

SUPPLEMENTARY AGREEMENT ON ARBITRATION

Whereas Article 14 of the Special Agreement signed pursuant to Article II of the Agreement Establishing Interim Arrangements for a Global Commercial Communications Satellite System⁽¹⁾ opened for signature on 20 August, 1964, at Washington provides for arrangements to be made by a Supplementary Agreement whereby legal disputes may, if not otherwise settled, be submitted to the decision of an impartial tribunal;

It is hereby agreed as follows:

ARTICLE 1

In this Supplementary Agreement:

(a) "The Agreement" means the Agreement Establishing Interim Arrangements for a Global Commercial Communications Satellite System opened for signature on 20 August, 1964, at Washington;⁽¹⁾

(b) "The Special Agreement" means the Special Agreement signed pursuant to Article II of the Agreement;

(c) "The Committee" means the Interim Communications Satellite Committee established by Article IV of the Agreement;

(d) "Signatory" means, as in the Special Agreement, a Government or communications entity which has signed the Special Agreement and in respect of which it is in force.

ARTICLE 2

(a) An arbitral tribunal constituted under this Supplementary Agreement is competent to give a decision in any legal dispute over the following matter: whether an action or a failure to act by the Committee or by any signatory or signatories is authorized by or is in compliance with the Agreement and the Special Agreement.

(b) An arbitral tribunal constituted in accordance with this Supplementary Agreement shall also be competent to give a decision on any legal dispute arising in connection with any other agreement relating to the arrangements established by the Agreement and the Special Agreement where the signatories which are parties to that other agreement have agreed to confer such a competence. A tribunal in exercising such competence shall act in accordance with the agreement which confers competence on it.

(c) Only the following may be parties in arbitration proceedings instituted under this Supplementary Agreement:

(i) Any signatory,

(ii) The Committee.

ARTICLE 3

(a) Within 30 days of the entry into force of this Supplementary Agreement and every two years thereafter, each signatory shall submit to the Committee the name of a legal expert of generally recognized ability who will be available for the succeeding two years to serve as president of tribunals constituted under this Supplementary Agreement. From such nominees the Committee shall appoint seven individuals to a panel from which presidents of tribunals shall be selected.

⁽¹⁾ Canada Treaty Series 1964 No. 24.