



INTERNATIONAL TELECOMMUNICATION UNION  
**TELECOMMUNICATION DEVELOPMENT BUREAU**

**WORLD TELECOMMUNICATION DEVELOPMENT  
CONFERENCE (WTDC-98)**

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*For information*

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**PLENARY MEETING**

**Israel (State of)**

**RESPONSE OF THE STATE OF ISRAEL TO DOCUMENT 126  
("APPUI A L'AUTORITE PALESTINIENNE")**

The State of Israel wishes to place on record its firm opposition to several points mentioned in Document 126, as follows:

**1 Proper terminology**

The references to "Palestine" in this document are inaccurate and misleading. "Palestine" is the designation used to indicate the observer delegation of the PLO in UN fora, in accordance with UN policy. It is not a territorial or geopolitical entity. Attempts to represent "Palestine" as such are damaging to the legal and procedural norms which are binding in UN fora, and also seriously undermine the bilateral negotiations between Israel and the Palestinians which are currently taking place. Insistence upon the illegitimate use of the term "Palestine" is liable to unfairly prejudice the outcome of these negotiations. The State of Israel requests that further improper use of the term "Palestine" in ITU documents be strictly avoided, unless it is utilized as the designation of the PLO observer delegation, in accordance with UN practice.

**2 Notification of frequency assignments**

Where relevant, notification of frequency assignments for the territories in question shall continue to be communicated exclusively by Israel to the ITU. This practice is in complete conformity with both the ITU Administrative Regulations and the provisions of the Interim Agreement. Any step taken with regard to this matter, which does not conform with existing practice and without the express prior consent of Israel, would result in a double violation of both the ITU Administrative Regulations and the Interim Agreement. Again, such a step would also unfairly prejudice the outcome of negotiations between the two parties.

### **3 International telephone access to areas under the civilian jurisdiction of the Palestinian Council**

There is no jurisdiction at present under ITU regulations for the implementation of a separate international country code to be utilized for the areas under Palestinian civilian control. Such implementation would also be incompatible with the provisions of Article 36 (D)(5) (c) of the Interim Agreement, which states that the introduction of an international code for the Palestinian side is subject to agreement between Israel and the Palestinians. It should be noted that the ITU has already taken the highly unusual step of setting aside an international country code for future Palestinian use, a step which Israel strongly opposes as prejudicing the outcome of current and future negotiations between the two parties.

### **4 Request to alter the legal status of the Palestinian observer delegation in ITU fora**

The legal status of the PLO observer delegation in ITU fora is extremely well-defined in ITU Council Resolution 741, itself rooted in three UN General Assembly resolutions, which are applied in a consistent and unified manner throughout the UN system. The acceptance of an entity which is not a State would require, as a prerequisite, changes in these documents.

According to Article IX (5) of the Interim Agreement, the Palestinian Council (which replaced the Palestinian Authority) does not have powers and responsibilities in the sphere of foreign relations. Consequently, it cannot become a member of the ITU. Furthermore, Article XXXI (7) of the Interim Agreement stipulates that "Neither side shall initiate or take any step that will change the status of the West Bank and Gaza Strip pending the outcome of the permanent status negotiations."

Therefore, the PLO's status as observer in the ITU may not be upgraded, since such would imply a change in the status of the West Bank and the Gaza Strip.

It follows, then, that granting membership in the ITU to either the Palestinian Council or to the PLO would result in a serious breach of the Interim Agreement.

In addition, it is essential to remember that Article 2 of the ITU Constitution stipulates that only States may be members of the ITU.

### **5 Conclusion**

The State of Israel wishes to emphasize that it fully supports Resolution 32 of the Plenipotentiary Conference (Kyoto, 1994), both as a co-sponsor of Resolution 32 and as an ITU Member which has followed closely its implementation.

Israel further emphasizes its willingness to continue the ongoing negotiations between Israel and the Palestinian Authority in the sphere of telecommunications and in the framework of the Joint Technical Committee, taking into account, in the language of the mutually agreed Interim Agreement, "...the growing future needs of the Palestinian side".

The Palestinian Authority has achieved good progress in the development of telecommunication networks, in the period since the signing of the Interim Agreement in 1995. The State of Israel wishes to take this opportunity to call for continued close and professional cooperation among all the parties concerned in order to promote mutual understanding and joint development of telecommunication networks in the region and especially in the West Bank and Gaza Strip.