any transit shares.

1.3 When one or more administrations* acquire, either by flat rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another administration*, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.

1.4 In cases where one or more routes have been established by agreement between administrations* and where traffic is diverted unilaterally by the administration* of origin to a route which has not been agreed with the administration* of destination, the terminal shares payable to the administration* of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route and the transit costs are borne by the administration* of origin, unless the administration* of destination is prepared to agree to a different share.

* or recognized private operating agency(ies)

1.5 In cases where the traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit administration* has the right to set the level of the transit share to be included in the international accounts.

1.6 Where an administration* has a duty or fiscal tax levied on its accounting rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other administrations*.

2. *Establishment of accounts*

2.1 Unless otherwise agreed, the administrations* responsible for collecting the charges shall establish a monthly account showing all the amounts due and send it to the administrations* concerned.

2.2 The accounts shall be sent as promptly as possible and, except in cases of force majeure, before the end of the third month following that to which they relate.

2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the administration* which sent it.

2.4 However, any administration* has the right to question the contents of an account for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits.

2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared as soon as possible by the creditor administration* and shall be sent in duplicate to the debtor administration*, which, after verification, shall return one of the copies endorsed with its acceptance.

2.6 In indirect relations where a transit administration* acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to administrations* beyond it in the routing sequence as soon as possible after receiving that data from the originating administration*.

* or recognized private operating agency(ies)

3. *Settlement of balances of accounts*

3.1 *Choice of the currency of payment*

3.1.1 The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases subject to the provisions in 3.1.2 below. If the creditor does not specify a currency, the choice shall rest with the debtor.

3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor.

3.2 *Determination of the amount of payment*

3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account.

3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency.

3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country.

3.2.4 If the balance of the account is expressed in gold francs, the amount shall, in the absence of special arrangements, be converted into the monetary unit of the IMF in accordance with the provisions of section 6.3 of the Regulations. The amount of payment shall then be determined in compliance with the provisions of 3.2.2. above.

3.2.5 If, in accordance with a special arrangement, the balance of the account is expressed neither in the monetary unit of the IMF nor in gold francs, the payment shall also be the subject of this special arrangement and:

- a) if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account;
- b) if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of 3.2.3 above.

3.3 *Payment of balances*

3.3.1 Payment of balances of account shall be effected as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is despatched by the creditor administration*. Beyond this period, the creditor administration* may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period.

3.3.2 The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account.

3.3.3 On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor.

3.3.4 The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor.

3.4 *Additional provisions*

3.4.1 Provided the periods of payment are observed, administrations* may by mutual agreement settle their balances of various kinds by offsetting:

- credits and debits in their relations with other administrations*; and/or
- debts arising from postal services, if appropriate.

* or recognized private operating agency(ies)

3.4.2 If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in paragraph 3.2, and if the difference resulting from such variations exceeds 5% of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor.

3.4.3 If there should be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, administrations* are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions.

* or recognized private operating agency(ies)

APPENDIX 2

Additional Provisions Relating to Maritime Telecommunications

1. *General*

The provisions contained in Article 6 and Appendix 1, taking into account the relevant CCITT Recommendations, shall also apply to maritime telecommunications in so far as the following provisions do not provide otherwise.

2. *Accounting authority*

2.1 Charges for maritime telecommunications in the maritime mobile service and the maritime mobile-satellite service shall in principle, and subject to national law and practice, be collected from the maritime mobile station licensee:

- a) by the administration that has issued the licence; or
- b) by a recognized private operating agency; or
- c) by any other entity or entities designated for this purpose by the administration referred to in a) above.

2.2 The administration or the recognized private operating agency or the designated entity or entities listed in paragraph 2.1 are referred to in this Appendix as the "accounting authority".

2.3 References to administration* contained in Article 6 and Appendix 1 shall be read as "accounting authority" when applying the provisions of Article 6 and Appendix 1 to maritime telecommunications.

2.4 Members shall designate their accounting authority or authorities for the purposes of implementing this Appendix and notify their names, identification codes and addresses to the Secretary-General for inclusion in the List of Ship Stations; the number of such names and addresses shall be limited taking into account the relevant CCITT Recommendations.

* or recognized private operating agency(ies)

3. *Establishment of accounts*

3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the accounting authority that sent it.

3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account.

4. *Settlement of balances of account*

4.1 All international maritime telecommunication accounts shall be paid by the accounting authority without delay and in any case within six calendar months after dispatch of the account, except where the settlement of accounts is undertaken in accordance with paragraph 4.3 below.

4.2 If international maritime telecommunication accounts remain unpaid after six calendar months, the administration that has licensed the mobile station shall, on request, take all possible steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.

4.3 If the period between the date of dispatch and receipt exceeds one month, the receiving accounting authority should at once notify the originating accounting authority that queries and payments may be delayed. The delay shall, however, not exceed three calendar months in respect of payment, or five calendar months in respect of queries, both periods commencing from the date of receipt of the account.

4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than eighteen calendar months after the date of the traffic to which the accounts relate.

APPENDIX 3

Service and Privilege Telecommunications

1. *Service telecommunications*

1.1 Administrations* may provide service telecommunications free of charge.

1.2 Administrations* may in principle forego inclusion of service telecommunications in international accounting, under the relevant provisions of the International Telecommunication Convention and the present Regulations, having due regard for the need for reciprocal arrangements.

2. *Privilege telecommunications*

Administrations* may provide privilege telecommunications free of charge, and accordingly may forego the inclusion of such classes of telecommunication in international accounting, under the relevant provisions of the International Telecommunication Convention and the present Regulations.

3. *Applicable provisions*

The general operational, charging and accounting principles applicable to service and privilege telecommunications should take account of the relevant CCITT Recommendations.

* or recognized private operating agency(ies)

FINAL PROTOCOL

FINAL PROTOCOL *

At the time of signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the undersigned delegates take note of the following statements made by signatory delegations.

No. 1

Original: French

For the Republic of Mali:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Mali formally declares that it reserves for its Government the right to take any action in conformity with the Constitution, the laws and the international commitments of the Republic of Mali which it may consider or deem to be necessary or useful for the purpose of protecting and safeguarding its national rights and interests should any Member State of the Union fail in any way to comply with the provisions contained in the present Regulations which complement the 1982 Nairobi Convention.

It also reserves for its Government the right not to accept the consequences of any reservations made by other contracting parties which *inter alia* might give rise to an increase in its contributory share to the expenditure of the Union, or which might jeopardize the smooth and efficient functioning of the telecommunication services of the Republic of Mali.

Finally, the Delegation of the Republic of Mali dissociates itself from any action which in any way results in the deregulation of telecommunications.

* *Note by the General Secretariat:* The texts of the Final Protocol are shown in the chronological order of their deposit. In the Table of Contents these texts are grouped in the alphabetical order of country names.

No. 2

*Original: English**For the Hungarian People's Republic:*

The Delegation of the Hungarian People's Republic to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) reserve for its Government the right to take any action it may deem necessary to safeguard its interests, should Members fail to observe the provisions of the International Telecommunication Regulations or should reservations by other countries jeopardize the proper operation of its telecommunication services in the event of any other actions that might encroach upon its sovereignty.

No. 3

*Original: French**For the Gabonese Republic:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Gabonese Republic reserves for its Government the right to take any action it may deem necessary in the event that development and operation of its telecommunications shall be jeopardized as a result of the interpretation by a Member or Members of a provisions of these Regulations.

No. 4

*Original: French**For Tunisia:*

The Delegation of Tunisia to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) declares that its Government reserves the right to take all necessary measures to safeguard its interests should reservations by other delegations or any failure to comply with these Regulations jeopardize the satisfactory operation of its telecommunication services.

No. 5

Original: English

For the Republic of Indonesia:

The Delegation of the Republic of Indonesia to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) hereby reserves the right of its Government to take:

- 1) any action as it deems necessary to safeguard its interests should Members in any way fail to comply with the requirements of these Regulations or should reservations by other countries jeopardize its telecommunication services;
- 2) any other actions in accordance with the Constitution and laws of the Republic of Indonesia.

No. 6

Original: English

For the Yemen Arab Republic:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Yemen Arab Republic declares that it reserves the right to its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference.

No. 7

Original: English

For the Federal Republic of Nigeria:

The Delegation of the Federal Republic of Nigeria in signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) acknowledge the need for the enhancement of world telecommunications and reserves the right of its Administration to accept or to reject all or some of the provisions of the International Telecommunication Regulations, subject to the approval of the Government of the Federal Republic of Nigeria.

No. 8

*Original: French**For the Republic of Chad:*

The Delegation of the Republic of Chad, in signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), declares that it reserves its country's right to take all measures it shall deem useful or necessary to safeguard its interests, should any countries fail to comply with the provisions contained in the International Telecommunication Regulations.

No. 9

*Original: French**For the Republic of Côte d'Ivoire:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), concerning the International Telecommunication Regulations, the Delegation of the Republic of Côte d'Ivoire declares that it firmly reserves its Government's right to take any measure it deems necessary to safeguard its interests in the event that any Members should fail to comply with the terms of these Regulations.

Furthermore, in its relations with other Members, administrations* or entities, it declares that its Government will accept no provision of these Regulations which, if applied, could jeopardize either its interests or the exercise of its sovereign right to regulate telecommunications as a whole within its territories.

* or recognized private operating agency(ies)

No. 10

Original: French

For the Central African Republic:

In signing the present Regulations at the World Administrative Telegraph and Telephone Conference, the Delegation of the Central African Republic reserves for its Government the right to take any action required to safeguard its interests:

- if any Member fails to observe the provisions of the present Regulations;
- if the application of certain provisions in the present Regulations should jeopardize the operation and development of its country's telecommunication facilities.

The Delegation of the Central African Republic recalls that if any Member makes reservations in connection with the application of one or more provisions of these Regulations, its country is not obliged to observe the provision(s) concerned in its relations with the Member which made the reservations.

No. 11

Original: French

For the Democratic Republic of Madagascar:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Democratic Republic of Madagascar, by virtue of the principle recognizing each country's sovereign right to regulate its telecommunications, reserves for its Government the right to safeguard its interests should the application of certain provisions in the new Regulations be at variance with its national legislation.

No. 12

*Original: Spanish**For the Republic of Guatemala:*

1. The Delegation of the Republic of Guatemala declares that it reserves for its Government the right to take whatever measures it may deem necessary to safeguard its interests in the event that:

- a) other Members should fail to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988) and the Annexes and Protocols thereto;
- b) its telecommunication services should be jeopardized owing to any reservations expressed by other countries;
- c) any action should be facilitated which may encroach upon the sovereignty of the Republic of Guatemala.

2. It also reserves the right for its Government to make any declaration or reservation until such time as it shall ratify these Regulations (Melbourne, 1988).

No. 13

*Original: English**For the People's Democratic Republic of Yemen:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the People's Democratic Republic of Yemen declares that it reserves the right of its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference.

No. 14

Original: Russian

For the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics:

In signing the International Telecommunication Regulations (Melbourne, 1988), the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics declare that they reserve the right to take any action they deem necessary to safeguard their interests, should other states fail to comply with the provisions of the International Telecommunication Regulations, or in case of any other action which is detrimental to the telecommunication services of the above-mentioned countries and which infringes their sovereignty.

No. 15

Original: English

For the Republic of Zimbabwe:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Zimbabwe declares that it reserves the right of the Government of Zimbabwe to take all subsequent measures it may deem necessary to protect its sovereignty and national interest should these Regulations be used by other countries particularly against its sovereign right to regulate the orderly development of its international as well as national telecommunications.

No. 16

*Original: French**For the Kingdom of Morocco:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Kingdom of Morocco reserves for its Government the right to take any action it deems necessary to safeguard its interests:

1. if other Members fail in any way to observe the provisions of the Regulations, the Annexes or the associated documents or if the reservations made by other countries are liable to jeopardize its telecommunication services;
2. if the provisions of the present Regulations are liable to be detrimental in any way to the operation and the development of its telecommunication network.

No. 17

*Original: English**For Mauritius:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of Mauritius reserves the right of its Government to take such action that it deems necessary to safeguard its interests should any Member fail to comply with the requirements of the International Telecommunication Regulations or should reservations made by any country jeopardize its telecommunication services.

No. 18

Original: English

For the Islamic Republic of Iran:

IN THE NAME OF GOD ALMIGHTY.

The Delegation of the Islamic Republic of Iran reserves for its Government the right to take any action as it may consider necessary to safeguard its interests should they be affected by decisions taken at the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), or by failure on the part of any other country or administration in any way to comply with the requirements of the International Telecommunication Convention (Nairobi, 1982), or its Annexes or the Protocols or the Regulations attached thereto, or these Final Acts, or should reservations or declarations by other countries or administrations jeopardize the proper and efficient operation of its telecommunication services, or infringe the full exercise of the sovereign rights of the Islamic Republic of Iran.

No. 19

Original: English

For the Republic of Kenya:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Kenya declares on behalf of the Government and in accordance with the powers conferred on it:

- 1) that it reserves the right of its Government to **take** any action it may consider necessary to safeguard and protect its interests should any Member fail to comply, as required, with the provisions of the International Telecommunication Regulations (Melbourne, 1988) or Annexes or Protocols attached thereto;
- 2) that the Government of the Republic of Kenya does not accept responsibility for consequences arising out of reservations made by other Members of the Union.

No. 20

*Original: English**For the Republic of the Philippines:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Philippines Delegation, on behalf of its Government, makes all necessary reservations to any texts which may adversely affect directly or indirectly its sovereignty over the establishment, operation and control of any telecommunication services and its authority to regulate all telecommunication activities of any person, organization and administration*.

Furthermore, the Philippines reserve its right to safeguard its interests should reservations by other Governments jeopardize the proper and efficient operation of the telecommunication services and networks of the Republic of the Philippines.

Finally, the Philippines reserve its right to take any other action in accordance with its Constitution and laws.

* or recognized private operating agency(ies)

No. 21

*Original: English**For the Republic of Uganda:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Uganda reserves the right of its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference.

No. 22

Original: French

For the Republic of Cameroon:

The Delegation of the Republic of Cameroon to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), reserves for its Government the right to take any action it deems necessary to safeguard its interests if any country should fail in any way to observe the provisions of the International Telecommunication Regulations (Melbourne, 1988), or if the reservations made by any country should jeopardize the efficient operation of the telecommunication services of Cameroon.

No. 23

Original: English

For the Federative Republic of Brazil:

In signing these Final Acts, subject to approval by its National Congress, the Delegation of Brazil reserves for its Government, the right to take all necessary measures to safeguard its interests should other Members fail to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988) and its Appendices 1, 2 and 3, or should reservations by other Members result in jeopardy to its telecommunication services.

No. 24

Original: English

For New Zealand:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of New Zealand declares that it reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member not observe the provisions of the International Telecommunication Regulations adopted by the Conference, or should reservations by other countries jeopardize the telecommunication services of New Zealand.

No. 25

*Original: French**For the Republic of Senegal:*

1. In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Senegal formally declares on behalf of its Government that its country will not accept any obligation in connection with the application of any provision relating to the special arrangements contained in the present Regulations.

2. The Republic of Senegal formally declares that it will not accept any obligation in connection with the application of any provision in the present Regulations as regards the implementation and establishment within its territory of any other network or any other telecommunication systems or services, including any other corresponding facility for the transport of telecommunications, which may be different from its own telecommunication facilities and services and/or which may be such as to be detrimental in any way from the technical, economic or any other point of view to the operation of the latter.

No. 26

*Original: English**For the United Republic of Tanzania:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the United Republic of Tanzania declares that its Government reserves the right to take any action it may deem necessary to protect its interests should reservation or any other action by any Member jeopardize its telecommunication services.

No. 27

Original: Spanish

For the Argentine Republic:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Argentine Delegation reserves for its Government the right to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services should they be affected by the decisions of this Conference or by the reservations made by other delegations.

No. 28

Original: English

For Papua New Guinea:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of Papua New Guinea declares that it reserves the right to take such action as it may deem necessary to safeguard its interests should any Member not observe the provisions of the International Telecommunication Regulations adopted by the Conference, or should reservations by other Countries jeopardize the telecommunications services of Papua New Guinea.

No. 29

Original: French

For the Republic of the Niger:

In signing the present Final Acts, the Delegation of the Republic of the Niger to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) reserves for its Government the right:

1. to take any action it deems necessary to safeguard its interests if any Members should in any way fail to comply with the provisions of the International Telecommunication Regulations and the Annexes thereto or if the reservations made by the other Members should jeopardize the efficient operation of the telecommunication services of the Niger;
2. to reject any provision of a mandatory nature, particularly in connection with the special arrangements, which are liable to be in any way detrimental to the operation of its own telecommunications facilities and services.

No. 30

*Original: French**For the People's Democratic Republic of Algeria:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the People's Democratic Republic of Algeria reserves for its Government the right to take any action it deems necessary to safeguard its interests if any Members should fail to observe the provisions of the International Telecommunication Regulations or if the reservations made by other Members should jeopardize its telecommunication services.

The Delegation of the People's Democratic Republic of Algeria also reserves for its Government the right to take any action it considers necessary to safeguard its interests in connection with the provisions relating to special arrangements which are contained in the International Telecommunication Regulations.

No. 31

*Original: English**For the Kingdom of Swaziland:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Kingdom of Swaziland reserves the right of its Government to take any action it deems necessary to safeguard its interests in the event of Members failing in any way to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988), or the Annexes thereto, or should reservations by other Members jeopardize its telecommunications facilities and services.

No. 32

(Number not used.)

No. 33

Original: English

For Ghana:

The Delegation of the Republic of Ghana hereby reserves for its Government the right to take any measures it deems necessary and expedient to protect its interests and sovereign right should the non-compliance of and/or reservations by any Member to the International Telecommunication Regulations (Melbourne, 1988), including the Annexes and Resolutions thereto, jeopardize or threaten to jeopardize its telecommunication facilities and services.

No. 34

Original: English

For the Sultanate of Oman:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Sultanate of Oman reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the International Telecommunication Regulations adopted by this Conference, or should reservations by other countries jeopardize the telecommunication services of the Sultanate of Oman.

No. 35

Original: English/French/Spanish

For the Federal Republic of Germany, Belgium, Denmark, Spain, France, Greece, Ireland, Italy, Luxembourg, Portugal, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegations of the above-mentioned Members of the Union, being Member States of the European Economic Community, declare that these States will apply the International Telecommunication Regulations in accordance with their obligations under the Treaty establishing the European Economic Community.

No. 36

*Original: English**For Brunei Darussalam:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Government of His Majesty, the Sultan and Yang Di-Pertuan Brunei Darussalam reserves for its Government the right to take such action it may deem necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the International Telecommunication Regulations adopted by the Conference, or should reservations by any country jeopardize its telecommunication services.

No. 37

*Original: English**For the Kingdom of Saudi Arabia:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Kingdom of Saudi Arabia declares that it reserves the right of its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference.

No. 38

Original: English

For the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, Brunei Darussalam, the Republic of Djibouti, the United Arab Emirates, the Islamic Republic of Iran, the Republic of Iraq, the State of Kuwait, Malaysia, the Kingdom of Morocco, the Sultanate of Oman, the Islamic Republic of Pakistan, the State of Qatar, the Syrian Arab Republic, Tunisia, the Yemen Arab Republic, the People's Democratic Republic of Yemen:

The above-mentioned Delegations to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), declare that the signature and possible ratification by their respective Governments of the Final Acts of WATTC (Melbourne, 1988) are not valid with respect to the Zionist Entity under the name of the so-called Israel and in no way whatsoever imply its recognition.

No. 39

Original: English

For the United States of America:

I

The United States of America formally declares that it does not, by signature of these Telecommunication Regulations, nor by any subsequent approval thereof:

- a) accept any obligation to enforce any provision of the domestic law or regulations of any other Member;
- b) endorse, in any way, domestic procedures of other Members which would require approval for providers of telecommunication services and services dependent on telecommunication transport seeking to do business outside the United States of America;
- c) accept any obligation in respect of the application of any provision of these Regulations to service within the United States with respect to telecommunication services between the United States, on the one hand, and Canada, Mexico, and Saint-Pierre and Miquelon Islands, on the other hand, and to the rates applicable to such services;
- d) accept any obligation in respect of the application of any provision of these Regulations to services other than public correspondence services.

II

It is the understanding of the United States of America that:

- a) the Recommendations of the International Telegraph and Telephone Consultative Committee are produced for voluntary consideration by, among others, providers of international telecommunication services and manufacturers of telecommunications equipment;

- b) its rights and obligations are determined by the Telegraph and Telephone Regulations (1973) among Members party thereto, until the United States and such Members express their consent to be bound by these Telecommunication Regulations in accordance with the provisions of the basic instrument of the International Communication Union to which the Member is a party.

III

The United States of America disassociates itself from Conference Opinion No. 1.

No. 40

Original: French

For the People's Republic of Benin:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the People's Republic of Benin reserves for its Government the right:

- a) to accept or to reject, wholly or partially, the provisions of the present International Telecommunication Regulations and the Appendices thereto;
- b) should it approve these Regulations, to take any action it might consider necessary to safeguard its telecommunication services and its other interests if certain Members fail to observe the present Regulations and the Appendices thereto or if reservations made by other Members were to be detrimental to the interests of the People's Republic of Benin.

No. 41

Original: English

For the People's Democratic Republic of Ethiopia:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the People's Democratic Republic of Ethiopia reserves the right of its Government:

- a) to make any statement or reservation until such time as it ratifies the International telecommunication Regulations and related Annexes, if the provisions of the Regulations and related Annexes adversely affect directly or indirectly the operation of its telecommunication services or its sovereignty;
- b) to disregard those parts of the Regulations and related Annexes if those parts are in contradiction to the national legislation of the People's Democratic Republic of Ethiopia.

No. 42

Original: English

For the United Arab Emirates:

The Delegation of the United Arab Emirates reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the provisions of the International Telecommunication Regulations adopted by this Conference, or should reservations by other countries jeopardize the telecommunication services of the United Arab Emirates.

No. 43

*Original: French**For the Rwandese Republic:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Rwandese Republic declares that its Government reserves the right to take any action it may consider necessary to safeguard its interests if any country should fail to comply with the provisions contained therein.

Furthermore, the Government of the Rwandese Republic reserves the right to approve and to ratify the documents signed by its Representatives.

No. 44

*Original: English**For the United Kingdom of Great Britain and Northern Ireland:*

In signing these Regulations, the Delegation of the United Kingdom of Great Britain and Northern Ireland wishes to reaffirm its Government's commitment to the development of competition in the provision of international telecommunication infrastructure and services. It believes such competition to be in the interest of telecommunications users, and economic development generally. Every effort should be made, where practicable, to meet the reasonable preferences of customers.

In implementing the provisions of the Regulations, the Government of the United Kingdom of Great Britain and Northern Ireland intends to be guided, as appropriate, by these principles. It wishes, in particular, to disassociate itself from those parts of Opinion No. 1 which it believes may suggest views contrary to these principles.

No. 45

Original: French

For the people's Republic of the Congo:

The Delegation of the People's Republic of the Congo declares that its Government reserves the right to take any action it deems necessary to protect and safeguard its interests should certain Members in any way fail to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988) or should the reservations made by other Members jeopardize the efficient operation and the development of its telecommunication services.

No. 46

Original: English

For the Republic of Singapore:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Singapore reserves the right for its Government to accept or reject all or some of the provisions of the International Telecommunication Regulations.

The Singapore Delegation also reserves for its Government the right to take such action as it may consider necessary to safeguard its interests should any Member fail in any way to comply with the requirements of the International Telecommunication Regulations, including the Appendices and the Final Protocol.

No. 47

*Original: English**For the Republic of India:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of India reserves the right of its Government to take necessary steps to protect its interests should any other Member either reserve its position on any of the provisions of the International Telecommunication Regulations, 1988, or operate any telecommunication service or facility in contravention of any provision in these Regulations.

No. 48

*Original: French**For Burkina Faso:*

The Delegation of Burkina Faso reserves for its Government the right to take any action in deems necessary to safeguard its interests if certain Members should in any way fail to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988) or if the reservations made by other Members should jeopardize the efficient technical, commercial, and economic operation and/or the development of its telecommunication services.

OUR COUNTRY OR DEATH, WE SHALL PREVAIL !

No. 49

*Original: Russian**For the People's Republic of Bulgaria:*

In signing the International Telecommunication Regulations, the People's Republic of Bulgaria declares that it reserves the right to take any action to safeguard its interests should other States fail to comply with the provisions of the International Telecommunication Regulations and also in the case of any other action which is liable to jeopardize the telecommunication services and to infringe the sovereignty of the People's Republic of Bulgaria.

No. 50

Original: French

For the Republic of Zaire:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Republic of Zaire firmly declares that it reserves for the National Party, the People's Movement of the Revolution (MPR), the right to accept or reject, wholly or partially, the provisions of the International Telecommunication Regulations (Melbourne, 1988) to the extent that it deems it necessary to safeguard its national rights and interests if any of the Member States of the International Telecommunication Union should fail to comply with the provisions contained in the present Regulations.

No. 51

Original: French

For the Togolese Republic:

The Delegation of the Togolese Republic to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) reserves for its Government the right to take any action it deems necessary to safeguard its interests and ensure compliance with its legislation if the failure of a country to comply with any provision of the present Regulations and the Annexes thereto, an "improper" interpretation of certain provisions, or the reservations made by certain Members in signing, ratifying, or acceding to the Regulations should give rise to situations detrimental to its telecommunication services or facilities.

No. 52

*Original: French**For the Republic of Senegal:*

In signing the present Final Acts, the Delegation of the Republic of Senegal declares on behalf of its Government that it will not accept any consequences which may arise from the reservations made by other Governments.

The Republic of Senegal reserves the right to take any action it may consider to be necessary for the purpose of safeguarding its interests if certain Members should fail to observe the provisions of the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) and the annexes or protocols attached thereto or if the reservations made by other countries should have the effect of jeopardizing the efficient operation of its telecommunication facilities and services.

No. 53

*Original: French**For the Socialist Republic of Romania:*

In signing the Final Acts of the present World Administrative Telegraph and Telephone Conference, the Delegation of the Socialist Republic of Romania reserves for its Government the right to take any action it may consider necessary for the purpose of safeguarding its interests should the reservations made by other countries jeopardize its telecommunication services.

No. 54

*Original: English**For the Yemen People's Democratic Republic:*

The Delegation of the Yemen People's Democratic Republic to the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) declares that its Government reserves the right to take all necessary measures to safeguard its interests should reservations by other delegations or any failure to comply with these Regulations jeopardize the satisfactory operation of its telecommunication services.

No. 55

Original: Spanish

For Spain:

With reference to the reservations made by a number of delegations in connection with the conditions required for the provision of international telecommunication services, the Delegation of Spain at the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) declares that such reservations will under no circumstances constitute a valid argument for the avoidance of the application of Spanish national law on the part of any entity which directly or indirectly intends to provide such services on the territory of Spain or via the Spanish telecommunication network.

No. 56

Original: Spanish

For Mexico:

In view of the reservations made by various countries in connection with the decisions adopted by this Conference, the Delegation of Mexico reserves for its Government the right to take any action it may consider necessary to safeguard its interests if other Members should fail to comply with the provisions of the Final Acts or if the reservations made by them should jeopardize its telecommunication services.

No. 57

Original: English

For the State of Israel:

1. The Declaration made by certain delegations in No. 38 of the Final Protocol, being in flagrant contradiction with the principles and purposes of the International Telecommunication Union and, therefore, devoid of any legal validity, the Government of Israel wishes to put on record that it rejects these declarations outright and will proceed on the assumption that they can have no validity with respect to the rights and duties of any Member State of the International Telecommunication Union.

In any case, the Government of Israel will avail itself of its rights to safeguard its interests should the Governments of those delegations in any way violate any of the provisions of the Convention, or the Annexes, Protocols or Regulations attached thereto, or the Final Acts of this Conference.

The Delegation of Israel further notes that Declaration No. 38 does not refer to the State of Israel by its full and correct name. As such it is totally inadmissible and must be repudiated as a violation of recognized rules of international behaviour.

2. Furthermore, after noting various other declarations already deposited, the Delegation of the State of Israel reserves for its Government the right to take any action it deems necessary to protect its interests and to safeguard the operation of its telecommunication services should they be affected by the decisions of this Conference or by the reservations made by other delegations.

No. 58

Original: English

For the Republic of Malta:

The Delegation of the Republic of Malta, having considered the declarations made by a number of Members in Document 122 dated 9 December, 1988, reserves to the Government of the Republic of Malta the right to take such steps as it may deem necessary to safeguard its national interests should these be adversely affected by the action of any other Member or Members of the International Telecommunication Union.

No. 59

*Original: English**For the Syrian Arab Republic:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), and having noted with concern the numerous reservations made by other delegations, the Delegation of the Syrian Arab Republic declares that it reserves the right of its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference, in particular, because of the reservations made in respect of essential parts thereof.

No. 60

*Original: English**For the State of Qatar:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the State of Qatar declares that it reserves the right of its Government to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the International Telecommunication Regulations adopted by the Conference and in particular with regard to the countries having made reservations in Document 122 concerning important parts of the Melbourne Regulations.

No. 61

*Original: English**For the Kingdom of Tonga:*

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of the Kingdom of Tonga reserves for its Government the right to take any action it deems necessary to safeguard its interests if any country should fail in any way to observe the provisions of the International Telecommunication Regulations (Melbourne, 1988), or if the reservations made by any country should jeopardize the efficient operation of the telecommunication services of the Kingdom of Tonga.

No. 62

*Original: English**For the Socialist Federal Republic of Yugoslavia:*

The Delegation of the Socialist Federal Republic of Yugoslavia declares that its Government reserves the right to take all necessary steps and measures to safeguard its interests should reservations by other delegations or any failure to comply with these Regulations jeopardize the satisfactory operation of its national or international telecommunication services, facilities or means of transport or in any way jeopardize its sovereign right to regulate its telecommunications.

No. 63

Original: English

For Malaysia:

The Delegation of Malaysia hereby and, in particular with respect to the reservations made by other delegations in Document 122:

1. reserves for its Government the right to take such action as it may deem necessary to safeguard its interests should certain Members not share in defraying the expenses of the Union, or should any Member fail in any other way to comply with the requirements of the International Telecommunication Regulations, or should reservations by other countries jeopardize its telecommunication services;
2. declares that the signing of these Regulations by the Delegation of Malaysia, is not valid with respect to the Member appearing under the name of Israel, and in no way implies its recognition.

No. 64

Original: French

For the Republic of Djibouti:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegation of Djibouti reserves for its Government the right to take any action which it may consider necessary for the purpose of safeguarding its interests if any Member should fail to meet the obligations laid down in the International Telecommunication Regulations or if the reservations made by any country should jeopardize the efficient operation of its telecommunication services.

Furthermore, in its relations with other Members, administrations* or any other entity, it declares that its Government will not accept any provision in the present Regulations, the applications of which might jeopardize its interests and which might interfere with the exercise of its sovereign right to regulate telecommunications as a whole within its territory.

* or recognized private operating agency(ies)

Finally the Delegation of the Republic of Djibouti formally declares on behalf of its Government that its country will not accept any obligation in connection with the application of any of the provisions relating to special arrangements which are contained in the present Regulations or any other provision which would involve the establishment within its territory of telecommunication systems, networks or other services, including any other corresponding telecommunication transport facility, other than its own telecommunication facilities and services.

No. 65

Original: English

For the Republic of Korea:

The Delegation of the Republic of Korea reserves the right of its Government to take such action as it considers necessary to safeguard its interests, should any Member fail to comply with the provisions of this International Telecommunication Regulations (Melbourne, 1988) or should reservations by other countries jeopardize its telecommunication services.

No. 66

Original: English

For the Islamic Republic of Pakistan:

IN THE NAME OF GOD ALMIGHTY.

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) and having noted with concern the reservations made by various delegations in Document 122, the Delegation of the Islamic Republic of Pakistan reserves the right of its Government to take necessary steps to protect its interests, should any other Member or administration either reserve its position on any of the provisions of the International Telecommunication Regulations finalized at the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), or operate any telecommunication service or facility in contradiction of any provisions in these Regulations.

No. 67

*Original: Spanish**For Chile:*

Having taken note of the declarations made by other countries, the Delegation of Chile, in signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), reserves for its Government the right:

- a) to accept or reject all or any of the provisions of the International Telecommunication Regulations whenever it considers that those provisions might affect its national or international interests or the sovereign rights enshrined in its Constitution;
- b) to take any action which it may consider necessary to safeguard its interests should other countries fail to observe the provisions of the International Telecommunication Regulations.

No. 68

*Original: English**For the Socialist Republic of Viet Nam:*

In light of the declarations made in Document 122, in signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) the Delegation of the Socialist Republic of Viet Nam declares that it reserves for its Government the right to take any necessary measures to safeguard its sovereignty and its national and international telecommunication networks and services, should they be jeopardized by any failure to comply with the Regulations or by reservations or actions made by any other Members.

No. 69

*Original: English**For the United States of America:*

The United States of America, noting the scope of possible application of the statements and reservations of other Members, reserves the right to make additional reservations prior to or at the time it notifies its approval of these Telecommunication Regulations, and further reserves its rights to take whatever acts it deems necessary, at any time, to protect its interests.

No. 70

*Original: English**For the Democratic People's Republic of Korea:*

In the light of the declarations made in Document 122, in signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Democratic People's Republic of Korea declares that it reserves the right to take any necessary measures to protect its interests and sovereign right should the other States fail to comply with the provisions of the International Telecommunication Regulations (Melbourne, 1988).

No. 71

*Original: English**For the Republic of India:*

With reference to declarations made by certain delegations, stating that some decisions of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) may not be acceptable to them, the Delegation of the Republic of India hereby reserves the sovereign right of its Government to take the steps necessary to protect India's interests from the possible adverse implications of such reservations.

No. 72

Original: Russian

For the People's Republic of Poland:

In the light of the declarations formulated in Document 122, the Delegation of the People's Republic of Poland reserves for its Government the right if necessary to take appropriate action to safeguard its sovereign rights and interests in the field of telecommunications should any other Member, administration* or recognized private operating agency interpret the International Telecommunication Regulations in such a way as to jeopardize those rights and interests.

No. 73

Original: English

For the Kingdom of the Netherlands:

The Delegation of the Kingdom of the Netherlands has accepted the Regulations set at the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) because it sees these Regulations as a balanced package serving the harmonious and efficient development, operation and use of telecommunications world-wide.

Noting that several Members of the Union have made reservations on their position towards the principles and provisions with regard to special arrangements contained in the Regulations which have consequences on the balanced contents of these Regulations, the Delegation of the Kingdom of the Netherlands therefore formally declares that it does not endorse in any way procedures requiring approval for providers of telecommunication services and services dependent on telecommunication transport in those Member countries.

(The signatures follow)

(The signatures following the Final Protocol are the same as those shown on pages 13 to 30)

RESOLUTIONS
RECOMMENDATIONS
OPINION

RESOLUTION No. 1

**Dissemination of Information Concerning
International Telecommunication Services Available
to the Public**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

- a) that the Conference has adopted provisions regarding international telecommunication services offered to the public and a Resolution on Dissemination of Operational and Service Information;
- b) that these provisions apply to current and new telecommunication environments in which technology, facilities, operators, services, service providers, customer needs and operational practices are rapidly changing;
- c) that the CCITT is responsible for developing Recommendations on these matters, especially with respect to efficient global interconnection and interoperability;
- d) that the International Telecommunication Regulations provide a general framework as a supplement to the International Telecommunication Convention with respect to international telecommunication facilities and services available to the public;

noting

that the CCITT, in establishing Recommendations, has characterized a number of services which may be made available to the public;

resolves

that, with a view to promoting the global interconnection and interoperability of telecommunication facilities as well as the availability to the public of international

telecommunication services, all Members should arrange for the Secretary-General to be notified, as part of the provisions concerning the dissemination of information, of those international telecommunication services which administrations* make available to the public in their respective countries,

instructs the Secretary-General

to disseminate that information by the most suitable and economical means.

* or recognized private operating agency(ies)

RESOLUTION No. 2

**Cooperation of the Members of the Union in Implementing
the International Telecommunication Regulations**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

recalling

the principle of the sovereign right of each country to regulate its telecommunication as embodied in the Preamble to the International Telecommunication Convention (Nairobi, 1982), and in the Preamble to the International Telecommunication Regulations as well as the purposes of the Union contained in Article 4 of that Convention;

realizing

that, in the case of difficulties in the applicable national law in the implementation of the International Telecommunication Regulations, appropriate cooperation amongst the Members concerned is desirable;

resolves

that, upon request by a Member concerned about the limited effectiveness of its national law in relation to international telecommunication services offered to the public in its territory, the Members concerned shall, where appropriate, consult on a reciprocal basis, with a view to maintaining and extending international cooperation between Members of the Union, in the spirit of Article 4 of the above-mentioned Convention for the improvement and rational use of telecommunications, including the orderly use of the international telecommunication network.

RESOLUTION No. 3

**Apportionment of Revenues in
Providing International Telecommunication Services**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

- a) the importance of telecommunications for the social and economic development of all countries;
- b) that the International Telecommunication Union has an important role to play in promoting the universal development of telecommunications;
- c) that the Independent Commission for World-Wide Telecommunications Development, in its report "The Missing Link", recommended, *inter alia*, that Member States of the ITU consider setting aside a small portion of revenues from calls between developing and industrialized countries to be devoted to telecommunications in developing countries;
- d) that the ITU, to assist administrations and as a follow-up to this Recommendation in "The Missing Link", carried out a study of the costs of providing and operating telecommunication services between developing and developed countries; the study did not draw definitive conclusions but indicated the existence of disparities;
- e) that CCITT Recommendation D.150, which provides for the apportionment of accounting revenues on international traffic between terminal countries, in principle on a 50/50 basis, was amended at the VIIIth Plenary Assembly, as confirmed at the IXth Plenary Assembly, to provide for sharing in a different proportion in some cases where there are differences in the costs of providing and operating telecommunication services;
- f) that consideration of this matter, based on a detailed study of the costs of providing and operating telecommunication services between developing and developed countries, needs to be continued;

instructs the Secretary-General

1. to take action to have the study referred to in *considering f)* completed on a priority basis;
2. to report on the matter to the Plenipotentiary Conference (Nice, 1989);
3. to make the study available to Members so that further action can be taken by them on the basis of full consideration of the results of the study,

invites administrations

to extend full cooperation to the Secretary-General in carrying out the study and in the consideration of further action on the basis of the study,

resolves

that, should such studies lead to the application in particular cases of accounting rates other than on a 50/50 basis, the developing countries concerned should be able to utilize the resulting additional revenues towards improvement of their telecommunications, including, if necessary, and insofar as possible, assistance to the Centre for Telecommunications Development.

RESOLUTION No. 4

The Changing Telecommunication Environment

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

recalling

that Resolution No. 10 of the Plenipotentiary Conference (Nairobi, 1982) provided for the convening of a World Administrative Telegraph and Telephone Conference in 1988 to develop a new regulatory framework for all existing and foreseen telecommunication services;

in view of

the adoption by the Conference of the new International Telecommunication Regulations (Melbourne, 1988) which recognize the diverse service and policy elements in the changing telecommunication environment;

considering

- a) the potential benefits of the rapid introduction of new and diverse telecommunication services;
- b) that the introduction of new technologies and telecommunication services will continue to raise new issues;
- c) that, as a result of the diverse service and policy elements, many Members have expressed concern about the possible adverse implications of certain provisions in the new Regulations;

considering further

the importance of ensuring appropriate and harmonious introduction and world-wide application of the wide range of services evolving with the new technologies;

instructs the Secretary-General

to transmit this Resolution to the Administrative Council for subsequent consideration by the Plenipotentiary Conference (Nice, 1989),

invites the Plenipotentiary Conference

1. to consider the implications and opportunities which the integration of the new technologies, the development of new types of services and the diversity of arrangements may entail for the harmonious and efficient development, operation, and use of telecommunications world-wide;
2. to consider the impact that the various issues may have on the work of the International Telecommunication Union and the cooperation between the Members in assuring effective world-wide implementation of telecommunication development.

RESOLUTION No. 5

CCITT and World-Wide Telecommunications Standardization

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

- a) the rapid development of telecommunication technology and the growing evolution of a wide range of new services;
- b) the need for the CCITT to be in a position to formulate, in a timely manner, Recommendations appropriate to new technologies and services;

noting

- a) that No. 5 of the International Telecommunication Regulations states, *inter alia*, that those Regulations “are established with a view to facilitating global interconnection and interoperability of telecommunication facilities”;
- b) that No. 8 of the Regulations, *inter alia*, stipulates that in implementing the principles of those Regulations “administrations* should comply with, to the greatest extent practicable, the relevant CCITT Recommendations”; and
- c) Resolution No. 17 of the IXth Plenary Assembly;

resolves

to endorse that Resolution of the IXth CCITT Plenary Assembly,

invites the Administrative Council

to refer the matter raised in the above cited CCITT Resolution to the Plenipotentiary Conference (Nice, 1989) for appropriate action.

* or recognized private operating agency(ies)

RESOLUTION No. 6

Continued Availability of Traditional Services

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

- a) that provisions regarding telecommunication services available to the public have been made in the International Telecommunication Regulations;
- b) that those Regulations do not, however, provide a detailed list of the international telecommunication services required to be made available to the public;
- c) that under those Regulations, Members shall endeavour to ensure that users are provided with a capability for interworking between different services, as appropriate, to facilitate international communications;
- d) that keeping in mind the universality of communications, it would be desirable to ensure to the greatest extent possible, in the absence of establishment of new services in many Member countries, that the public in those countries should have continuing effective use of traditional services to communicate on a world-wide basis;
- e) that certain rural areas and developing countries, in particular, may need to rely on existing widely available services for international communications for a relatively long period of time;

resolves

that all Members should cooperate to ensure that, pending the establishment of new telecommunication services, in particular in the areas and countries referred to in e) above, provisions should be made to allow, through available communication infrastructures, continued availability of traditional services so as to enable effective communications on a world-wide basis.

RESOLUTION No. 7

**Dissemination of Operational and Service Information
Through the General Secretariat**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

in view of

- a) Nos. 291, 293 and 294 of the International Telecommunication Convention (Nairobi, 1982) concerning the general information dissemination functions of the Secretary-General;
- b) Article 8 of the International Telecommunication Regulations (Melbourne, 1988);

considering

- a) the importance of exchanging administrative, operational, tariff and statistical information in a cost-effective manner in order to facilitate the efficient and smooth operation of international telecommunication routes and services;
- b) the need for timely dissemination of such information to administrations*;
- c) that such information is available at present in the following examples of operational and service publications:
 - List of telegraph offices
 - Gentex table
 - TA Table (transferred account)
 - Codes and abbreviations for the use of the international telecommunication services
 - Table of international telex relations and traffic

* or recognized private operating agency(ies)

- List of destination indicators for the telegram retransmission system and of telex network identification codes
- Bureau fax table
- Yearbook of common carrier telecommunication statistics
- List of international telephone routes
- Table of rates for telegrams

Directory of information on programme booking centres, international sound programme centres, international television programme centres and centres for maintaining sound and television programme circuits

- Message handling/physical delivery service profile tables
- Information for the operation of the international telegraph, data transmission and Telematic services

TA Booklet (transferred account)

- List of telecommunication channels used for the transmission of telegrams
- List of cables forming the world submarine network
- Notification
- Operation Bulletin;

resolves

that operational and service information helpful to the smooth and efficient functioning of international telecommunications shall be disseminated by the General Secretariat in an appropriate form,

invites Administrations

to encourage the provision of appropriate information, to the extent practicable, in a timely fashion and in accordance with national arrangements,

instructs the Secretary-General

1. to disseminate the above-mentioned information by the most suitable and economical means;

2. to revise, update, cancel, or create such publications as necessary, taking account of:

- i) the directives of a competent conference or of the Administrative Council of the Union;
- ii) the Recommendations of the Plenary Assembly of the CCITT; and, exceptionally;
- iii) the results of consultation by correspondence with Administrations.

RESOLUTION No. 8

Instructions for International Telecommunication Services

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

recalling

- a) the reasons for which the WATTC (Geneva, 1973) introduced the concept of Instructions for a collection of provisions drawn from one or more CCITT Recommendations dealing with practical procedure for operation and tariff arrangements which have to be brought into force on a specific date in order to ensure their observance at the world level;
- b) the special importance attached by WATTC (Geneva, 1973) to Instructions as a means of ensuring the orderly and efficient operation of certain telecommunication services available world-wide;

considering

- a) that the International Telecommunication Convention (Nairobi, 1982), in No. 288, refers to "operating instructions";
- b) that Articles 1 and 2 of the International Telecommunication Regulations (Melbourne, 1988) also make reference to "Instructions";
- c) that the IXth CCITT Plenary Assembly (Melbourne, 1988) approved a new Recommendation C.3 concerning "Instructions for International Telecommunication Services";

instructs the CCITT

to devote particular attention to any new Recommendations which by their content should be the subject of Instructions, and to revise and supplement Table I of Recommendation C.3 as required,

*invites the administrations**

to take all necessary steps to ensure that their operational units are informed, as soon as possible, of any amendments to existing Instructions and any new Instructions approved by CCITT Plenary Assemblies,

instructs the Secretary-General

1. to publish all operational provisions which the CCITT considers as “Instructions”;
2. to gather and publish the decisions taken by administrations* regarding certain optional provisions contained in Instructions which require mutual exchange of information regarding their application.

* or recognized private operating agency(ies)

RECOMMENDATION No. 1

**Application to the Radio Regulations of the Provisions of
the International Telecommunication Regulations**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

taking into account

item 2.4 of its agenda in Resolution No. 966 of the Administrative Council;

noting

that, with the entry into force on 3 October 1989 of the partial revision of the Radio Regulations by the World Administrative Radio Conference for the Mobile Services (Geneva, 1987), there remain only a few provisions of the Radio Regulations which contains references to the Telegraph and/or Telephone Regulations, 1973, such as Nos. 2234, 2235, 4847 and 5085 (see also Resolution No. 201 of the World Administrative Radio Conference (Geneva, 1979) "Relating to Operational Provisions, Charging and Accounting for Public Correspondence in the Mobile Services");

considering

that it is not necessary to adopt a Protocol providing transitional provisions concerning the application to the Radio Regulations of the provisions of the International Telecommunication Regulations;

recommends

a) that the Administrative Council should place on the agenda of the next world Administrative Radio Conference an item with a view to including, in the respective provisions of the Radio Regulations, correct references to the International Telecommunication Regulations, so that the provisions of the latter, from the date of their entry into force, also apply to the Radio Regulations;

b) that, in the light of Article 43 of the International Telecommunication Convention (Nairobi, 1982), during the transitional period between the entry into force of the International Telecommunication Regulations and the entry into force of the Radio Regulations as partially revised under a) above, the Members of the Union should consider any references to the 1973 Telegraph and Telephone Regulations appearing in the Radio Regulations in force at the time as corresponding to the provisions of the International Telecommunication Regulations, the latter accordingly being applicable in the implementation of the Radio Regulations.

RECOMMENDATION No. 2

**Changes to Definitions Which also Appear in
Annex 2 to the Nairobi Convention**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

taking into account

item 2.5 of its agenda in Resolution No. 966 of the Administrative Council, and Resolution No. 11 of the Plenipotentiary Conference (Nairobi, 1982) referred to therein;

having taken note of

the Note by the Secretary-General on "Operating Agencies in Today's Telecommunication Environment" (Document 28);

considering

that it has adopted a number of definitions contained in Article 2 of the International Telecommunications Regulations;

noting

that no specific proposals had been submitted to it concerning changes of definitions which also appear in Annex 2 to the Nairobi Convention;

aware

of the fact that, due to lack of time, it was not in a position to make any specific proposals itself for changes to definitions which also appear in Annex 2 to the Nairobi Convention;

mindful

of the provisions in Article 51 of the Nairobi Convention;

recommends that the Administrative Council

should submit the following documents to the Plenipotentiary Conference (Nice, 1989) for any action the latter may deem appropriate:

- a) this Recommendation;
- b) the text of Article 2 of the International Telecommunication Regulations containing the definitions adopted by it; and
- c) the Note by the Secretary-General referred to in *having taken note of* above.

RECOMMENDATION No. 3

Expeditious Exchange of Accounts and Settlement Statements

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

considering

- a) the importance of the timely exchange of accounts and settlement statements to ensure that settlements of balances of account between administrations* are not delayed;
- b) that it is important for the recipient administration* to know the date of sending of accounts and settlement statements;

recognizing

that all accounts and settlement statements should be sent in a speedy and reliable manner;

recommend

- 1. that the most suitable method of sending accounts and settlement statements should be agreed between the administrations* concerned, utilizing electronic means as far as practicable;
- 2. that, when accounts and settlement statements are not sent by electronic means, registered air mail should always be used;
- 3. that, when accounts and settlement statements are not sent by electronic means, a copy of the dispatch details should, where possible, be sent forthwith by facsimile in order to confirm dispatch.

* or recognized private operating agency(ies)

OPINION No. 1

Special Telecommunication Arrangements

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

in view of

Article 31 of the International Telecommunication Convention (Nairobi, 1982);

taking into account

Resolution No. 10 of the Plenipotentiary Conference (Nairobi, 1982);

considering

- a) that the whole of the telecommunications sector is currently evolving towards more efficient services requiring new technical facilities;
- b) that the development of business and other communications, including communications among and within organizations with offices in different countries, will continue at an increasingly rapid pace and is necessary to economic development;
- c) that not all Member countries may be capable of adequately meeting all the requirements in this respect;
- d) that each Member may exercise full sovereign control, through its national laws, over any decision concerning special arrangements made pursuant to Article 31 of the Nairobi Convention;

considering further

- a) that, for many Members, revenues from international telecommunications are vital for their administrations*;

* or recognized private operating agency(ies)

b) that the majority of such revenues are derived from the provision of international telecommunication services to businesses and other organizations;

noting

that the provisions of Article 9 of the International Telecommunication Regulations (Melbourne, 1988) apply to special telecommunication arrangements, and in particular that such arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries;

is of the opinion

1. that special telecommunication arrangements pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982) should be made only where existing arrangements are unable to satisfactorily meet the relevant telecommunication need;
 2. that in allowing such special arrangements, Members should consider their effects on third countries, and in particular, to the extent possible within national law, should endeavour to ensure that any adverse effects on the orderly development, operation or usage of the international telecommunication network by other Members are minimized;
 3. that any such special arrangements should be consistent with the maintenance and extension of international cooperation for the improvement and rational use of telecommunications, as well as with the promotion of the development of technical facilities and their most efficient operation, with a view to improving the efficiency of telecommunication services, especially those available to the public.
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