

# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/1 (Final)  
March 1, 1969

## SUMMARY RECORD - FIRST PLENARY SESSION MONDAY, FEBRUARY 24, 1969, 11 a.m.

### Convening of the Conference

The opening Plenary Session of the Plenipotentiary Conference on Definitive Arrangements for the International Telecommunications Satellite Consortium was convened at 11:15 a.m., February 24, 1969, in the Main Conference Room of the Department of State, Washington, D. C. by The Honorable Elliott L. Richardson (U.S.), Temporary Chairman. Mr. Richardson welcomed the delegates and observers to the Conference, whereupon the Representative of Brazil responded by expressing the hope that the goals of the Conference would be achieved.

### Agenda Item 1, Election of Chairman

The Temporary Chairman called for nominations for Chairman of the Conference. The Representative of Australia proposed Leonard H. Marks for Chairman and the proposal was seconded by the Representative of the Netherlands and by the Representative of Mexico, who requested that Mr. Marks be elected by acclamation. There being no other nominations, Mr. Marks was so elected.

### Agenda Item 2, Adoption of Agenda

The provisional agenda contained in Conference Document 1 (Rev.), January 30, 1969, was adopted by the Conference.

### Agenda Item 3, Adoption of Conference Rules of Procedure

The Provisional Rules of Procedure (Document 2, November 26, 1968) were adopted by the Conference. The Representative of the United Kingdom, while stating his support for adopting the Provisional Rules of Procedure, wished to make a matter of record, with particular reference to Rule 20d, the view that the Conference should strive to the utmost to achieve consensus on all matters. The Representative of Italy asked that the last sentence of Rule 3 be interpreted liberally to ensure that the views of observers would be fully known to the Conference. The Representative of Nigeria, in concurring, suggested that the observers might be polled separately to ascertain their views on Conference issues. The Representative of India, while concurring that the observers should be given ample opportunity to be heard, did not feel it would be necessary to poll the observers; he noted that delegations could be in touch with observers and thus be well aware of their views. The Chairman assured the Conference that the rules would be interpreted liberally to ensure the fullest possible exchange of views and the maximum opportunity to achieve consensus on all matters.



Agenda Item 4, Election of Other Officers

Pursuant to the Rules of Procedure four Vice-Chairmen were chosen. All were unanimously elected. The Representative of Venezuela, representing the Americas area, was nominated by the Representative of Brazil and seconded by the Representative of Canada; the Representative of the Netherlands, representing the European area, was nominated by the Representative of Italy and seconded by the Representative of the Federal Republic of Germany; the Representative of Algeria, representing Africa and the Middle East area, was nominated by the Representative of Nigeria and seconded by the Representative of Kuwait; and the Representative of India, representing the Asia area, was nominated by the Representative of Korea and seconded by the Representative of Thailand. The several Vice-Chairmen expressed their appreciation for the honor bestowed on them by their colleagues.

Agenda Item 5, Organization of the ConferenceA. Credentials Committee

The Chairman proposed, and the Conference agreed, that Ireland, Norway, Panama, Philippines and Turkey should constitute the Credentials Committee, noting that these delegations had indicated their willingness to serve. The Chairman added that if there should be suggestions of other appropriate delegations willing to serve on the Committee, these would be welcome.

B. Editorial Committee

The Chairman proposed, and the Conference agreed, that Colombia, France, Belgium, Spain, the United Kingdom and the United States should constitute the Editorial Committee, noting that these delegations had indicated their willingness to serve.

C. Working Committees

The Working Committee Structure contained in Document 7 (Rev. 1), February 24, 1969, was adopted without objection. In response to an inquiry, the Chairman assured the Conference that he would ask the Committee Chairmen, in scheduling their meetings, to give careful attention to the attendance problems that smaller-sized delegations would have if many meetings were scheduled simultaneously.

Agenda Item 6, Report of the Credentials Committee

The Chairman asked the Credentials Committee to report at an appropriate future date.

Committee Schedule

The Chairman asked the Secretariat to suggest to each working committee an allocation of those items in the Report of the Interim Communications Satellite Committee that would be appropriate for its consideration in the



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light of the terms of reference just approved for each committee. He suggested the following schedule for the initial meetings of the working committees for organizational purposes:

|               |   |
|---------------|---|
| Committee I   | 10:00 a.m., February 25<br>Main Conference Room |
| Committee II  | 11:30 a.m., February 25<br>Main Conference Room |
| Committee III | 3:00 p.m., February 25<br>Main Conference Room  |
| Committee IV  | 4:30 p.m., February 25<br>Main Conference Room  |

This schedule was accepted by the Conference. The Chairman noted that future Plenary Sessions would depend upon the work of the committees and will be announced well in advance.

#### Documents

It was agreed that documents will be distributed as soon as available in any of the three official languages of the Conference (English, French and Spanish) but that they will not be considered and acted upon by the Conference until they are available in all three official languages.

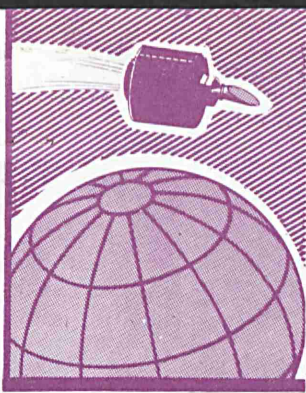
#### Conclusion of Session

Following completion of the agenda items above, the Chairman reviewed briefly the accomplishments of the countries and organizations participating in the INTELSAT Consortium and wished the delegates well in the further work of the Conference.

The meeting was adjourned at 12:30 p.m.

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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/1  
February 24, 1969

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Pursuant to the Rules of Procedure four Vice-Chairmen were chosen. All were unanimously elected. The Representative of Venezuela, representing the Americas area, was nominated by the Representative of Brazil and seconded by the Representative of Canada; the Representative of the Netherlands, representing the European area, was nominated by the Representative of Italy and seconded by the Representative of the Federal Republic of Germany; the Representative of Algeria, representing Africa and the Middle East area, was nominated by the Representative of Nigeria and seconded by the Representative of Kuwait; and the Representative of India, representing the Asia area, was nominated by the Representative of Korea and seconded by the Representative of Thailand. The several Vice-Chairmen expressed their appreciation for the honor bestowed on them by their colleagues.

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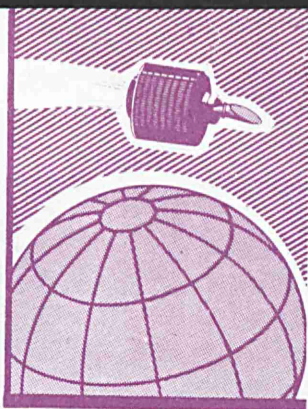
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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/2 (Final)  
March 21, 1969

## SUMMARY RECORD - SECOND PLENARY SESSION TUESDAY, MARCH 18, 1969

### Convening of the Conference

The second Plenary Session of the Conference was convened at 10:10 a.m. by the Chairman, Ambassador Marks.

### Election of Vice-Chairmen

The Chairman announced that two of the Vice-Chairmen elected at the First Plenary Session--Mr. Soriano, the Representative of Venezuela, and Mr. Hartogh, the Representative of the Netherlands--had been called away from the Conference to other duties. The Conference agreed that the present Representative of Venezuela, Mr. Alegrett, should be the new Vice-Chairman for the Americas group. The present Representative of the Netherlands nominated the Representative of Switzerland, Ambassador Hartmann, as Vice-Chairman for the European Group. The nomination was seconded by the Representatives of Sweden, Austria, Italy, India, Canada, the United Kingdom, Germany, Venezuela, Algeria, Kuwait, and Pakistan. Ambassador Hartmann was elected by acclamation. The new Vice Chairmen thanked the Conference for the honor bestowed upon them and their delegations.

### Expansion of Editorial Committee

The Chairman recalled the possible expansion of the Editorial Committee had been left open at the Conference's organizing session. It now seemed desirable to expand the Committee and the delegations of Canada, Jamaica, and Mexico had expressed their willingness to supplement the French-, English-, and Spanish-speaking groups, respectively, in the Editorial Committee. There being no objection, these three delegations were thereupon added to the membership of the Editorial Committee, hitherto consisting of Belgium and France, the United Kingdom and the United States, and Colombia and Spain.

### Report of the Credentials Committee

As Chairman of the Credentials Committee, the Representative of Turkey presented the report of that Committee, which is contained in Doc. 11. Without objection, the Conference accepted the finding that all the credentials submitted were in due and proper form.



Further Plenary Sessions

The Chairman announced that the Third Plenary Session would convene at 10:00 a.m. on March 19 to hear the reports of Committee I, based on the work of Working Groups I-A and I-C, and of Committee IV. The Fourth Plenary Session, on March 20, would examine the report of Committee III, those parts of the report of Committee II which could be considered independently of the reports of other Committees, and the remainder of Committee I's work. Unfinished business, if any, will be considered on March 21. It is hoped that all Committees will report by March 21 on substantially all their Agenda items. However, since it will be impossible to complete the drafting of definitive agreements by March 21, the Steering Committee is considering a date for reconvening of the Conference and for the continuation of work in the interim. The proposals of the Steering Committee on these matters will be ready for consideration by the Conference on March 20 and 21.

Adjournment of the Session

The session adjourned at 10:30 a.m., until 10:00 a.m. March 19.

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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/2  
March 18, 1969

## PROVISIONAL SUMMARY RECORD - SECOND PLENARY SESSION TUESDAY, MARCH 18, 1969

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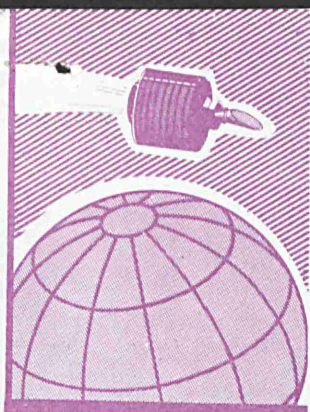
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Adjournment of the Session

The session adjourned at 10:30 a.m., until 10:00 a.m. March 19.

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PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR  
THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/3 (Final)  
March 21, 1969

SUMMARY RECORD - THIRD PLENARY SESSION  
WEDNESDAY, MARCH 19, 1969

Convening of the Conference

The third Plenary Session of the Conference was convened at 10:20 a.m. by the Chairman, Ambassador Marks.

Report of Committee I

Chairman Roca of Committee I outlined the work program followed by the Committee and noted that three Working Groups had been established to consider certain items. The reports of Working Groups A and C, had been accepted by the Committee and passed to the Plenary for consideration; the report of Working Group B, treating the complex subject of Structure of the Organization, would be considered by the Committee tomorrow. The Chairman, noted that if Committee I could consider the report of Committee I-B tomorrow, it could be brought before the Plenary Session on Friday.

Report of Working Group I-A

At the invitation of Ambassador Roca, Chairman Mohammad of Working Group A presented his Group's report as accepted by Committee I, that is, Com. I/84(Rev. 1) and Com. I/84(Rev. 1)(Add.1).

The Chairman explained that the purpose of this morning's session was to receive the Committee reports and record additional comments necessary for the guidance of the Conference's continuing work. No final action was contemplated prior to recess. In view of the extensive discussions in Committees and Working Groups, repetition of the views expressed in those meetings was not necessary. Ambassador Roca added that the Summary Records of Committee I's session should also be noted as further presentation of the views of the various delegations.

The Chairman also noted that Com. I/106, a statement of the Representative of Portugal, should also be considered in relation to the report of Working Group I-A.



The Representative of Venezuela suggested that the Conference, prior to its recess, seek agreement on those points, which had been thoroughly discussed and seemed to cause little difficulty. Otherwise, all points might be reopened at the resumed conference. The Chairman, noting the inter-relation of the various items and the reservations expressed on many items, felt it undesirable to try to reach conclusions on any items at this time. The Representative of Malaysia cautioned against treating acceptance of the Working Group reports as reflecting the views of the Committees particularly since small delegations had been unable to participate in all the Working Groups; he, therefore, agreed that further consideration must be permitted on all items.

The Representatives of Syria and Algeria concurred, as did the Representative of the United Kingdom who particularly supported the views of the Chairman. The Representative of Syria associated himself with the French views regarding the word "single" in Appendix B to Com. I/84(Rev. 1). The Representative of Switzerland associated himself with the French views in Appendices B and D, as did the Representatives of Belgium and Sweden. The Representative of Malaysia, on the other hand, recommended retention of the word "single." He felt that its meaning would be clear once the rights and obligations of members are defined.

The Representative of Australia referred to Com. I/84(Rev. 1)(Add. 1), page 5, (c). To eliminate ambiguity, a blank should be left after "establish" in the third line for insertion of the name of the organ which would establish the terms and conditions.

The Representative of Pakistan thanked the United States for the hospitality and excellent arrangements which characterized the Conference. He reiterated that in special situations such as that of his country it is vital that INTELSAT not place domestic traffic in a category inferior to international traffic. He also pointed out that it would not be possible to segregate domestic traffic passing over the East Pakistan-West Pakistan circuits from the international traffic which will form part of the total traffic passing over these circuits. The Representative of Denmark, noting the similar special problem between Denmark and Greenland and the Faroe Islands, associated himself with the remarks of the Representative of Pakistan, as did the Representative of Iran. The Chairman concluded that the Working Group report and the views expressed could be referred for consideration in the continuation of the Conference's work.

#### Report of Working Group I-C

At the invitation of Ambassador Roca, the Chairman of Working Group I-C, Mr. Wheeler, of the United Kingdom, presented the report of that Group. The Representative of Kuwait endorsed the footnote inserted by Tunisia in Annex 1 to Com. I/94. The Algerian Representative also endorsed the Tunisian footnote and noted that the African-Middle East group was represented by only one member on the Working Group, whereas other areas were represented in larger numbers. When the Conference resumes its deliberations following the recess it should be free to adopt other formulas on eligibility than the one presented by Working Group C. The Representative of Syria concurred.



- 3 -

The Representative of Chile noted that the small size of its delegation prevented its full participation in the Working Group and that the unanimous views of the Working Group did not necessarily reflect Chile's views.

The Representative of Sweden stated that the principle of non-discrimination should apply to both direct and indirect access to the space segment by members or non-members. The Representative of Switzerland endorsed the Swedish position.

There being no other comment, the Chairman concluded that the Working Group report and the other views expressed could now be referred for consideration in the continuation of the Conference's work.

#### Report of Committee IV

Ambassador Alessandrini of Italy, Chairman of Committee IV, presented the Committee's report (Doc. 12). While no agreements had been reached, the Committee report faithfully presents the different views expressed. Items III and IV of the Committee's work program were postponed since there was insufficient time to deal with these issues adequately. The Chairman noted that Committee IV's report incorporated documents Com. IV/10 and IV/11 by reference. The Representative of Chile said that views on Inventions, Data, and Technical Information other than those in Com. IV/10 and Com. IV/11, were considered by the Committee and it should therefore be understood that these two documents were not a digest of all opinions. He further suggested that the discussion of Items III and IV of the Committee IV work program be postponed until the Conference reconvenes in November.

There being no further comment, the Chairman noted that Committee IV's report, together with the views expressed, would be referred for consideration in the continuation of the Conference's work.

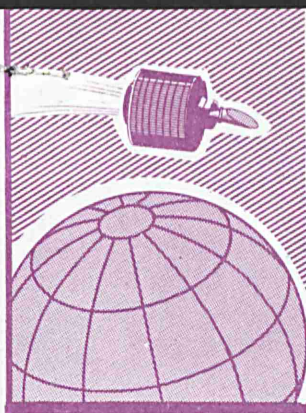
#### Adjournment

The Chairman indicated that the Conference facilities would be available all day Friday, but hoped that the Plenary Conference could complete its work Friday morning so that an afternoon session would not be necessary.

The session adjourned at 11:25 a.m. to meet again at 10:00 a.m. Thursday, March 20.

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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/3  
March 19, 1969

## PROVISIONAL SUMMARY RECORD - THIRD PLENARY SESSION WEDNESDAY, MARCH 19, 1969

### Convening of the Conference

The third Plenary Session of the Conference was convened at 10:20 a.m. by the Chairman, Ambassador Marks.

### Report of Committee I

Chairman Roca of Committee I outlined the work program followed by the Committee and noted that three Working Groups had been established to consider certain items. The reports of Working Groups A and C, had been accepted by the Committee and passed to the Plenary for consideration; the report of Working Group B, treating the complex subject of Structure of the Organization, would be considered by the Committee tomorrow. The Chairman, noted that if Committee I could consider the report of Committee I-B tomorrow, it could be brought before the Plenary Session on Friday.

### Report of Working Group I-A

At the invitation of Ambassador Roca, Chairman Mohammad of Working Group A presented his Group's report as accepted by Committee I, that is, Com. I/84(Rev. 1) and Com. I/84(Rev. 1)(Add.1).

The Chairman explained that the purpose of this morning's session was to receive the Committee reports and record additional comments necessary for the guidance of the Conference's continuing work. No final action was contemplated prior to recess. In view of the extensive discussions in Committees and Working Groups, repetition of the views expressed in those meetings was not necessary. Ambassador Roca added that the Summary Records of Committee I's session should also be noted as further presentation of the views of the various delegations.

The Chairman also noted that Com. I/106, a statement of the Representative of Portugal, should also be considered in relation to the report of Working Group I-A.

NOTE: Any changes or corrections in this Summary Record must be submitted to the Secretary General within 48 hours.



The Representative of Venezuela suggested that the Conference, prior to its recess, seek agreement on those points, which had been thoroughly discussed and seemed to cause little difficulty. Otherwise, all points might be reopened at the resumed conference. The Chairman, noting the inter-relation of the various items and the reservations expressed on many items, felt it undesirable to try to reach conclusions on any items at this time. The Representative of Malaysia cautioned against treating acceptance of the Working Group reports as reflecting the views of the Committees particularly since small delegations had been unable to participate in all the Working Groups; he, therefore, agreed that further consideration must be permitted on all items.

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There being no further comment, the Chairman noted that Committee IV's report, together with the views expressed, would be referred for consideration in the continuation of the Conference's work.

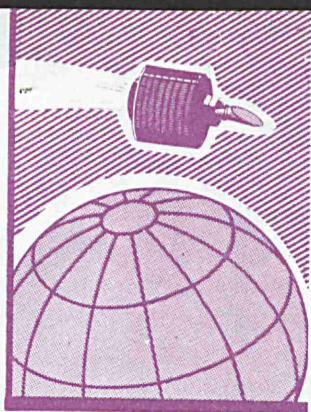
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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/4 (Final)  
March 21, 1969

## SUMMARY RECORD - FOURTH PLENARY SESSION THURSDAY, MARCH 20, 1969

### Convening of the Session

The fourth Plenary Session of the Conference was convened at 10:10 a.m. by the Chairman, Ambassador Marks.

### Change in Agenda

Noting the importance of establishing a Preparatory Committee in the short time remaining before the Conference recesses, the Representative of Switzerland proposed considering Document 14 today rather than tomorrow. The proposal was supported by the Representatives of the Netherlands, Sweden, France, and Chile and was adopted.

### Report of Committee III

Mr. White of Australia, Chairman of Committee III, presented the Committee's report (Doc. 16) and noted its salient features. The Committee's only recommendation to the Conference was that a Working Party be created to investigate in depth the financial aspects of the Definitive Arrangements, and this could perhaps be encompassed in the Conference's working arrangements preparatory to the resumed session.

The Representatives of Canada, Mexico, Nigeria, and Lebanon supported the idea of further in-depth studies, in particular regarding some of the pertinent statistics. The Mexican Representative also recalled that the Working Group reports had not been approved by the Committee, a point that the Nigerian Representative endorsed.

Observing that Mr. White and Doc. 16 clearly pointed out the limitations of that report, the Representative of Malaysia believed it faithfully reflected the various views expressed in the Committee.

The Representative of Venezuela deemed it vital that the actual use of the system on the date on which the definitive arrangements enter into force be taken into account in determining investment shares. He suggested discussion as to how to implement Committee III's recommendation of a Working Group on the financial aspects of the Definitive Arrangements.



The Representative of Morocco supported the Venezuelan views but suggested that the arrangements for further study could be better discussed after the Conference has reached a decision on the formation of a Preparatory Committee.

There being no further comment, the Chairman noted that the report of Committee III, together with the views expressed, would be referred for consideration in the continuation of the Conference's work.

#### Report of Committee II

The Chairman of Committee II, Mr. Ogiso of Japan, reviewed the work of his Committee (Doc. 15). In addition, he also observed that the more complete views of delegations were reflected in the Summary Records of Committee II's sessions.

There were no comments on the report of Working Group II/B on Privileges and Immunities (Com. II/15).

The Representative of Chile indicated that Com. II/10, the report of the Working Group on accession, supersession, buy-out, obligations and rights of non-continuing members, and entry into force, did not fully reflect the views of his delegation. He asked that his statement be incorporated in the Record; it is accordingly attached.

The Representative of Venezuela associated himself with the statement of the Representative of Chile. The Representative of Switzerland associated himself with those views of the Representative of Chile concerning proposed Article XII and the possibility of expropriation of the interests of non-continuing members.

The Representative of Sweden noted that the Swedish reservation expressed in Com. II/12 continued to stand.

The Representative of Canada generally supported the proposals for provisions on entry into force and supersession. He considered it appropriate for the definitive agreements to enter into force when two-thirds of the members, representing a substantial portion of the investment shares, of the current organization, acceded to the new agreements, provided that the rights of non-continuing members are sufficiently safeguarded.

In reply to a query from the Canadian Representative, the Chairman noted that the report of the Working Group on Legal Status (Com. II/11) would be considered when the report of Committee I's Working Group on Structure (Com. I/111) was taken up. There being no further comment on the other results of Committee II's work, as described in Doc. 15, the Chairman noted that those portions, and the views expressed thereon, would be referred for consideration in the continuation of the Conference's work.



Establishment of Preparatory Committee

The Representative of Australia feared that if the description of the Preparatory Committee as not being a negotiating one were taken to bar any efforts to reconcile viewpoints it would do little to advance the work of the Conference. He preferred a Committee in which the principal proponents of opposing views on major issues attempt to resolve their differences prior to the reconvening of the Conference.

The Representative of the United Kingdom, while generally supporting Doc. 14, urged that the April 15 deadline for notification of intention to participate not be used to bar nations which may desire at a later date to participate in some part of the Committee's work. He interpreted the statement that the Committee would not be a negotiating committee as protection for states not members of the Committee.

The Representative of Algeria felt that the Conference must choose frankly between a Committee that would negotiate and one that would prepare draft articles which, when necessary, would express divergent viewpoints. He favored a small Committee of the latter type.

The Representative of Nigeria feared that the Preparatory Committee would do little to further the work of the Conference unless members were willing to seek agreement by an objective approach to all problems. He added that the Committee should not be cumbersome in size.

The Representative of the United States felt it was desirable that the Committee try to resolve differences of views where this seemed feasible but not in a way that would confront members with hard and fast decisions at the resumed Conference. He viewed the last sentence of paragraph 5, that no country would be bound by the Committee's report, as sufficient protection. The French Representative generally concurred, noting that it would be desirable for the Committee to try to arrive at a limited number of formulations but it could not in any way prejudice the decisions of the resumed Conference. The Venezuelan Representative agreed, pointing to the last sentence and the importance of a conciliatory effort to bring together divergent views. The Representative of France added that it would be useful for the Preparatory Committee to indicate what delegations supported each position. The French views were supported by the Representative of Sweden.

The Representative of Jamaica urged that non-participating members and observers be briefed regularly and that the phrase "as often as they may wish" be deleted. The Representative of Iran and Greece supported this view.

The Representative of Sweden, noting that the Conference had not taken any decisions, asked that the references to drafts of an intergovernmental and an operating agreement in paragraph 9 be eliminated and it was so agreed.



The Representative of Japan, calling attention to Article IX of the Interim Agreement which expressed the desirability of the definitive arrangements entering into force as soon after January 1, 1970 as possible, suggested that efforts to reconcile viewpoints should not be discouraged, in order that there might be progress. To capture the dual concerns being expressed, he suggested that the first sentence of paragraph 5 be linked with that starting in line 8.

The Representative of Australia stated that his apprehension could be eliminated by deleting the first sentence of paragraph 5; the point of that sentence was adequately covered in the final sentence of the paragraph.

In view of the importance of the final sentence of paragraph 5, the Representative of Panama proposed that it be made a separate paragraph.

The Representative of New Zealand agreed with the preceding two proposals. The Representative of Greece opposed the former and supported the latter.

The Representative of Greece stressed the need for the Preparatory Committee to be limited in size. In view of the uncertainty expressed in paragraph 9, it might be wise to refrain from specifying a date for reconvening the Conference. The Chairman noted that some identification was needed to arrange for the necessary facilities.

The Chairman suggested that consideration of Doc. 14 could be expedited if each numbered paragraph were considered in order while reserving discussion of paragraph 5 until the end. Paragraphs 1, 2, 4, 6, and 9 were then determined to be acceptable in their present form.

Following considerable discussion, it was agreed that in paragraph 3 the words "endeavor to" would be inserted after "should" in line four and the words "as often as they may wish" deleted in line 8, and replaced by "and to provide any additional and specific information they may require."

At the suggestions of the Representatives of Switzerland and Greece, paragraph 7 was changed to read: "The Committee shall determine its own procedures and methods for conducting its work."

On the suggestion of the Representative of Spain, the first sentence of paragraph 8 was changed to read: "The Committee shall report on completion of its work to the Conference. . . ."

The Chairman suggested that the Steering Committee meet again in the afternoon to redraft paragraph 5 in the light of the various comments and suggestions and present a revised version for the Conference's consideration as the first order of business at the next Plenary Session.

The Representative of Pakistan noted that the Preparatory Committee could try to narrow areas of differences but could not negotiate agreed positions unless it was specifically so empowered by members not represented on the Committee. He supported the Japanese proposal to reposition the first sentence of paragraph 5 to line 8.



- 5 -

The Observer from the Soviet Union requested clarification as to the status of observers at the Preparatory Committee sessions. The Chairman reported that this matter had been considered by the Steering Committee and it had been decided, keeping in mind the problem of space and similar considerations, that the sessions of the Preparatory Committee would not be open to observers (i.e., countries not members of INTELSAT), but they would be provided with the reports on the Committee's work mentioned in paragraph 3.

In response to a question by the Representative of Tunisia, the Chairman observed that delegates are free to comment on any aspects of Doc. 14 that they consider important at the next Plenary Session, although it was hoped that comments would be directed primarily to paragraph 5 in view of the extensive discussion on the other paragraphs today. He agreed with the Representative of Sweden that, of course, neither his nor any delegation would necessarily be bound by decisions of the Steering Committee and would be free to comment upon Doc. 14 as deemed appropriate.

#### Adjournment

The session adjourned at 1:00 p.m. until 10:00 a.m. on Friday, March 21.

\* \* \*

Attachment:  
Annex



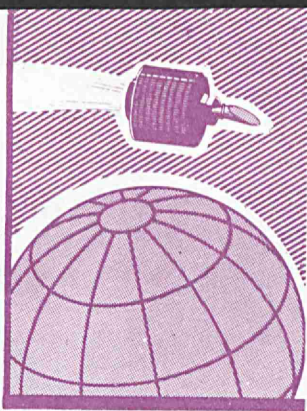
STATEMENT OF THE DELEGATION OF CHILE TO BE INSERTED IN THE RECORD  
OF THE PLENARY SESSION TAKING UP THE REPORT OF COMMITTEE II

In connection with the report submitted by Committee II to the Plenary Session of this Conference on Definitive Arrangements for INTELSAT, in the part relating to "Accession, Supersession, and Buy-Out, Obligations and Rights of Non-Continuing Prior Members, and Entry into Force," the Delegation of Chile wishes to state the following:

- (1) As regards "Accession, Supersession, and Entry into Force:"
  - (a) It does not accept the text of the Article XI proposed for inclusion in the Intergovernmental Agreement, as regards the reference made in it to the status of "member of the International Telecommunication Union," since that pre-supposes a decision not yet adopted concerning the requirements for membership in INTELSAT; and
  - (b) It expresses its disagreement with the text of the Article XII proposed for inclusion in the Intergovernmental Agreement in so far as it demands, as one of the requirements for entry into force, the concurrence of a percentage of investment shares.
- (2) As regards the "Transfer of Rights and Obligations under Interim Arrangements," it does not agree that INTELSAT, as a juridical person, can assume the rights of the signatories of the Special Agreement who do not become signatories of the new Operating Agreement.
- (3) As regards the "purchase of an interest," it does not agree that the rights of ownership or joint ownership shares which signatories of the Special Agreement who do not become signatories of the new Operating Agreement hold in properties jointly owned on the date of entry into force of the Definitive Arrangements should be considered conveyed or transferred to INTELSAT (as a juridical person) without prior notice of intention to convey them by such signatories of the Special Agreement, for otherwise an unacceptable expropriation would take place.

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# PLENIPOTENTIARY CONFERENCE ON DEFINITIVE ARRANGEMENTS FOR THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM

Washington, D.C., February - March 1969

SR/5  
March 21, 1969

## SUMMARY RECORD - FIFTH PLENARY SESSION FRIDAY, MARCH 21, 1969

### Convening of the Session

The fifth Plenary Session was convened at 10:08 a.m. by the Chairman, Ambassador Marks.

### Establishment of a Preparatory Committee

The Chairman explained the changes which the Steering Committee proposed regarding the continuing work of the Conference. Paragraph 3 now specified that observers could participate in the Committee; in paragraph 4, the date for the Committee's first session had been made more flexible; and paragraph 5 had been revised and divided into two paragraphs to take account of the concerns expressed at the last Plenary session. These changes, plus those agreed to during the Fourth Plenary Session, were contained in Doc. 14 (Rev. 1).

The Representatives of France and Algeria indicated certain changes in the French text and the Representative of Spain regarding the Spanish text.

Upon a motion of the Representative of Greece, seconded by the Representative of the Philippines, the Conference adopted Doc. 14 (Rev. 1), with the French and Spanish texts to be corrected as requested above.

### Report of Committee II (continued)

The Chairman of Committee II, Mr. Ogiso of Japan, reported on the remaining items considered by his Committee (Doc. 15 (Add. 1)). There being no comment, the Chairman noted that the report of Committee II, together with the views expressed, would be referred for consideration in the continuation of the Conference's work.

### Report of Committee I (continued)

At the suggestion of Ambassador Roca, Chairman of Committee I, Mr. Vallotton of Switzerland, Chairman of Working Group B of Committee I, introduced that Group's report on structure of the organization (Com. I/111). He noted that the complexity of the subject and shortage of time had prevented his Group from reaching agreement on the major points. However, greater understanding of the various viewpoints had emerged.



The Representative of the United Kingdom, rapporteur of Working Group B, noted that Com. I/111 represented considerable progress over Doc. 6 in the clarification of approaches to the definitive arrangements and in the number of states whose views are reflected.

The Representative of Kuwait reserved the right to refer further to his proposal regarding investment quotas, contained in Com. III/3 and referred to in paragraph 39 of Com. I/111, in the continuation of the work of the Conference.

The Chairman noted his understanding that the Working Group had not had time to consider the report of Committee II's Working Group on Legal Status (Com. II/11), which had been forwarded to Committee I and suggested, therefore, that it be forwarded for consideration along with Working Group B's report.

Chairman Roca noted that the rest of Committee I's discussions were summarized (Doc. 17 and Com. I/107 (Rev. 1)).

There being no further comment, the Chairman noted that these documents, (Com. I/111, Com. II/11, Doc. 17 and Com. I/107 (Rev. 1)) would be referred for consideration in the continuation of the Conference's work.

#### Closing Remarks

The Chairman congratulated the Conference on the work accomplished, great in volume and importance. Many delegations from countries, particularly those without earth stations as yet, had told him they had learned much about INTELSAT during the Conference. He noted the vast benefits that communications satellites could bring to mankind if men know how to take advantage of what technology has wrought. He was grateful for the valuable contributions of the observers and hoped that their participation would continue. He thanked all delegations for their efforts and cooperative spirit, and the officers, Secretariat, and interpreters for their long hours of hard work. Finally, he announced that he would be leaving the Conference to return to private life. Mr. Abbott Washburn had been designated acting head of the United States delegation.

The Representative of Switzerland, on behalf of the Conference, warmly thanked the United States Government, and in particular, the Department of State, for their hospitality, and Ambassador Marks for his excellent conduct of the Conference. His views were supported by the Representatives of Venezuela, India, Algeria, Japan and Brazil and the observers from Poland, the USSR and Liberia, the latter on behalf of many of the observers (see Annex).

The Honorable Elliott Richardson, Under Secretary of State, complimented the Conference on the progress it had made in the complicated tasks of developing definitive arrangements that would be efficient and assure the meaningful participation of all members.

#### Recessing of the Conference

The Chairman recessed the Conference at 11:25 a.m.

Attachment:

\* \* \*

Annex



STATEMENT BY THE OBSERVER OF LIBERIA IN PLENARY SESSION  
FRIDAY, MARCH 21, 1969

Mr. Chairman:

We came here, upon the invitation of the Government of the United States, to participate, as observers, in the deliberations of this important Conference in its endeavor to formulate definitive arrangements in the INTELSAT Telecommunications Satellite Consortium.

For the past four weeks, we have worked, we have listened, and we have learned. Thus our opinion that the underlying principles of this organization in its endeavor to establish a global communications system is indeed a vital one.

We wish to convey our sincere appreciation to you, Mr. Chairman, and through you to INTELSAT, as well as to the Government of the United States, for the opportunity which has been afforded us to attend this Conference. We join all who aspire to the ideal of establishing a truly international consortium on a non-discriminatory basis.

We wish for this organization continued progress and success and best wishes for the days to come.

This statement is made on behalf of the following countries and organizations: Ivory Coast, Maldives, Ghana, Cambodia, Costa Rica, Ecuador, Cameroon, Congo, Afghanistan, Finland, Mauritius, Paraguay, Poland, Senegal, Southern Yemen, Uruguay, Zambia, Yugoslavia, ITU, United Nations and Liberia.

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