

ADDITIONAL DECLARATIONS AND RESERVATIONS

85

Original: French

For the Republic of Haiti:

Taking into account the declarations expressed by other Member States, the delegation of the Republic of Haiti, in signing the Final Acts of the World Conference on international Telecommunications, subject to the approval of the Government and National Assembly of the Republic of Haiti, acknowledges the necessity of open collaboration between the Member States of ITU in order to ensure that international telecommunication services are provided under the best possible conditions. However, it reserves for its Government the right to take any action which it may deem necessary to safeguard its interests:

- should Member States fail to comply with the provisions of the International Telecommunication Regulations;
- should reservations made by other Member States jeopardize the smooth operation of its telecommunication services or infringe its sovereignty;
- should any of the provisions be inconsistent with the Constitution and laws of Haiti.

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Original: English

For Barbados:

In signing the Final Acts of the World Conference on International Telecommunications of the International Telecommunication Union (Dubai, 2012) and having examined the declarations and reservations contained in Document WCIT-12/66, the Barbados delegation reserves for its Government the right to take such measures as it may deem necessary to safeguard its interests if any other country should in any way fail to respect the conditions specified in the Final Acts or if subsequent reservations made by any other country should be prejudicial or detrimental to Barbados' interests. In addition, Barbados reserves the right to make appropriate specific reservations as may be necessary to the Final Acts adopted by the present Conference up to the deposit of the appropriate instrument of ratification.

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Original: English

For Saint Lucia:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012), and having examined the declarations and reservations contained in Document WCIT-12/66, the delegation of Saint Lucia reserves for its Government, the right to take all measures it may deem necessary to protect its interests should any country not observe the provisions of the revised International Telecommunication Regulations, including the Annexes and Resolutions thereto, adopted by the Conference; or should the consequences of reservations made by other Member States directly or indirectly jeopardize the telecommunication services of Saint Lucia or impair its sovereign rights.

The delegation of Saint Lucia further reserves for the State and its Government the right to make any declaration or reservation or take any other appropriate action, as may be necessary, prior to ratification of the revised International Telecommunication Regulations (Dubai, 2012).

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Original: English

For the Democratic Socialist Republic of Sri Lanka:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012), and having examined the declarations and reservations contained in Document 66, the delegation of the Democratic Socialist Republic of Sri Lanka firmly reserves for its Government the right:

- 1 to take any measures it considers necessary to safeguard its interests should any ITU Member State fail in any way to comply with the provisions of these International Telecommunication Regulations (Dubai, 2012) and the Resolutions;
- 2 not to be bound by any provisions of these International Telecommunication Regulations (Dubai, 2012) and the Resolutions, which may directly or indirectly affect its sovereignty and be in contradiction or variance with the constitution, laws or regulations of the Democratic Socialist Republic of Sri Lanka.

The delegation of the Democratic Socialist Republic of Sri Lanka further reserves for its Government the right to make any additional reservations to the Final Acts adopted by this Conference until such time it has deposited its instrument of ratification of these Final Acts.

89

Original: English

For the Kingdom of Bhutan:

Having examined the declarations and reservation contained in Document 66, the delegation of the Kingdom of Bhutan to the World Conference on International Telecommunications (WCIT-12) hereby reserves the right of its Government to take:

- 1 Any action as it deems necessary to safeguard its interests should Members in any ways 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 the laws of the Kingdom of Bhutan.

90

Original: English

For Mongolia:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012) and having examined the declarations and reservations contained in Document 66, the delegation of Mongolia declares and reserves its country's right to further consult the Government and stakeholders on signing the Final Acts. Mongolia would like to declare the commitment to continue its engagement to ITU and to continue the cooperation with all Member States.

91

Original: French

For Tunisia:

Having noted Document 66 (WCIT-12), the Tunisian delegation declares, in signing the International Telecommunication Regulations (Dubai, 2012) that the Government of the Republic of Tunisia reserves the right:

- 1 to take any measure or measures it may deem necessary to safeguard its interests should reservations filed or measures taken by other governments jeopardize the smooth functioning of its telecommunication services;
- 2 to make any other additional declaration(s) or reservation(s) on the subject of the International Telecommunication Regulations (Dubai, 2012) up to the date of ratification of said Regulations.

The signature of the International Telecommunication Regulations (Dubai, 2012) by the delegation of Tunisia shall not in any way represent implicit recognition of an ITU Member not previously recognized by Tunisia, or of all or parts of international agreements to which Tunisia has not expressly acceded.

92

Original: English

For Montenegro:

The delegation of Montenegro, having examined the declarations and reservations contained in Document 66, declares that it reserves its country's right to further consult the Government and stakeholders on signing the Final Acts. If the ITRs are signed, these will be applied to the extent that they do not contradict *acquis communautaire*. Montenegro would like to declare the commitment to continue its engagement to ITU and to continue the cooperation with all Member States.

93

Original: English

For the United Kingdom of Great Britain and Northern Ireland:

1 The delegation of the United Kingdom of Great Britain and Northern Ireland having noted all the reservations and declarations contained in Document 66 of 14 December 2012, declares on behalf of its Government, in response to Declaration 4 entered by the delegation of the Argentine Republic, that the Government of the United Kingdom of Great Britain and Northern Ireland has no doubt about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands. The United Kingdom firmly rejects the claim by the Government of Argentina to sovereignty over those islands and maritime areas.

2 The United Kingdom Government attaches great importance to the principle and right of self-determination as set out in Article 1.2 of the Charter of the United Nations and Article 1 of the International Covenant on Civil and Political Rights. This principle underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. The Islanders regularly make it clear that they wish the Falkland Islands to remain under British sovereignty.

3 The United Kingdom also rejects the claim by the Government of Argentina to sovereignty over areas of the British Antarctic Territory, and in this context draws attention to Article IV of the Antarctic Treaty to which both the United Kingdom and the Argentina are parties.

4 The delegation of the United Kingdom of Great Britain and Northern Ireland furthermore refers to Declaration 58 for the Republic of Poland and also reserves the right for its Government to make any declaration or reservation should it at some later date accede to these Regulations and furthermore declares that, as from accession its Government shall apply these Regulations in accordance with its obligations under the Treaty on the European Union and the Treaty on the Functioning of the European Union.

For the Republic of Mauritius:

In signing the Final Acts of the World Conference on International Telecommunications (WCIT-12) Dubai, 2012, the delegation of the Republic of Mauritius firmly reserves for its Government the right:

- 1 to take any measures it considers necessary to safeguard its interests should any ITU Member State fail in any way to comply with the provisions of these International Telecommunication Regulations (Dubai, 2012) and the Resolutions;
- 2 not to be bound by any provisions of these International Telecommunication Regulations (Dubai, 2012) and the Resolutions, which may directly or indirectly affect its sovereignty and be in contradiction or variance with the constitution, laws or regulations of the Republic of Mauritius.

The delegation of the Republic of Mauritius further reserves for its Government the right to make any additional reservations to the Final Acts adopted by this Conference until such time as it has deposited its instrument of ratification of these Final Acts.

For the Republic of Yemen:

Having noted Document 66, the delegation of the Republic of Yemen declares, in signing the Final Acts of the World Conference on International Telecommunications (WCIT-12, Dubai), that it reserves for its Government the right to take all measures it may deem necessary to protect its interests:

- should the application of the provisions of the International Telecommunication Regulations adopted by the conference or the Appendices thereto be inconsistent with its national laws;
- should the provisions of these Regulations jeopardize in any way the operation and development of its authorized telecommunication networks;
- should any reservations made by other States jeopardize authorized telecommunication services and networks operating on its territories.

96

Original: English

For the Republic of Korea:

The delegation of the Republic of Korea, having noted all the reservations and declarations contained in Document 66:

1 fully recognizes the need for respecting and securing human rights of Korean citizens. However, it is considered to be right to include this in the Preamble of the ITU Constitution, not in the Preamble of the International Telecommunication Regulations, in the respect of legal framework ITU legal instrument.

2 The delegation of the Republic of Korea reserves the right of its Government in connection with the interpretation and the application of the terms “content-related aspects of telecommunication” and “authorized operating agency” in the event that the rights and interests of the Republic of Korea should be jeopardized or any conflict to national legislation as a result of the interpretation and the application of those terms.

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Original: English

For Barbados:

In signing the Final Acts of the World Conference on International Telecommunications of the International Telecommunication Union (Dubai, 2012) and having examined the declarations and reservations contained in Document WCIT-12/66, the Barbados delegation reserves for its Government the right to take such measures as it may deem necessary to safeguard its interests if any other country should in any way fail to respect the conditions specified in the Final Acts or if subsequent reservations made by any other country should be prejudicial or detrimental to Barbados' interests. In addition, Barbados reserves the right to make appropriate specific declarations as may be necessary to the Final Acts adopted by the present Conference up to the deposit of the appropriate instrument of ratification.

98

Original: English

For Malawi:

Having read the declarations and reservations contained in Document 66 of the WCIT-12, the delegation of the Republic of Malawi, reserves the right of its Government:

- 1 to take any measures that it may deem necessary to safeguard its national interests, should any Member State of the International Telecommunication Union in any way fail to comply with the provisions of the International Telecommunication Regulations (ITRs) adopted by this Conference (WCIT-12);
- 2 to make any statements or reservations when depositing its instruments of ratification of the Final Acts in accordance with the Laws of Malawi.

99

Original: French

For the Republic of Djibouti:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012), and having examined the declarations and reservations contained in Document 66, the delegation of the Republic of Djibouti reserves for its Government the right:

- a) to take such measures as it may deem necessary to safeguard its interests if any other country should in any way fail to respect the conditions specified in the Final Acts or if subsequent reservations made by any other country should be prejudicial or detrimental to the interests of the Republic of Djibouti;
- b) to make appropriate specific reservations as may be necessary to the Final Acts adopted by the present conference up to the entry into force of the instruments of the present conference.

100

Original: English

For Afghanistan:

Having examined the declarations and reservation contained in Document 66, the delegation of the Islamic Republic of Afghanistan to the World Conference on International Telecommunications (WCIT-12) hereby reserves the right of its Government to take:

- 1 Any action as it deems necessary to safeguard its interests should Members in any ways 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 the laws of the Islamic Republic of Afghanistan.

101

Original: English

For the Federal Democratic Republic of Nepal:

In signing the Final Acts of the World Conference on International Telecommunications of the International Telecommunication Union (Dubai, 2012), the delegation of Nepal declares that it reserves for its Government:

- The right to adopt any measures that it may deem necessary, in accordance with domestic legislation and international law, to safeguard national interests should other Member States fail to comply with the Final Acts (ITRs) of the World Conference on International Telecommunications (Dubai, 2012) should the reservations expressed by other Member States affect the international telecommunications service of the Federal Democratic Republic of Nepal or its sovereign rights.

- The right to express reservations to the Final Acts (letters) of the World Conference on International Telecommunications (Dubai, 2012) between the date of signature of these Final Acts and the date of the possible presentation of the instruments approving those Acts, in accordance with the Vienna Convention on the Law of Treaties of 1969.

102

Original: English

For the Kingdom of Cambodia:

The Royal Government of the Kingdom of Cambodia represented by the Cambodia delegation to the World Conference on International Telecommunications (WCIT-12) declares:

- 1 Cambodia reserves its right to take any action, if necessary, to safeguard its rights and interests should any other State Members in any way fail to comply with the provisions with the International Telecommunication Regulations and Appendices thereto of the ITU, or should reservations or declarations by other State Members jeopardize the sovereignty, rights, interests and Telecommunication/ICT services of the Kingdom of Cambodia;
- 2 Cambodia reserves its right to make additional at the time of ratification/approval of these International Telecommunication Regulations.

103

Original: Chinese

For the People's Republic of China:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012), the delegation of the People's Republic of China reserves the right to take measures it deems necessary to safeguard its national interests should:

- 1 Any country fail to comply with the provisions of the ITRs, or
- 2 Declarations and reservations by other countries, including those in Document 66, jeopardize China's national sovereignty and telecommunication services.

104

Original: English

For the Republic of Namibia:

In signing the Final Acts of the World Conference on International Telecommunications (WCIT-12) and having examined the declarations and reservations contained in Document 66, the delegation of the Republic of Namibia declares:

- 1 That it reserves for its Government the sovereign right to take any measures that it deems necessary and appropriate to safeguard and protect its interest and services, should any Member State of the International Telecommunication Union (ITU) fail to comply with the provision of the Final Acts of this Conference (WCIT-12).
- 2 That its Government reserves the right to make any additional reservation that it deems necessary and appropriate up to the time of deposit of the instrument of ratification.

105

Original: English

For the People's Republic of Bangladesh:

In signing the Final Acts of the World Conference on International Telecommunications (Dubai, 2012), and having examined the declarations and reservations contained in Document 66, the delegation of the People's Republic of Bangladesh 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 People's Republic of Bangladesh 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 States of the Union fail in any way to comply with the provisions contained in the present regulations.

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

The delegation of the People's Republic of Bangladesh reserves for its government the right to make additional reservations and declarations when ratifying the Final Acts of this Conference.

106

Original: English

For the Republic of India:

Having examined the declarations and reservations contained in Document 66, the delegation of India reserves the right to its Government to take necessary steps to protect its interests should any other Member State either reserve its position on any of the provisions of the International Telecommunication Regulations (Dubai, 2012), or operate any telecommunication service or facility in contravention of any provision in these Regulations.

