

remain in effect, unless and until modified or repealed in accordance with the provisions of that agreement. Any decision taken by INTERIM EUTELSAT under the Provisional Agreement or the ECS Agreement and which is in effect at the time the two last mentioned Agreements terminate shall remain in effect unless and until that decision is modified or repealed by, or in implementation of the Convention or the Operating Agreement.

- (b) If, at the time the Provisional Agreement and the ECS Agreement terminate, any organ of INTERIM EUTELSAT has embarked on, but not completed, any action which it is authorized or required to take under the Provisional Agreement or the ECS Agreement, the Board of Signatories shall stand in the place of that organ for the purpose of completing such action.

(2) *Management*

- (a) From the date of the entry into force of the Convention all personnel of the permanent General Secretariat established under Article 9 of the Provisional Agreement, shall have the right to be transferred to the executive organ of EUTELSAT, without prejudice to the provisions of paragraph f) of Article XIII to the Convention.
- (b) In accordance with paragraph 1) of this Annex the conditions for employment of personnel which were in force under the Provisional Agreement shall continue to apply until new conditions for employment are drawn up by the Board of Signatories.
- (c) Until the first Director General assumes office his functions shall be performed by the Secretary General of INTERIM EUTELSAT.
- (3) *Transfer to EUTELSAT of the functions of the Mandated Administration*
- (a) On the date of the start of the sixty-day period referred to in paragraph a) of Article XXII of the Convention, the Secretary General of INTERIM EUTELSAT shall inform the Mandated Administration of the date of entry into force of the

Convention and the termination of the Provisional Agreement.

- (b) The Secretary General of INTERIM EUTELSAT shall take all measures for a timely transfer to EUTELSAT of all rights and obligations acquired by the Mandated Administration in its capacity as legal representative of INTERIM EUTELSAT.

Annex B

*Arbitration Procedure*

- (1) For the purposes of adjudicating upon any dispute referred to in Article XX of the Convention or Article 20 of the Operating Agreement, an Arbitration Tribunal shall be established in accordance with the following paragraphs.
- (2) Any Party to the Convention may join either party to the dispute in the arbitration.
- (3) The Arbitration Tribunal shall consist of three members. Each party to the dispute shall nominate one arbitrator within a period of two months reckoned from the date of receipt of the request by one party to refer the dispute to arbitration. Where Article XX of the Convention and Article 20 of the Operating Agreement require the agreement of the disputants to refer the dispute to arbitration, the period of two months shall be reckoned from the date of that agreement. The first two arbitrators shall, within a period of two months reckoned from the nomination of the second arbitrator, nominate the third arbitrator, who shall be the Chairman of the Arbitration Tribunal. If one of the two arbitrators has not been nominated within the required period he shall, at the request of either party, be nominated by the President of the International Court of Justice or, if there is no agreement between the parties, the Secretary General of the Permanent Arbitration Court. The same procedure shall apply if the Chairman of the Arbitration Tribunal has not been nominated within the required period.