

# How to become a party or be bound by the Tampere Convention

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# Content

1. What is the Tampere Convention?
2. Who can become a party or be bound by the Tampere Convention?
3. When and how can a State become a party or be bound by the Tampere Convention?
4. What is the process to become a party or be bound by the Tampere Convention?
5. How to formulate a reservation to the Tampere Convention?
6. Who must be contacted to deposit the instrument of accession to the Tampere Convention?
7. Final remarks for Rwanda

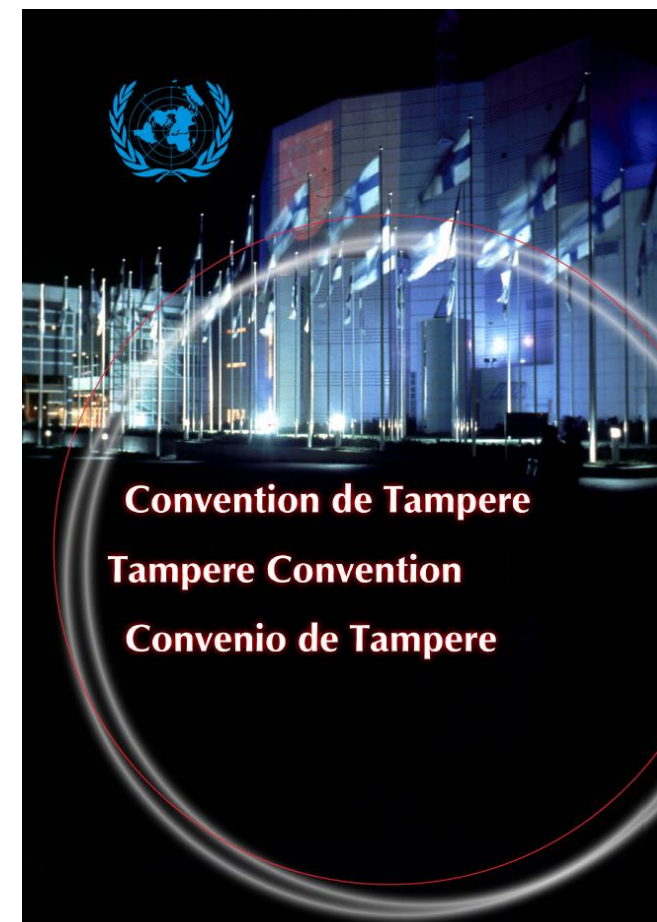
## 1. What is the Tampere Convention?

### The Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations:

Calls on States to facilitate the provision of prompt telecommunication assistance to mitigate the impact of a disaster, and covers both the installation and operation of reliable, flexible telecommunication services.

Regulatory barriers that impede the use of telecommunication resources for disasters are waived. These barriers include the licensing requirements to use allocated frequencies, restrictions on the import of telecommunication equipment, as well as limitations on the movement of humanitarian teams.

The Tampere Convention describes the procedures for request and provision of telecommunication assistance, recognizing the right of a State to direct, control and coordinate assistance provided under the Convention within its territory.



## 2. Who can become a party or be bound by the Tampere Convention?

All States which are members of the United Nations (UN) or of the International Telecommunication Union (ITU) can become a party or consent to be bound by the Tampere Convention.

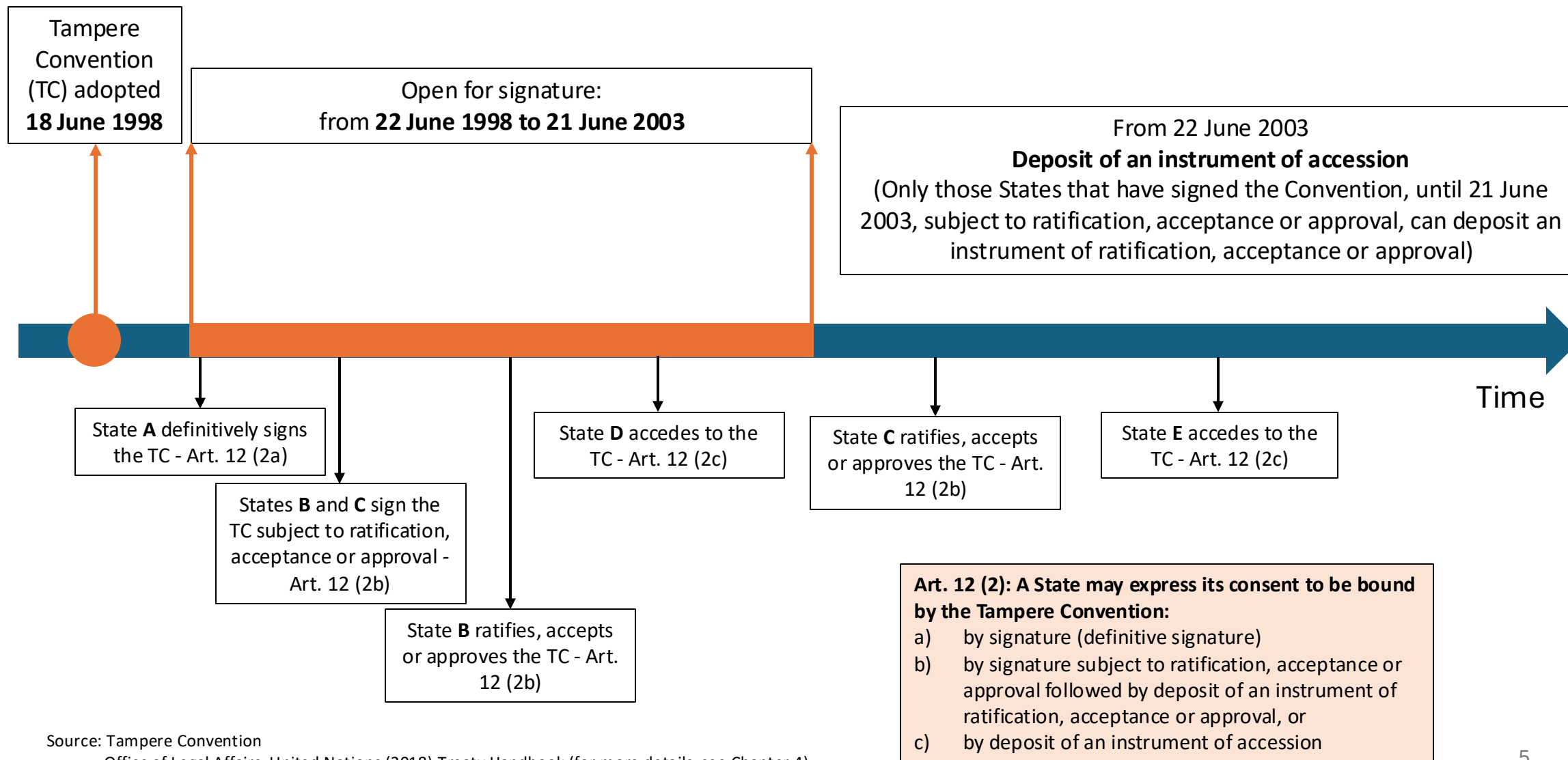
## 3. When and how can a State become a party or be bound by the Tampere Convention?

As per Article 12 (1), the Tampere Convention was **opened for signature by States until 21 June 2003**; therefore, the Convention is no longer opened for States to express their consent to be bound by this Convention by signature (definitive signature) or by signature followed by deposit of an instrument of ratification, acceptance or approval.

Only those States that have signed the Convention, before 21 June 2003, subject to ratification, acceptance or approval, can deposit an instrument of ratification, acceptance or approval.

**Since 22 June 2003 and based on Article 12 (2c) of the Tampere Convention, the only mechanism available for States to express their consent to be bound and become a Party to the Convention is through the deposit of an instrument of accession.**

### 3. When and how can a State become a party or be bound by the Tampere Convention?



## 4. What is the process to become a party or be bound by the Tampere Convention?

### Deposit of instrument of accession

The consent to be bound by the Tampere Convention can be expressed by depositing an **instrument of accession** with the depositary of the Convention, i.e., the UN Secretary-General.

The instrument of accession has the **same legal effect as ratification, acceptance or approval** and requires only one step, namely, the deposit of an instrument of accession.

The instrument of accession must be **signed by the Head of State, the Head of Government or the Minister of Foreign Affairs**.

**A person other than the Head of State, the Head of Government or the Minister of Foreign Affairs may sign the instrument of accession** only if that person possesses a valid **instrument of full powers**. Such instrument empowers the specified representative to sign the instrument of accession.

## 4. What is the process to become a party or be bound by the Tampere Convention?

### Deposit of instrument of accession

#### Model instrument of accession:

##### “ACCESSION TO THE TAMPERE CONVENTION

WHEREAS the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, adopted at Tampere, Finland on 18 June 1998,

NOW THEREFORE I, [name and title of the Head of State, the Head of Government or the Minister for Foreign Affairs] declare that the Government of [name of State], having considered the above-mentioned Convention, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of accession at [place] on [date].

[Signature and title]”

### Instrument of full powers

#### Model instrument of full powers:

##### “FULL POWERS TO SIGN THE INSTRUMENT OF ACCESSION TO THE TAMPERE CONVENTION

I, [name and title of the Head of State, the Head of Government or the Minister for Foreign Affairs],

HEREBY AUTHORIZE [name and title] to sign the instrument of accession to the Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, adopted at Tampere, Finland, on 18 June 1998, on behalf of the Government of [name of State].

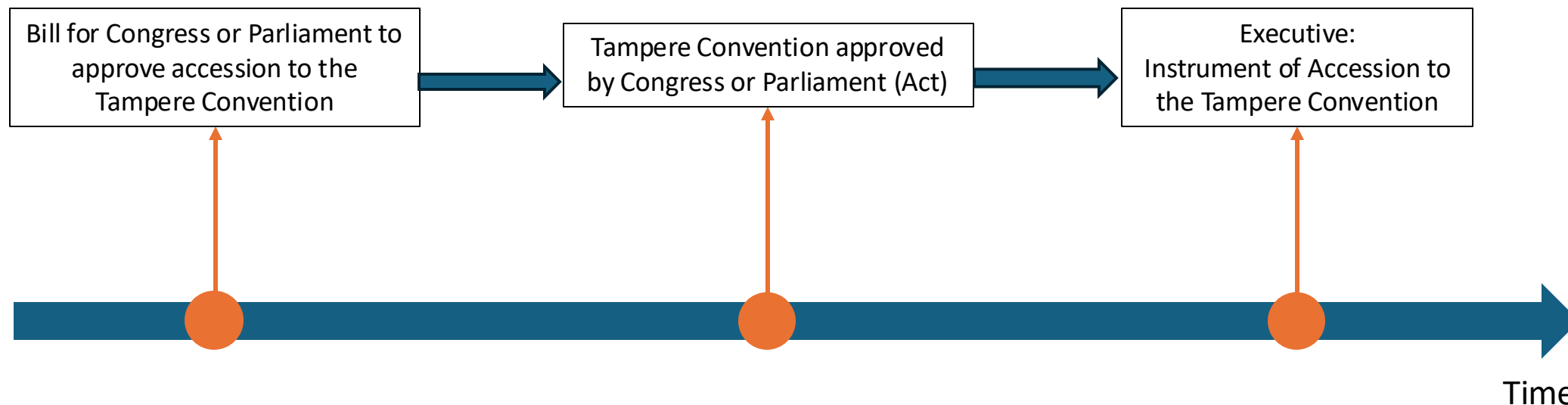
Done at [place] on [date].

[Signature and title]”

## 4. What is the process to become a party or be bound by the Tampere Convention?

**IMPORTANT NOTE:** Depending on each State, a national process might be needed to approve the accession of the State to the Tampere Convention. For example, **approval by Congress or by Parliament**. Such approval shall be in place before depositing the instrument of accession with the depository of the Convention.

However, **this is a national process in which the UN does not get involved**. In addition, if any reservation (see following slide) is required, it should also be approved internally before attaching it to the instrument of accession.





## 5. How to formulate a reservation to the Tampere Convention?

### What is a reservation?

In certain cases, States make **statements upon accession** to a treaty such as the Tampere Convention. Any such **statement aiming to exclude or modify the legal effect of a Tampere Convention provision** with regard to the declarant is, in fact, a reservation. In other words, **a reservation is a declaration that the State reserves the right not to abide by certain provision or provisions of the Tampere Convention.**

As per Article 14 (1) of the Tampere Convention, a State Party may make reservations to the Convention or any amendment hereto, when acceding to it.

## 5. How to formulate a reservation to the Tampere Convention?

### Examples:

Colombia:

“The Government of the Republic of Colombia formulates a reservation to paragraph 3 of article 11, by means of which Colombia does not consider itself bound by either of both of the dispute settlement procedures provided for in paragraph 3 of article 11.”

Ireland:

“Whereas to the extent to which certain provisions of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations ("the Convention") fall within the responsibility of the European Community, the full implementation of the Convention by Ireland has to be done in accordance with the procedures of this international organisation.”

Note: similar reservations were included by Luxembourg, Montenegro, Spain, Sweden and United Kingdom.

## 5. How to formulate a reservation to the Tampere Convention?

### Examples:

Venezuela:

*Reservation made upon signature:*

“Under the provisions of article 11, paragraph 6, of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (ICET-98), the Bolivarian Republic of Venezuela makes a specific reservation to paragraph 3 of that article. It therefore does not consider itself bound by arbitration as a means of dispute settlement, nor does it recognize the binding jurisdiction of the International Court of Justice.

*Reservation made upon ratification:*

Under the provisions of article 14, paragraph 1, of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, the Bolivarian Republic of Venezuela makes a specific reservation to paragraphs 3 and 4 of article 11. Therefore, it does not consider itself bound by arbitration as a means of dispute settlement, nor does it recognize the binding jurisdiction of the International Court of Justice.”

## 5. How to formulate a reservation to the Tampere Convention?

### How to submit a reservation?

When a reservation is formulated, it **must be included in the instrument of accession or be annexed to it**. If the reservation is annexed it must be separately signed by the Head of State, Head of Government or Minister for Foreign Affairs, or a person having full powers.

#### Model instrument of reservation (annexed to the instrument of accession):

##### “RESERVATION

I, [name and title of the Head of State, the Head of Government or the Minister for Foreign Affairs],

HEREBY DECLARE that the Government of [name of State] makes the following reservation in relation to article(s) [---] of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, adopted at Tampere, Finland, on 18 June 1998:

[Substance of reservation]

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Done at [place] on [date].  
[Signature and title]”

## 6. Who must be contacted to deposit the instrument of accession to the Tampere Convention?

Since the UN Secretary-General is the depository of the Tampere Convention, the State wishing to deposit the instrument of accession to the Convention should **make an appointment with the UN Treaty Section** and, if needed, submit to the Treaty Section for verification a copy of the signed instrument of full powers well in advance (emails are acceptable for this purpose).

### Contact information of the UN Treaty Section:

Treaty Section

Office of Legal Affairs (OLA)

United Nations

New York, NY 10017, United States

Telephone: +1 (212) 963 5047

Fax: +1 (212) 963 3693

Email: [treatysection@un.org](mailto:treatysection@un.org)

# List of 50 countries that have ratified the Tampere Convention

EUROPE	Belgium	CARIBBEAN AND THE PACIFIC	Uganda	Canada
Bulgaria	Romania	Barbados	Liberia	Colombia
Czech Republic	Slovakia	Dominica	Guinea	El Salvador
Cyprus	Spain	Saint Vincent and the Grenadines	Burundi	Uruguay
Denmark	Sweden	Tonga	Cape Verde	Nicaragua
Finland	Switzerland		ARAB STATES	Panama
Luxembourg	Iceland	ASIA	Lebanon	Peru
Hungary	Montenegro	India	Kuwait	Venezuela
Ireland	United Kingdom of Great Britain and Northern Ireland	Pakistan	Morocco	NEXT...?
Liechtenstein	France	Sri Lanka	Oman	
Lithuania	CIS	AFRICA	Saudi Arabia	
Albania	Armenia	Kenya	AMERICAS	
Netherland			Argentina	

# List of 60 countries that have signed the Tampere Convention\*

EUROPE	Portugal	Commonwealth of Independent States	Congo	El Salvador
Bulgaria	Romania	Russian Federation	Gabon	Uruguay
Czech Republic	Slovakia	Tajikistan	Ghana	Honduras
Cyprus	Sweden	Uzbekistan	ARAB STATES	United States of America
Denmark	Switzerland	AFRICA	Lebanon	Nicaragua
Finland	Iceland	Niger	Kuwait	Panama
Estonia	Caribbean & the Pacific	Senegal	Morocco	Peru
Germany	Haiti	Mali	Mauritania	Venezuela
Italy	Marshall islands	Madagascar	Sudan	Chile
Hungary	ASIA	Kenya	Oman	Saint Lucia
Malta	Mongolia	Uganda	AMERICAS	Costa Rica
North Macedonia	Nepal	Benin	Argentina	NEXT...?
Poland	Sri Lanka	Chad	Canada	
Netherland	India	Burundi	Brazil	

\*Countries that signed but not yet ratified the Convention are marked in red.

# How to become a party or be bound by the Tampere Convention